

# MAINE STATE LEGISLATURE

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**Legislative Record**  
**House of Representatives**  
**One Hundred and Nineteenth Legislature**  
**State of Maine**

**Volume III**

**Second Regular Session**

March 23, 2000 – May 12, 2000

**Appendix**  
**House Legislative Sentiments**  
**Index**

ONE HUNDRED AND NINETEENTH LEGISLATURE  
SECOND REGULAR SESSION  
20th Legislative Day  
Tuesday, March 28, 2000

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Reverend Terry Upcott, Bible Baptist Church, Lincoln.

National Anthem by Monmouth Middle School Chorus, Grades 4 and 5.

Pledge of Allegiance.

Doctor of the day, Francis Kleeman, M.D., Kennebunk.

The Journal of yesterday was read and approved.

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**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act to Amend the Motor Vehicle Laws"

(S.P. 893) (L.D. 2312)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-485) AS AMENDED BY HOUSE AMENDMENT "B" (H-905)** thereto in the House on March 23, 2000.

Came from the Senate with that Body having **ADHERED** to its previous action whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-485)** in **NON-CONCURRENCE**.

Representative JABAR of Waterville moved that the House **RECEDE AND CONCUR**.

On further motion of the same Representative, **TABLED** pending his motion to **RECEDE AND CONCUR** and later today assigned.

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**Non-Concurrent Matter**

Bill "An Act to Provide Safety for Forest Rangers and the Public"

(H.P. 1686) (L.D. 2392)

Report "B" (6) **OUGHT NOT TO PASS** of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** was **READ** and **ACCEPTED** in the House on March 7, 2000.

Came from the Senate with Report "A" (6) **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-836) AS AMENDED BY SENATE AMENDMENT "B" (S-573)** thereto in **NON-CONCURRENCE**.

On motion of Representative PIEH of Bremen, the House voted to **ADHERE**.

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**Non-Concurrent Matter**

Bill "An Act to Amend the Maine Juvenile Code"

(H.P. 1741) (L.D. 2447)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-885)** in the House on March 22, 2000.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-885) AS AMENDED BY SENATE AMENDMENT "A" (S-591)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

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**COMMUNICATIONS**

The Following Communication: (H.C. 402)

**119TH MAINE LEGISLATURE**

February 25, 2000

Honorable George J. Mitchell

Verner, Lipfert

901 15th St., N. W.

Suite 700

Washington, D.C. 20005

Dear Senator Mitchell:

We are pleased to invite you to the Joint Convention of the 119th Maine Legislature, to be held in your honor, on March 28, 2000 at 12:45 p.m., in the House Chamber. The Joint Convention will be followed by a reception in the third floor Rotunda.

We look forward to seeing you.

Sincerely,

S/Mark W. Lawrence

President of the Senate

S/G. Steven Rowe

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

**Pursuant to Statute**

**Department of Mental Health, Mental Retardation and Substance Abuse Services**

Representative KANE for the **Department of Mental Health, Mental Retardation and Substance Abuse Services** pursuant to Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 1: Rights of Recipients of Mental Health Services Who are Children in Need of Treatment, Section A-VII, Rights to Due Process With Regard to Grievances and Section A-IX, Confidentiality of and Access to Mental Health Records, a Major Substantive Rule of the Department of Mental Health, Mental Retardation and Substance Abuse Services (EMERGENCY)

(H.P. 1910) (L.D. 2658)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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At this point, a message came from the Senate, borne by Senator Pingree of Knox of that Body, proposing a Joint Convention to be held in the Hall of the House at 12:45 in the afternoon for the purpose of extending to the Honorable George J. Mitchell an invitation to attend the Convention and make such communication as pleases him.

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Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 12:45 in the afternoon and the Speaker appointed Representative SAXL of Portland to convey this message to the Senate.

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**SPECIAL SENTIMENT CALENDAR**

In accordance with House Rule 519 and Joint Rule 213, the following items:

**Recognizing:**

the following members of the Gorham High School Cheering Squad: Missy Barstow, Shanann Calvo, Bailey Stelmack, Kristen Olson, Kelsey McCormack, Jess Hardy, Diana Pike, Megan Croxford, Jen Young, Delvina Miremadi, Jenn Durgin, Jill Giandrea, Nicole Haddad, Donna Albert, Nicole Robey, Avid Mannette, Jess Shaw, Breanna Hallsworth and Coach Samatha A. Morton, winners of the Western Maine Conference and Western Maine Regional for the second consecutive year. We extend our congratulations to the team on this accomplishment;

(HLS 1105)

Presented by Representative LABRECQUE of Gorham.

Cosponsored by Representative CLOUGH of Scarborough, Senator O'GARA of Cumberland.

On **OBJECTION** of Representative LABRECQUE of Gorham, was **REMOVED** from the Special Sentiment Calendar.

**READ** and **PASSED** and sent for concurrence.

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**Recognizing:**

the following members of the Gorham High School Class B Girls Field Hockey Team: Melissa Conley, Megan LaPierre, Bethany Morneault, Stephanie Atwood, Aimee Caswell, Kim Douglass, Stephanie Drouin, Jen Bishop, Nilaya Curran, Jess Deans, Jenn Durgin, Betsy Loughran, Emily Pelletier, Elizabeth Blaisdell, Kyra Chadbourne, Kathleen Conley, Kathryn Cyr, Deanna Emery, Shannon Houlihan, Rachel Lachance, Lyndsay Pettengill, managers Jayme Quinn and Marnie Suss, Assistant Coach Ellen Durgin and Coach Sue Hannigan, winners of the State Class B Field Hockey Championship. We extend our congratulations to the team on this accomplishment;

(HLS 1106)

Presented by Representative LABRECQUE of Gorham.

Cosponsored by Representative CLOUGH of Scarborough, Senator O'GARA of Cumberland.

On **OBJECTION** of Representative LABRECQUE of Gorham, was **REMOVED** from the Special Sentiment Calendar.

**READ** and **PASSED** and sent for concurrence.

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**Recognizing:**

the following members of the Gorham High School Class B Girls Basketball Team: Noel Beagle, De Emery, Bre Butterfield, Kristin Chandler, Tashia Libby, Jess Lemieux, Sam Jackson, Jean Murphy, Liz Kafkas, Rachel Martin, managers Stacy Theriault, Lindsay Dean and Sarah Sanborn and coaches Carol Merrifield and Whitney Libby, winners of the Western Maine Class B Girls Basketball Championship. This is the team's second consecutive Western Maine Class B Championship. The team received the Sportsmanship Award in the Class B Tournament. We extend our congratulations to the team on this accomplishment;

(HLS 1107)

Presented by Representative LABRECQUE of Gorham.

Cosponsored by Representative CLOUGH of Scarborough, Senator O'GARA of Cumberland.

On **OBJECTION** of Representative LABRECQUE of Gorham, was **REMOVED** from the Special Sentiment Calendar.

**READ** and **PASSED** and sent for concurrence.

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**Recognizing:**

the following members of the Gorham High School Class B Boys Basketball Team: Jake Lemieux, TJ McLeod, Jackson Schneider, Ryan Burnheimer, Kendrick Ballantyne, Brooks Beaudoin, Aaron Duffey, Kyle Kirby, Greg Thayer, Ryan Chicoine, Ryan Gould, Brian Griffin, Andy Jenkins, David Willis, Dan Griffin, manager Andrew Meggison and coach Kevin Jenkins, winners of the State Class B Basketball State Championship. This is the team's second consecutive state championship. The team placed first in the Western Maine Conference. The team received the Sportsmanship Award in the Class B Tournament. We extend our congratulations to the team on this accomplishment;

(HLS 1108)

Presented by Representative LABRECQUE of Gorham.

Cosponsored by Representative CLOUGH of Scarborough, Senator O'GARA of Cumberland.

On **OBJECTION** of Representative LABRECQUE of Gorham, was **REMOVED** from the Special Sentiment Calendar.

**READ** and **PASSED** and sent for concurrence.

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**Recognizing:**

Joe Manganaro, a senior at Gorham High School, who has been named the Individual High School State Golf Champion. We send our congratulations to Joe on this accomplishment;

(HLS 1118)

Presented by Representative LABRECQUE of Gorham.

Cosponsored by Representative CLOUGH of Scarborough, Senator O'GARA of Cumberland.

On **OBJECTION** of Representative LABRECQUE of Gorham, was **REMOVED** from the Special Sentiment Calendar.

**READ** and **PASSED** and sent for concurrence.

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**Recognizing:**

Shannon Houlihan, a senior at Gorham High School, who has been noted for individual achievement in the Class B Gorham High School Indoor Track Program. At the conference meet, Shannon took first place in the relay, long jump, triple jump and hurdles and received the Field Athlete of the Meet Award. At the State meet, she was the State Champion in the long jump, triple jump and hurdles. We extend our congratulations to Shannon on these accomplishments;

(HLS 1129)

Presented by Representative LABRECQUE of Gorham.

Cosponsored by Representative CLOUGH of Scarborough, Senator O'GARA of Cumberland.

On **OBJECTION** of Representative LABRECQUE of Gorham, was **REMOVED** from the Special Sentiment Calendar.

**READ** and **PASSED** and sent for concurrence.

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**Recognizing:**

Patrick Cianciolo, a senior at Gorham High School who won the Individual State Tennis Championship. Patrick played in 7

round-robin games, winning each one. We extend our congratulations to Patrick on this accomplishment;

(HLS 1130)

Presented by Representative LABRECQUE of Gorham.

Cosponsored by Representative CLOUGH of Scarborough, Senator O'GARA of Cumberland.

On **OBJECTION** of Representative LABRECQUE of Gorham, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Gorham, Representative Labrecque.

Representative **LABRECQUE**: Mr. Speaker, Ladies and Gentlemen of the House. In the balcony today we have some of the finest athletes in the State of Maine. It is my pleasure to introduce them to you. Let me give you just a little background. First of all, I would like to say these young people excel because of the teachers that have influenced their lives. I would like to take this opportunity since some of the folks are here to thank the adults who are involved with these children and who make a difference in their lives even though they, as coaches, may not know it at this time or the children may not know it at this time. At some point in the future what they have learned through their athletic experiences will come back to help them. Jerry Durgin is here. He is our athletic director. The buck sort of stops there. With him and his coaching staff, we have excelled year after year in athletes. I thank them for their dedication to their jobs and to their children and for making a difference.

Starting many years ago, Gorham High School became known as a school to be contended with when it came to various athletic endeavors. I think that as you look at these seven or eight accomplishments here today you would agree with me. Probably about this time about a year ago, we had two teams, our tennis and our golf teams who were working very hard to perfect their skills. While this is a team effort, it is also an individual effort. Two of those young men, Patrick Cianciolo, who became the individual state tennis champion and Joe Manganaro, state champion golf representative, we wish them good luck as they continue.

Even before school starts in September, you have a number of folks who are already practicing for their various teams. Gorham High School Cheering Squad, under Coach Samantha Morton, won the Western Maine Conference and the Western Maine Regionals for the second year in a row. For those of you who can remember, my age, when cheering was pretty much raising your pompoms and hollering for give me a "G" etc. Cheering has come a long way. They spend daily and weekly workouts. They create various routines. They present these routines and then they take them on to various regional conferences.

Indoor track also, as a team effort, does have individual accomplishments. We congratulate Shawn Leeper who is Gorham's Class B High School Indoor Track Individual Champion in the 55 hurdle. Another young lady who is near and dear to my heart because I see her running around my neighborhood is Shannon Houlihan. She placed first at the conference meet in four events, the relay, the long jump, the triple jump and the hurdles and went on the state championship in three events, the long jump, the triple jump and the hurdles. She also received the Field Athlete of the Meet Award.

During early fall and into the beginning of November or even late October, we had a very busy girl's varsity field hockey team. They, as you heard, became state champions. Their conference

was held in Gorham with Winslow High School, which was a rematch of last season so it was one that was very well attended and closely watched.

Finally, but by far not least, are our Class B Varsity Girls and Boys Basketball Teams. The young men and women on these teams worked extremely hard all season. They kept us on the edge of our seats at many of the games and they both became the Western Maine Champions. Then came the day when they loaded on the buses and they went to Bangor hoping that they would bring home another dual championship. That was not to be the case for the girls, but they played an extremely well game, losing in overtime by just a few points. For that and their endeavors and their good sportsmanship, they received a special award for good sportsmanship. The young men went on. They had a 20-1 record going into the playoffs. They ended up playing a team from upstate, Herman High School and they beat them 74-52. They also received the sportsman award team for the tournament.

We are here today to honor these children. I don't like to call them children. They are young people. They are practically all grown up. For somebody my age, they are still kids. It is my distinct pleasure to be able to do this honoring. While we honor them for their athletic ability, we also need to bear in mind that these young folks excel scholastically as well. I thank them for being here. I thank them for the opportunity to be able to do this. I wish them the very best of luck in their future endeavors.

The **SPEAKER**: The Chair recognizes the Representative from Scarborough, Representative Clough.

Representative **CLOUGH**: Mr. Speaker, Ladies and Gentlemen of the House. I am really thrilled to stand here today in praise of these championship Gorham High School athletic teams. As the sentiments indicate, these young men and women have achieved great success on the athletic fields and in the school gymnasiums. What is more important than their athletic achievements is that these young men and women are true scholar athletes. They epitomize what is best in high school athletics. Many of these athletes ranked in the top 10 of their class. Several members of these championship teams had lead rolls in Gorham High School's annual spring musical, *Guys and Dolls* this past weekend. The boys and the girls basketball teams and the ice hockey team received the sportsmanship award in the Western Maine Class B Tournament. Ladies and gentlemen of the House, I am extremely proud to have these outstanding young men and women residing in my district. I wish them all the best in their future endeavors and I am certain each and every one of them will continue to excel in whatever they choose to do. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Arundel, Representative Daigle.

Representative **DAIGLE**: Mr. Speaker, Ladies and Gentlemen of the House. Very briefly, I would like to extend my congratulations to all of these young men and women. I figured I would be remiss if I didn't mention one Kristin Chandler, a member of the basketball team. Kristin has two connections here with the Legislature. One, her brother is Peter Chandler, Chief of Staff for the President of the other body and I am her uncle. For those of you who are wondering when they passed out the genes, she got the good looks and I got the height. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Standish, Representative Mack.

Representative **MACK**: Mr. Speaker, Right Honorable Men and Women of the House. I want to join in congratulating the athletes from Gorham High School and the coaches on an excellent season. Gorham High School consistently fields excellent teams. They have a history of excelling in all their events. I know the students will do well in life with their great scholastic and sportsmen like achievements. Gorham's rich tradition of athletic excellence will continue into next year's season and for years to come. I want to congratulate them again on an excellent year. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Fryeburg, Representative True.

Representative **TRUE**: Mr. Speaker, Ladies and Gentlemen of the House. I would like to come from a different perspective in congratulating these young men and women and their coaches. I graduated from Gorham High School more years ago than I want to remember. It has been very rewarding to me to go to the school to see many of these athlete scholarships participate. I am very, very pleased and I would like to ask Mr. Speaker if the athletic director could stand to be recognized individually, to recognize what he has done for our school. Mr. Durgin played basketball for me at Fryeburg Academy. He also taught there when I was headmaster of the school and those teachers and principals here in the Legislature, I am sure, remember fondly certain people that they have had and guided. Here today, I want him to know how proud I am of him and his accomplishments and the Gorham High School athletics. I, too, want to recognize his daughter, a member of the field hockey team and a member of the cheering team. I first met her, she will get after me about this, when she couldn't walk. She was a baby. I wanted to congratulate her individually for what she has accomplished.

I know from experience what these coaches have done. It is long hours, a lot of preparation, a lot of time away from their loved ones and their families. To each one of the young people that I noticed coming in and I am very pleased and proud of their dress and also their smiles. I hope that I get this right. I believe strongly that what sunshine is to flowers, smiles are to humanity. They certainly represent this. I thank you very much Mr. Speaker.

**PASSED** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

Subsequently, Representative **SAXL** of Portland reported that he had delivered the message with which he was charged.

#### REPORTS OF COMMITTEE

##### Ought to Pass Pursuant to Joint Order (H.P. 1874)

Representative **BRENNAN** from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Clarify the Tuition Waiver Program for Persons Who Resided in Foster Care as Children"

(H.P. 1909) (L.D. 2657)

Reporting **Ought to Pass** pursuant to Joint Order (H.P. 1874).

Report was **READ** and **ACCEPTED**.

The Bill **READ ONCE** and **TOMORROW ASSIGNED FOR SECOND READING**.

#### Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass** on Bill "An Act to Promote Healthy Maine Families"

(S.P. 492) (L.D. 1477)

Signed:

Senators:

PARADIS of Aroostook

BERUBE of Androscoggin

Representatives:

KANE of Saco

BROOKS of Winterport

FULLER of Manchester

QUINT of Portland

DUGAY of Cherryfield

WILLIAMS of Orono

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

MITCHELL of Penobscot

Representatives:

LOVETT of Scarborough

BRAGDON of Bangor

SNOWE-MELLO of Poland

SHIELDS of Auburn

Came from the Senate with the Bill and accompanying papers **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES**.

**READ**.

On motion of Representative **KANE** of Saco, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act Regarding Retainage on Major State and School Construction Projects"

(S.P. 173) (L.D. 529)

Signed:

Representatives:

AHEARNE of Madawaska

BAGLEY of Machias

RINES of Wiscasset

McDONOUGH of Portland

TWOMEY of Biddeford

JODREY of Bethel

RICHARDSON of Greenville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-555)** on same Bill.

Signed:

Senators:

PENDLETON of Cumberland

GOLDTHWAIT of Hancock

DAVIS of Piscataquis

Representatives:

BUMPS of China  
 KASPRZAK of Newport  
 GERRY of Auburn

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-555)**.

**READ.**

Representative AHEARNE of Madawaska moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-941)** on Bill "An Act to Allocate from the Fund for a Healthy Maine" (EMERGENCY)

(H.P. 1818) (L.D. 2552)

Signed:

Senators:

MICHAUD of Penobscot  
 CATHCART of Penobscot

Representatives:

TOWNSEND of Portland  
 STEVENS of Orono  
 MAILHOT of Lewiston  
 POWERS of Rockport  
 TESSIER of Fairfield  
 BERRY of Livermore

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-942)** on same Bill.

Signed:

Senator:

HARRIMAN of Cumberland

Representatives:

KNEELAND of Easton  
 WINSOR of Norway  
 BRUNO of Raymond  
 NASS of Acton

**READ.**

Representative TOWNSEND of Portland moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Townsend.

Representative **TOWNSEND**: Mr. Speaker, Men and Women of the House. Today is a historic day in the House of Representatives and in the annals of Maine history. We will be addressed later today by Senator Mitchell and I am looking forward to that. Right now we have before us the opportunity to take action on a host of issues that we have always said that we wanted to take action upon if only we have the money. Now we have the money. As you know, Maine's share of the tobacco settlement with the major tobacco industry has begun to flow into the state. This year, in this biennium, it represents approximately \$100 million. We have agreed collectively in the debates that we have had over the past 15 months to a year and

a half that it should be used for health purposes. Last year we created a framework to make that happen.

In LD 2552, we can take the next step and actually allocate the remainder of the funds. The signers of the Majority Report along with those on the Health and Human Services Committee who endorsed it and the broad diverse coalition behind it, view the arrival of the tobacco money as a once in a lifetime opportunity for the State of Maine. An opportunity to do something to fundamentally improve the health of Mainers, both now and into the future. We view this issue as important, so important because how we act today will set the stage for how that money will be spent in the future. It the view of the signers of the Majority Report, other supporters and the coalition, that to divert the tobacco settlement money to pay for expenditures currently being made by the General Fund would be an astonishing and extraordinary waste of the opportunity before us, which this money presents.

You have had distributed to you a salmon colored side-by-side. I would like to walk you through, briefly, how the Majority Report intends to invest the tobacco funds to improve the health of Maine people for the long term. First and foremost, the most important expenditure on this report is the \$17.5 million allocated for the purpose of smoking prevention and cessation. That represents nearly a third of the annual expenditure, which is appropriate that we use this tobacco settlement money to do something about Maine's extraordinarily high, disturbingly high, and very costly rate of smoking. As you know by now, we have the very highest rate in the nation for smoking among young adults. Perhaps the best piece of this allocation is not only does it have the support of the Maine Coalition on Smoking or Health, but it incorporates aspects of LD 2555, which was proposed by the Executive, which stressed not only tobacco cessation, prevention and control, but also a comprehensive community based and school based approach, which stresses the improvement of the health of Maine citizens, not only by addressing the issue of tobacco consumption, but by a fundamental modifications of the diet and exercise habits to reduce the incidence of chronic disease. It will draw on the guidelines of the Center for Disease Control. There has been a very well known model of which you are all very familiar, which has been extremely successful in Franklin County.

Secondly, the Majority Report recognizes that the issue of substance abuse is a scourge in the State of Maine, which can be found at the heart of so many of the issues that we wrestle with here in the Legislature. Substance abuse is directly attributable to child abuse and neglect. It is directly attributable to domestic violence. It plays a role in traffic accidents and deaths and it plays a roll in our very high incarceration rate and the fact that our prisons are overcrowded.

The Majority Report of LD 2552 allocates an additional \$5 million in ongoing expenditures to address that scourge. It allocates nearly \$5 million in one-time expenditures based on the recommendations of the task force, which studied the issue of substance abuse. Further, the Majority Report allocates \$5 million to the issue of the high cost of prescription drugs, which as we all know, are a fundamental problem to our elderly citizens. We have heard time and again of citizens who merely put their prescriptions written by their doctors in a drawer. They cut their pills in half and take them every other day instead of every day. They have to choose between the prescription drugs and between food or heat. LD 2552 directs the Department of Human Services to pursue a waiver, which would provide the

Medicaid cost of prescription drugs to our elderly and disabled. It doesn't sit around and wait for the waiver to get here. Beginning July 1 and every quarter thereafter, it releases the money and asks the department, through rulemaking, to expend it as it sees fit to do the most good for the most citizens.

Another exciting and important piece of this bill is a very real achievement which can reduce the cost of health care to all of us. It is a \$4.6 million allocation to insure people, 10,000 Maine citizens who are now uninsured. It has the support of the Maine Hospital Association, the Maine Medical Association and the Maine Restaurant Association. Those groups recognize and have told us loudly and clearly that one of the most important ways that we can reduce the cost of health care to all of us is to make sure that more citizens have access to health care. Imagine 10,000 Maine citizens being able to achieve primary care. Ten thousand Maine citizens not leaving their health unattended until it becomes a crisis. Ten thousand Maine citizens who would not then present themselves as emergency cases in the emergency room where their costs would become a matter of charity care and be passed on to the rest of us to pay for.

The Majority Report of LD 2552 makes substantial investments in the Start Me Right Program. It is something that we all endorsed last year and said was a critical investment necessary to improve the health and well being of Maine children. It does so by ensuring that there will be more home visitation to the parents of newborn children. It also invests a substantial amount in the issue of child care because it recognizes that by far the majority of Maine citizens who have children today are working and that they work better when they know that their children are supervised in a safe, clean and stimulating environment. It especially serves rural area of Maine, northern Maine and other underserved geographical areas. It allocates funds for off hours child care to serve those Maine citizens who work in mills and in hospitals on the second and third shift.

I think it is important for you to be aware of some of the substantial differences between the Majority and Minority Reports. I would ask you to read the third column on the salmon sheet of paper. First, and perhaps the most important, is the fact that the Minority Report allocates only \$9 million to the issue of tobacco cessation and control. It allocates only one-sixth of the annual tobacco payment to the issue of addressing our high rate of smoking. It ignores the recommendations of Doctor Dora Mills, the head of the Bureau of Health, that we do so in a comprehensive community and school based action. Secondly, the Minority Report allocates \$18 million to address a short fall in our Medicaid account. That short fall is very real, but Medicaid is a General Fund account and today we have in our possession \$345 million General Fund dollars. Surely we can pay our bills without missing this extraordinary and historic opportunity to invest in a way that will fundamentally improve the health and well being of Maine citizens. Thirdly, the Minority Report allocates \$10 million for biomedical research. I believe that there is support in this building for biomedical research. By voting for the Majority Report today, you will not be saying that the issue of biomedical research is off the table and only that it is a conversation, which needs to take place in the context of the General Fund Budget. Fourthly, the Minority Report allocates \$4 million as an incentive to health care providers who provide services to Medicaid recipients. It was the feeling of the members who signed onto the Majority Report that we expect

high quality care from our practitioners with or without such an incentive. Fifthly, an important distinction between the two reports is the method in which they set aside unspent funds. The Majority Report of LD 2552 adheres to the statute, which we put in place last year, which establishes a reserve account of up to \$27 million and locks it up highly in a trust fund so that it will be extremely hard for it to be accessed and moved to other programs. The Minority Report leaves \$32 million in unallocated surplus, which as you may know, can be moved by financial order.

I am extremely proud of the work that my committee has done and the work done by the Health and Human Services Committee. I am proud of the broad and diverse coalition that supports this bill. I know that today is an extraordinary opportunity for us all. I urge you to join me in voting for the Majority Ought to Pass Report. Mr. Speaker, when the vote is taken, I request that it be taken by the yeas and nays.

The same Representative **REQUESTED** a roll call on her motion to **ACCEPT** the Majority Ought to Pass as Amended Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Saco, Representative Kane.

Representative **KANE**: Mr. Speaker, Men and Women of the House. I heartedly endorse the Majority Report of LD 2552. Most of the programs in this proposal have been supported by the majority of the Health and Human Services Committee during both sessions of the 119<sup>th</sup> Legislature. I won't recount all of them as the previous speaker already did that. You may recall that the child care related programs and home visitation known as Start Me Right received overwhelming bipartisan support at the public hearing last year. In fact, the bipartisan leadership of both the House and Senate gave strong advocacy for this proposal at the public hearing. In fact, LD 1477, a bill which would provide medical coverage for 10,000 working low-income families up to 150 percent of poverty level received unanimous committee support for the program although we divided last year as to the source of funding with the minority specifying the tobacco fund. Now 2552 responds to that position. It draws the funding for this expansion of Medicaid to low-income working parents from the tobacco fund. Public opinion polls clearly show that 2552, the bill before us, reflects the priorities of the people of Maine, those who sent us here to advance their interests.

Men and women of the House, the time has come for us to respond to their priorities and LD 2552 is the vehicle with which to do it. I urge your support for the Majority Report. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Raymond, Representative Bruno.

Representative **BRUNO**: Mr. Speaker, Men and Women of the House. I agree with the Chair of the Appropriations Committee, the good Representative from Portland, that this committee has done wonderful work. We disagree on this bill. It is a bold bill. It has a lot of great programs in it. It has a lot of good steps forward, but we cannot sustain the funding that is found in this bill. The Republicans on that committee all agreed to the \$18.7 million last year that you see on this salmon colored sheet. We agree that there needs to be more done for substance abuse. We agree on the Prescription Drug Program. We agree on the home visiting for parents. What we don't agree



on is starting new programs that we cannot fund with tobacco money down the road.

In the late 1980s, we started a program called the Maine Health Program. It was a wonderful idea. Where is it 12 years later? Where was it 10 years later? Where was it seven years later? Ladies and gentlemen, the program died. There was no money left to fund it. Yet, this bill is proposing to do the same thing. This will fund 10,000 or 12,000. You hear different numbers all the time, but yet it is okay to have a waiting list in this program. Down the road you are going to hear about more waiting lists and we shouldn't have waiting lists, but why is it okay in this program when you don't have the funding. To me, we are going down the wrong path all over again. It is déjà vu all over again according to Yogi Berra. When you look at the original intent of the state's lawsuit, it was to recover funding for Medicaid costs spent on smoking and smoking illnesses. The Minority Report has \$18 million going towards that. We realize that \$60 million a year is spent out of the Medicaid fund for smoking related illness. We think that the original intent of the lawsuit and why the money came to Maine is to fund the Medicaid shortfall that we have and that is \$62 million. This is a good step towards that shortfall.

The Minority Report has a Prescription Drug Program that actually has a plan. We give the money July 1<sup>st</sup>, right off the bat, so people don't have to wait once a quarter to get relief from the high prescription drug costs in the state. We offer a catastrophic plan that says if you spend a lot of money out of pocket, you shouldn't have to spend that much more once you reach a certain level out of pocket. We offer a plan that says that we think it is affordable that we can fund all generic drug costs in this state at an 80/20 level if you are in the program. We don't sit and wait for a federal waiver that we have been told will probably not happen. I take exception to the fact that the Minority Report supposedly puts in unallocated surplus that we can move around with financial order. What our plan does is it moves it into an interest bearing account and goes back to the Fund for a Healthy Maine.

We hear about an incentive program for doctors. Ladies and gentlemen, fifty five percent of the pregnant women in Maine smoke. What our plan does is it sets aside \$4 million that says it is not a good idea to smoke when you are pregnant. Let's spend some extra time at the physician's office. Let's make sure you are not harming that fetus that you are carrying. It is not an incentive program. It is a follow-up visit when you are pregnant to help you stop smoking or if you have emphysema as asthma or if you have children who have asthma. Let's stop you from smoking. When you look at this salmon piece of paper, don't only take the \$9 million that is in there, but also look at the \$4 million that goes to paying physicians to spend extra time with those patients to get them to stop smoking.

Ladies and gentlemen, there are a lot of good things in both bills. What we need is to sit down again at the table and work out a compromise bill, one that does the right things for the State of Maine. The Minority Report is not the Governor's bill. The Majority Report is not the Governor's bill. We can reach a compromise and I am very confident of that. We have proven it in our committee. Let's take the good things from both bills and work out a compromise. There was no effort to do that. This was on the fast track from the word go and it was the wrong thing to do in this session. I think we offer an alternative that can have a lot of support, but I also know there is a lot of support for the Speaker's bill. I ask you to compare them and think about what

you think is good in both bills. I know, ladies and gentlemen, that sooner or later we are going to have to work out a compromise. Don't denigrate the Minority Report as not having merit, because we put just as much thought into our bill without bankrupting the State of Maine further down the road. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Livermore, Representative Berry.

Representative BERRY: Mr. Speaker, Men and Women of the House. In my opinion the time is now to put this money to work. Maine has the highest rate of low-income uninsured parents in New England, forty five percent higher. The Majority Report would help working parents and their families with health care, but not emergency room care. I especially want to make the plea from my colleagues from rural areas in Maine. I think that this really brings broad help across the state, whether it is smoking prevention or cessation. We have worked with the Governor's people to incorporate the school health initiatives and community health initiatives. Child care is an important issue to rural areas, as the Representative from Portland mentioned earlier. Many of us work shift work. Many of us have to travel greater distances to work. A 9 to 4 daycare just doesn't cut it. The Majority Report offers some alternatives and some incentives for additional access.

I want to use as an example, there is a professional that just joined the staff at Franklin Memorial Hospital. I know that she came to Maine looking for a place for her daughter in the community, the greater Farmington area. In all the certified daycare, there was no space available. This is an opportunity for us to help these communities, help working people, to find the daycare or good quality daycare that we need, which also creates jobs in our communities. I want to say that this bill, especially the low-income health insurance piece will help our community hospitals by reducing their burden and charity care costs. Charity care costs over the past 10 years have doubled nationally. We have a chance here. We are paying for the care as an expensive emergency room health care. I think we have the chance to give some good quality health care to parents before they get into where they need emergency care.

I won't keep you long. I feel strongly that this is going to help rural Maine. I think there is the question of not maintaining the cost. There is a trigger built into it, much like the Cub Care Program. We said if the money is not there, we have to scale back the program. That could be by scaling back, whether it is the federal income levels that would qualify. It is something we will have to do. There is language existing that we set aside ten percent of the tobacco money each year for the first five years. It gives us a cushion to back out of this if something happens to the tobacco money. Some people say it will happen. Others are willing to say that it won't happen. I would just ask that you consider this Majority Report. I think it is good for the State of Maine. I think it is good to keep this out of the General Fund discussion. I think we have a real opportunity to make a difference in our lives. We have all been paying the bills whether we smoke or not. I think this is a chance to really make a difference for the future of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Acton, Representative Nass.

Representative NASS: Mr. Speaker, Men and Women of the House. I, too, agree with the House Chair of Appropriations. Both reports are the product of a great deal of work in the Appropriations Committee. I want to point out again that there is some consensus here on the prevention part of this, which I

consider the most important piece. If we are getting tobacco money for and as a result of cigarette smoking, then it ought to be strong on the prevention piece. In fact, that probably will be part of the final solution. I would like to take a few minutes here just to point out, again, the differences that I think should help you believe, as I do, that if we adopt all of the Majority Report, we are going to adopt programs, which we cannot pay for in the future. Representative Raymond talked about a past effort. When I came here one of the first things that we did was repeal that. It was an effort we tried to fund to provide insurance to a whole number of folks in Maine and it failed. I would suggest to you that the Majority Report is a prescription for failure. The words you want to remember are waiting lists. In recent times we have legislated by waiting lists in this body. I am suggesting to you that that is the wrong way to go. If we pass programs, they are going to result in a waiting list and we don't have the money to support it, then we are left collectively with a job of explaining why and perhaps shutting down programs. We have to face up to this now. By example, home visits to parents, both reports provide for a substantial amount of money for continuing an effort that was adopted last year. You wouldn't know that by looking at the salmon sheet. What I am talking about here is the expansion of this program. Currently, in a program that will start the first of July, we are willing to pay about \$500 per family for a new child. I guess that is a good way to look at it, for home visits. The new program would expand that to \$1,300 per child or per family, multiple visits. That is an expansion, which I suggest is not warranted. It is something we can't afford to pay for in the future and we ought to draw a line right now that reflects the future, not future needs, but future ability to pay. The needs are endless. The question is, how much can we pay for?

Medicaid coverage for parents, another item here, great idea. We would all like to have coverage for everybody. This expands, as you have heard before, to an additional 10,000 families. Great thing, but you can't pay for it in the future. The future of tobacco money, in my mind, if you read the newspapers and the press and listen is very much in doubt. We start this program now that thing collapses and what are we going to tell these people? Is there General Fund money to support this? Are you going to have insurance today and not tomorrow? What are you going to have? Nothing. On the positive side, the Medicaid shortfall bailout, this money in the tobacco suit by the state's attorney generals was allocated to pay for tobacco related diseases. This is the allocation from the current shortfall of over \$60 million that can be reasonably associated with tobacco diseases. We ought to include it in the tobacco money. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Murphy.

Representative MURPHY: Mr. Speaker, Men and Women of the House. I am hoping that during the next few weeks I will be able to cast my vote for a comprehensive plan that focuses on prevention and saving present and future lives. That proposal isn't before us now. There is agreement, and I have to compliment the majority on the Appropriations Committee for the movement that they have made in the last week. The facts, dealing with tobacco, there can be no argument against those facts. Seven Mainers in this state die every single day from tobacco. On a yearly basis, that is seven fully loaded 747s crashing year after year. Where we differ today is where this proposal addresses tobacco, it does not address tobacco related heart disease, strokes, cancer, lung disease and diabetes, plus

alcohol. If you take the time today to think about your own families and you think about your neighbors and you think about what has happened in your personal lives over the last 10 or 15 years, heart related disease, strokes, cancer, lung disease, diabetes and the effects of alcohol. This bill does not address those tobacco related diseases. When you look at the depth charts over the last 30 or 40 years for those tobacco related diseases, the only word that you can use is epidemic. Those are family members and our neighbors who are dying. The bill that is before us now ignores the fact that we have an ever-aging high-risk population in this state. I personally believe that not only do we need to attack tobacco use, but we need to attack this epidemic of tobacco related chronic disease and that means prevention. Prevention saves lives.

I am really pleased to see that with the proposal and the Majority and Minority Reports before us, that we are beginning that attack on youth tobacco. That was discouraging a little less than a year ago that when we went to spend that first money, basically the purpose of the settlement, at least what people said when the settlement was announced, was to attack youth smoking. Ironically, we got a bonus in the distribution of the tobacco money because so many of our young people smoke. There has been a lot of movement on the tobacco side. I think those of us that are teachers, who are in this chamber right now, know what it is like when you have a 15 or 16 year old come into your classroom and they have been addicted for four to five years already. We all understand the reason they are addicted. Up to now, and hopefully if in the next couple of weeks we can come together on a bill, they won't have to do it alone. They won't have to do it cold turkey. They will get some help. I am also pleased to see that there has been some movement on the part of the majority members to finally move toward outreach to high risk populations, such as teens and pregnant women, people living in poverty, the training of the cessation specialists, Quit Line, we have seen that type of movement. We have seen that acceptance of a concept that was not endorsed just a few weeks ago.

Again, what is missing from this bill is the community effort and the school based effort. When you have such a huge number of Mainers dying, the only way that you are going to turn that around is for the community and the school to be involved. That is not part of the report that is before us. We heard earlier about the criticism of the Medicaid costs included in the Minority Report. We have 168,000 Maine people who have Medicaid insurance. That number is climbing by 1,000 a month. That is part of the Medicaid shortfall or crisis that we face and if you continue in this chamber, that Medicaid crisis will only get worse. Let's put a face on the Medicaid. It is part of our aging population. It is part of our high-risk population. It has been criticized. It has been introduced into the debate. If you think of your family members and you think of your neighbors, that portion covers radiation, chemotherapy, surgery, biopsies, oxygen tanks from those suffering from emphysema. Pain medications to kill the ungodly pain that too many Mainers live with, bypass operations, cancerous lung removal, cardiac rehabilitation and all the things that the tobacco companies have done to your family members and to your neighbors.

I really believe and I agree with the Representative from Portland. We have a historic opportunity, but if we don't address prevention and if we don't address risk reduction, the body count will not change. That body count of your family members and your neighbors and we will lose a historic opportunity if we do not

include the payment for the treatment of the health problems caused by tobacco addiction.

The hearing on the two bills was very informative. I think the key to that as you look at the choice between entitlement programs and community-based prevention programs is a short trip to Franklin County where a project has been going on for over two decades. They made a very good case that if we do nothing that when you look at two factors, your rural nature in a county and the low per capita income, you have a high-risk population and you have a high death rate. We saw at the hearing the charts. If you live in rural Maine and it is a poor county, you die at a higher rate than your counterparts who live in an urban center or make higher income. The chart doesn't lie. You have got to think about that because you are representing a low-income area. After 20 years of that program, the risk factors and the death rate for Franklin County is lower, much lower, than Cumberland and York Counties. It flies in the face of the statistics for each and every county. That is community based and that is school-based prevention.

We are used to a lot of surpluses rolling into this state treasury. It seems like increasingly the money just keeps rolling in. We can't look just beyond this bill, we have to think about the future. If we are successful and we cut the addiction rate and the sales here in Maine, less money is available for these programs. Will the General Fund step in to fund these entitlement programs that we have heard about; already that there is probably a shortfall building? I circulated to this chamber last week the news article about the Attorney General concerned about the potential bankruptcy of the tobacco companies. We followed that up and we called their association, which, ironically, based upon various lawyers and perceptions of lawyers, their organization is named NAG. Last week a panel of those four attorney generals began interviewing council in preparation for the potential bankruptcy of the tobacco companies. If that bankruptcy occurs, the payment stops. If you have made promises on entitlement programs, you will have to step in with dramatic General Fund monies to pay for that. Will that come out of GPA? Will it come out of new school construction? Will it come out of help for our seniors? Who will pay the price if we have misjudged the cash coming in or if the cash ends?

In the future, my vote will be for prevention. The only choice that I have before me today is a program that has its focus entitlement programs and does not provide Medicaid monies for the help that Mainers are struggling with in terms of health related disease. I am hoping that down the road in the next week or two we will get to a bill that addresses prevention and saving lives. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Townsend.

Representative **TOWNSEND**: Mr. Speaker, Men and Women of the House. I feel that I must clarify some of what you have heard because I think there are some misconceptions about both the Majority Report and the Minority Report, as well as current statute. First of all, you have heard that the Medicaid proposal, the bailout proposal, to be found in the Minority Report, will be targeted towards those aspects of the Medicaid population, which are driven by the use of tobacco. That simply is not true. The only language in the bill says it would cover an anticipated Medicaid shortfall. It will be at the discretion of the commissioner to use it to pay the bills. We have heard repeatedly from Commissioner Concannon that what is driving the shortfall in the Medicaid account is the high cost of prescription medication, the

effort to bring home damaged children who are currently in out of state institutions and the fact that the state was sued and lost the case and the ruling was we need to serve all citizens, including young people with mental health problems. Those are the issues, which are driving the high cost of Medicaid.

I think you need to know that there is language in the Minority Report which says that should there be a loss of tobacco revenues in the future, all programs are curtailed except for the Medicaid Program. That can be found on page 2 of the Minority Report. There is potential that all tobacco money could be eaten up by the Medicaid Program and not go to any of the additional programs such as Start Me Right.

You have heard that for some reason the Majority Report does not address the issue of chronic disease in community and school-based programs. That simply is not true. I would ask you to turn to page 3 of the Majority Report, section B2, which starts with the words grants provided. It contains language, which says that funds may be used to reduce physical inactivity, poor nutrition and other risk factors in order to reduce tobacco related diseases. Those include chronic diseases, such as heart disease and diabetes. This is language provided to us by the director of the Bureau of Health.

You have heard by insuring 10,000 Maine citizens who currently do not have health insurance, that you will create waiting lists. That simply is not true. The language in the Minority Report gives the commissioner the discretion to tailor the program to fit the amount of money available. I, for one, simply cannot follow the argument that goes because we can't do it for everybody, we shouldn't do it for anyone.

Fourthly, you have heard there is no plan associated with the prescription drug proposal in the Majority Report. That is not true. The Majority Report seeks a waiver for the federal government to reduce the cost of prescription drugs to our elderly and disabled citizens and beginning July 1<sup>st</sup> and continuing until such time as a waiver arrives, it gives the department the discretion to use that money to serve the most people. The Minority Report offers to pay eighty percent of the cost of generic drugs. The average cost of a generic drug is in the \$10 to \$15 range. The average cost of a sole cost, name brand drug is \$46. I think that those of us who need prescription drug assistance would like to have more assistance with the more expensive medication.

You have heard that this issue was put through on a fast track. That simply is not true. We have debated and discussed this issue for close to a year and a half now. We put together, unanimously, a statute last year, which provided a framework for the allocation. We give this year, three long involved work sessions in our committee, as well as having it reviewed by the Committee on Health and Human Services.

Finally, you have heard that there is some sense that the tobacco money will go away. I think it is important that you should know that we were approached last year by several bond houses. Bond houses are not known as bastions of liberalism. They tend to be a very conservative organizations. They offered to write us a check for \$500 million in order that they would then receive the annual payments from the tobacco industry. Somebody felt that the tobacco money would continue well into the future.

Again, I am extremely proud of the work done by my committee on LD 2552 and by the Committee on Health and Human Services. I am proud of the broad diverse coalition supporting the Majority Report, which can be found on the purple

piece of paper on your desk. I urge your support for the Majority Ought to Pass Report.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Baker.

Representative BAKER: Mr. Speaker, Men and Women of the House. I am proud that both bills contain provisions for Start Me Right. I am delighted with the bipartisan support. I remember last spring when we differed by party on the amounts. I was assured by the leadership of the other side of the House that there would be support for full funding for Start Me Right out of the tobacco money. Let me just remind you that Start Me Right is a plan endorsed by virtually everyone across the state to provide for quality and affordable child care to support parents through home visits and to encourage support from businesses and communities. We need these programs and we need them funded in their entirety. The home visiting portion of LD 2552 is not about increasing funding to increase the amount of money spent per family. I just need to clarify this point. It is not about raising the cost from \$500 to \$1,300 per family, it is about increasing the number of families served. Last year there were 13,000 plus births in Maine with only eight percent receiving home visits. What that means is most rural families did not receive visits.

The funds provided last year would increase those numbers of families to forty two percent served. However, that leaves fifty eight percent of Maine newborns without access to home visits. Therefore, Start Me Right, in the second year seeks to increase the funding by another \$5 million providing these services to nearly 4,000 additional families so that by the end of 2001, seventy one percent of Maine families would be served. Let me emphasize that seventy one percent of Maine families would be served. What this means is that these Maine families and the children of these families will enter schools healthier, better able to learn, more developmentally ready and there will be greatly reduced instances of child abuse and neglect. I think of the longest standing home visiting program in the state, which happens to be in Waldo County, the research tells us that in those years home visited families have shown only two documented cases of child abuse and neglect. That is a tremendous statistic, which will save us much money later. Also, those who received home visits showed that developmental delays in children were reduced by half by the time those children entered school. That is a tremendous savings for special education. We know from the research that parents who receive home visits are four times more likely to quit smoking. This includes pre-natal visits and post-natal visits. The result of this cessation in dollar terms alone is incalculatable. The saving to the state in the potential lives of these children is also incalculatable. I encourage this body to support the entire amount for Start Me Right. Thank you.

The SPEAKER: The Chair recognizes the Representative from Livermore, Representative Berry.

Representative BERRY: Mr. Speaker, Men and Women of the House. I just want to respond to some of the comments made earlier regarding where will we be regarding these programs if the money isn't there? As with any other program in the State of Maine, it is under the review of the Legislature that we have the ability to do that annually, rate the progress, rate the revenues and to see what is working and what isn't. It is an annual review. I am not afraid of that. I want to compare this. I have been a firefighter for 25 years now and I will put it in my terms. We have got a structure fire going and it is families in

Maine being consumed by substance abuse. We have the highest rate of tobacco use by teens in Maine. We are fighting domestic violence. We are trying to deal with neglect to make sure that our children are taken care of properly and safely. When I am trying to attack a fire, I want to commit as many resources as it takes up front. I can go to the fire with just one truck and I can wait for it to burn down to where I can put it out. You can save a cellar or I can call in the troops and we can make an effort up front. When we deal with substance abuse, the savings of substance abuse every dollar spent saves us \$7. Those are the figures we have heard. It is the same thing down the line. Child care is connected to substance abuse. It really is with our children and the education process and they are not ready to learn because they are dealing with so many problems at home. Teachers have a hard time keeping order in their class because students come in and they are still dealing with issues that they live with at home. I just want to strongly urge you to vote for the Majority Report. There has been compromise from the original two bills proposed. It is a good package. It is a good package for Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Manchester, Representative Fuller.

Representative FULLER: Mr. Speaker, Ladies and Gentlemen of the House. I would just like to voice my strong support for LD 2552 as it has been amended by the Majority Report. As many of you know, I was the director of the Bureau of Medical Services for a number of years before I retired from state government. I was there during the time that we had the Maine Health Program. I was also there during the time that the Maine Health Program was phased out during the economic downturn in the early '90s. However, I would argue that just because we may at some future date lose funding for a program that we have started, that we shouldn't deny services to people that we can provide those services during the time that funding is available. I am not one of those doomsayers that think that the tobacco money is going to dry up and go away. I think it is going to be with us and we need to do what we can to provide health insurance for those families that need it and for the parents of children who are covered by Medicaid. Studies have shown that if the parents have health insurance coverage, that the children also receive better health care. It is really important that we cover these people.

I would also point out that Maine has been a leader in the past in doing innovative things with the Medicaid Program. The proposal to fund elderly drugs in this state under a Medicaid waiver is an effort that we need to go forward with and be able to expand coverage for our elderly folks who are spending so much money on prescription drugs that they ought to have to make tough decisions. I urge your support of this Majority Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Dunlap.

Representative DUNLAP: Mr. Speaker, Men and Women of the House. On this issue I am looking at it in a couple of different ways. The first way I am looking at it is in terms of the raw numbers. I am not real familiar with budget writing processes and anybody in this chamber who might be scurrilous enough to look at my school records and see my math class transcripts, would probably sleep much better at night knowing that I don't have much contact with budget writing processes. However, I do have a little bit of knowledge in terms of sums. Looking at the history of how we fund some of these particular

programs like Medicaid, it is my understanding, if I am in error, I hope someone will endeavor to correct me, but traditionally we have seen a certain level of growth and demand on the Medicaid Programs. In the last budget cycle we didn't really fund that anticipated growth level so that we wind up with a shortfall of \$18 million. I think by not addressing the shortfall in terms of this one-time or short term tobacco settlement money, we discourage the temptation of using sort of, if you will, bonus money to fund an ongoing demand and then taking whatever money you would have used in the General Fund and then using it for other things. I think it is much more prudent to use the General Fund to fund Medicaid at the levels that it needs to be funded at and then use the tobacco settlement money to actually try to help some people. That does not answer, I suppose, the question about a new program like the Maine Health Program. It is a legitimate concern. Why create a program that you will not be able to sustain into the future? That is a legitimate concern. However, if you are not going to use the money to help people, then what are you going to use it for? I guess that is a question I would ask rhetorically. I think these are good programs. I certainly strongly support the Majority Report on this because I think it does very much to help people in the areas that the tobacco settlement money would therefore prescribe. I would urge your support of the Majority Report and thank you very much.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Mayo.

Representative **MAYO**: Mr. Speaker, Ladies and Gentlemen of the House. I rise this morning in support of the Majority Report. I had the privilege of being a cosponsor of LD 2552. I agreed with it then and I agree with it today. I am a little concerned that some in this chamber today are attempting to cast this particular issue in a partisan manner. Smoking cessation and all that goes with it should not be cast as a partisan manner. It is a bipartisan statewide issue. There are four things in the Majority Report that are near and dear to my heart. I speak as a former smoker, two to three packs a day at one point in my life. I like the amount of money that is allocated in the smoking prevention and cessation. The \$17 million in that particular item.

The second item that was dealt with by the good Representative from Bangor being the home visiting for children. All of the material that I have read on this particular issue would indicate that that type of program will have an affect, not only on the children growing up, but on their parents. Last summer I had the privilege of serving on a task force that met four or five times dealing with child care and Headstart, so that the \$7.2 million allocated in the Majority Report in that area strikes very, very close to home. I am also much involved in a child care situation, both as a volunteer and having a daughter who is employed and in that field and also runs her own child care.

The last thing that I liked very much in the Majority Report is the set aside and the fact that there are strings attached to that particular item. For those five reasons, I would urge you to put aside any partisan feelings on this particular issue and to support the Majority Ought to Pass as Amended Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative Bruno.

Representative **BRUNO**: Mr. Speaker, Men and Women of the House. This is the Maine House of Representatives and things get partisan every once and a while. Let me alert you to that fact in case you didn't know. We all agree there are good points in both bills. We agree that child care is important. We

agree that health care is important. We agree that smoking cessation is important, but what we disagree on is the funding levels on these bills and how we sustain them. We agree that smoking cessation should be the number one cause in this bill. We don't agree on the truck stop police going into a truck stop, looking at a menu and saying this is not a healthy menu, you ought to change it. That shouldn't be the role of government, but that is part of the CVC recommendation. The original intent of the tobacco lawsuit was to fund Medicaid related illness. That is why the state's won. The state said we are spending a lot of money to fund disease prevention, health related costs due to people smoking. We need some help coming back from the tobacco companies to fund those costs. That is why we have \$18 million in there going to do just what the lawsuit was intended for. There are good points in both bills. We don't disagree. We disagree on sustainability and how we achieve the end result. That is what we disagree on. It is too bad that some people think this is a partisan issue because it is not. We all agree we need to stop people from smoking. We all agree that the best way to save money in Medicaid is to stop people from smoking. Unfortunately, nice people disagree many times. That is why we are having a debate right now. No one is evil because of what they propose. They have a different philosophy of how we achieve the end result. That is why we are elected and that is why we have a two-party system. I don't want this to be a partisan debate. There is a Minority and a Majority Report. There are different funding mechanisms, different philosophies and some of us look farther out into the future and some of us remember the past. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Easton, Representative Kneeland.

Representative **KNEELAND**: Mr. Speaker, Men and Women of the House. We have heard from both the Majority and the Minority Reports this morning and many sheets of paper have come across our desk. They both have good points, all of them. We need to get back to reality. Last year we passed three budget bills by a wide two-thirds majority. We can do it again, but we need to get our feet out of the cement and let's go back to the table and take points from both sides and come out with a good bill that will work and address the problems with tobacco. I ask you this morning to please vote against the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rockport, Representative Powers.

Representative **POWERS**: Mr. Speaker, Men and Women of the House. It is a little confusing to me that there is a request for more work and more compromise. There has been a lot of work on this bill. It began last year. You can all see on the salmon colored sheet how much was accomplished. We were limited in our decision making last year by the Executive Branch holding us to spending only that, which was in hand in the treasury at that time. There was legislation, a statute passed, which gave clear direction as to how tobacco settlement money would be spent in the thereafter. This is what we have had, at least three long work sessions on in the Appropriations Committee. So, a vote was taken. We are coming to the end of this session. It is time to move on. When the vote was taken, LD 2552 was the report that divided the Executive's bill sponsored by the Minority Leader, LD 2555 was voted Ought Not to Pass. You now have a Majority and a Minority Report. That is the background. That is my experience in having worked it, the bill, in these two years.

There are a couple of other pieces of information floating around here, which confused me and for those of you who have not been digging into this in a regular way over the course of this session, you may also be confused. One, there has been some comparison to a former health insurance program that the state tried to run. In an attempt to throw us from the fact that Medicaid is going to be extended to uninsured parents of Cub Care children now. The Medicaid Program is much more able to identify these needy parents than it was a few years ago when the Maine Health Program was instituted. The Maine Health Program included a large number of single individuals with very significant health problems, a group with which the state had no cost experience at the time. It is true that the state over extended itself and was not able to continue that program. That is not what is being proposed here. This legislation to cover the parents of children who are insured with Cub Care now contains an explicit provision requiring the commissioner of Human Services to lower eligibility limits for applicants if necessary to operate the program within its budget.

This is also, and I would agree with the Representative from Manchester who spoke on this after our House Chair, not money that is going to dry up and go away. We have had the commitment that this money is in perpetuity and the decision of our Attorney General was not to sell it to someone else and make due with what was left.

Finally, I was somewhat confused by the remarks of our Minority Leader in referencing that there was no money for substance abuse treatment and prevention in this Majority Report. Indeed there is. As a member of the Task Force on Substance Abuse that met two summers ago and presented its report, the LD 1360 that came from that was carried over until this session, until the tobacco settlement funding was concluded. I was a member of that task force. It is that task force that made a request initially of \$8 million. That was paired down from an identified need of \$24 million worth of services and programs in the state at this time. This is a state that spends \$1.2 billion annually dealing with the effects of alcoholism and substance abuse. That amounts to \$2,000 per taxpayer. We do have a need to address this. I agree entirely with the Minority Leader about that. What I want to point out is that the Majority Report to LD 2552 thoroughly addresses this. It does not go the full length. It is not possible with this money. We are not overextending ourselves. There are ongoing monies now of \$5 million having allocated one out of the money last year for programs of prevention and rehabilitation. There are one time expenditures just under \$5 million for the establishment of programs in rural areas where substance abuse is a major problem. It is a problem that causes a huge expense in many other areas, health, domestic violence and loading up our Corrections System. Those one time expenses are to get programs and facilities up and running in those rural areas that presently cannot serve the numbers of people who need help for substance abuse. I consider that directly relatable to the money from the Tobacco Settlement Fund. Drugs are drugs folks. They cause the problems that we need to address and that we are fortunate enough to be able to address now with these monies. I urge you to support the Majority Ought to Pass as Amended Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Colwell.

Representative COLWELL: Mr. Speaker, Men and Women of the House. I rise to just address three very brief points. The

first one being, as I go through my district to the diners, library and basketball games and talk with my constituents, they view this tobacco settlement as a great opportunity for the State of Maine to get a handle on one of our big problems, the fact that we lead the nation in youth smoking, the fact that way too many of our citizens parish from tobacco related illnesses and they overwhelmingly charge me with whatever you do Pat, we want to make sure that there is enough emphasis put on cessation and prevention programs throughout the State of Maine so we can get at that handle. That is why I am supporting the Majority Ought to Pass. There is a one hundred percent difference, \$18 million would be dedicated towards smoking prevention and cessation in the Majority Report as opposed to \$9 million in the Minority Report. This is what it is about for the people I represent. That is a very significant difference.

The second point I would like to address is it has come up a number of times in support of the Minority Report that we are afraid that the sustainability will not be there to maintain the anti-smoking programs, the very modest Cub Care additions and I might add that the Cub Care Program, increasing access to health insurance for kids throughout the State of Maine is incredibly infinitesimal percentage of the total Medicaid budget. I believe less than one-tenth of one percent. My second point really is that if sustainability is the issue, why would the Minority Report choose to spend \$18 million for that most basic of ongoing programs, the Medicaid Budget in the State of Maine? That is why I support the Majority Ought to Pass Report. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative GLYNN: Mr. Speaker, Ladies and Gentlemen of the House. I really rise on a bill that is not in front of my committee, but I wish to take this opportunity to speak on this LD. I will be voting against the pending motion and will, hopefully, supporting the Minority Report for many of the reasons my colleagues of the other side of the aisle have pointed out. That is, essentially, we have a real crisis in Maine Medicaid. I have worked for the last five years in the community mental health field and I have seen the effects of substance abuse on our clients and I have seen the effects of it on state budgets. When this lawsuit was initiated, it was very clear to me that it was to make good on the high cost that smoking have passed onto the taxpayers of this great State of Maine. We have an opportunity to repay the funds to the Medicaid Program, Maine's safety net, to fund the continued substance abuse and tobacco related illnesses, to stand up to the plate and see to it that the taxpayers who have been subsidizing these problems created by the tobacco industry are made whole. That is why I am moving on to the Minority Report because I feel very strongly that we owe it to the taxpayers of this state not to sit in our chairs here in Augusta and increase spending and come up with new programs, but, in fact, fund the very credible substance abuse and tobacco related cessation programs that we currently have in place and stand behind Maine's safety net, the Medicaid Program, which will enable us to get matching federal dollars. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Bragdon.

Representative BRAGDON: Mr. Speaker, Men and Women of the House. I wanted to rise and explain to you why I am supporting the Minority Report. That is, in part, due to the prescription drug coverage. As a member of the Health and

Human Services Committee, I often hear regularly about the high cost of prescription drugs and the lack of access that people have to prescription drugs. The Minority Report, although it allocates the same amount as the Majority Report, offers a real plan. It will cover eighty percent of the cost of all generic drugs, which as the Representative from Portland pointed out are cheaper and we would want to encourage people to use them. Additionally, for the first time ever, the Minority Report offers a catastrophic coverage plan. Individuals who have diseases that aren't covered under the Low-Cost Coverage for the Elderly Program, once they reach a certain threshold regardless of what disease they are buying the prescription for, will automatically have the state pay eighty percent of the cost. To me, this is real prescription drug coverage for Maine's elderly and disabled.

I wanted to just mention another thing. The Majority Report talks about prescription drug coverage contingent on a federal waiver. Last Friday I had the opportunity to travel to New York City with a delegation from this body that is meeting with legislators around New England and New York to look at the prescription drug issue. There, over lunch, I had the opportunity to talk to the regional head of the Department of Health and Human Services. I asked her about our waiver, which is currently pending before them. She explained to me that it would be extremely unlikely for us to get this waiver. Maine is looking for expanding its Medicaid Program for one service, prescription drugs, for a particular population and that never before in the history of Medicaid has that type of waiver or that type of expansion been allowed. To me, I think that is a false promise that we are making to Maine's elderly and disabled. I urge you to support the Minority Report, which offers real prescription drug benefits for Maine's elderly and disabled. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 495**

YEA - Ahearne, Bagley, Baker, Berry RL, Bolduc, Bouffard, Brennan, Brooks, Bryant, Bull, Chizmar, Clark, Colwell, Cote, Cowger, Davidson, Desmond, Dudley, Dugay, Dunlap, Duplessie, Etnier, Fisher, Fuller, Gagne, Gagnon, Gerry, Goodwin, Green, Hatch, Jabar, Jacobs, Kane, LaVerdiere, Lemoine, Mailhot, Martin, Matthews, Mayo, McDonough, McGlocklin, McKee, Mitchell, Muse, Norbert, O'Brien LL, O'Neal, O'Neil, Perry, Pieh, Povich, Powers, Quint, Richard, Richardson J, Rines, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Shiah, Sirois, Skoglund, Stanley, Sullivan, Tessier, Thompson, Townsend, Tracy, Tripp, Tuttle, Twomey, Usher, Volenik, Watson, Williams, Mr. Speaker.

NAY - Andrews, Belanger, Berry DP, Bowles, Bragdon, Bruno, Buck, Bumps, Cameron, Campbell, Carr, Chick, Cianchette, Clough, Collins, Cross, Daigle, Davis, Duncan, Foster, Gillis, Glynn, Gooley, Heidrich, Honey, Jodrey, Jones, Joy, Kasprzak, Kneeland, Labrecque, Lemont, Lindahl, Lovett, MacDougall, Mack, Marvin, McAlevey, McKenney, McNeil, Mendros, Murphy E, Murphy T, Nass, Nutting, O'Brien J, Peavey, Perkins, Pinkham, Richardson E, Rosen, Savage C, Schneider, Sherman, Shields, Shorey, Snowe-Mello, Stanwood, Stedman, Tobin D, Tobin J, Trahan, Treadwell, True, Waterhouse, Weston, Wheeler EM, Wheeler GJ, Winsor.

ABSENT - Frechette, Madore, Plowman, Stevens.

Yes, 78; No, 69; Absent, 4; Excused, 0.

78 having voted in the affirmative and 69 voted in the negative, with 4 being absent, and accordingly the Majority Ought to Pass as Amended Report was ACCEPTED.

The Bill was READ ONCE. Committee Amendment "A" (H-941) was READ by the Clerk and ADOPTED. The Bill was assigned for SECOND READING Wednesday, March 29, 2000.

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Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Promote Equity in Funding of Ferry Services" (H.P. 1894) (L.D. 2635)

Signed:

Senators:

MICHAUD of Penobscot  
CATHCART of Penobscot  
HARRIMAN of Cumberland

Representatives:

STEVENS of Orono  
POWERS of Rockport  
BRUNO of Raymond  
KNEELAND of Easton  
NASS of Acton  
WINSOR of Norway  
TESSIER of Fairfield  
BERRY of Livermore

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representatives:

TOWNSEND of Portland  
MAILHOT of Lewiston

**READ.**

Representative TOWNSEND of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

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Majority Report of the Committee on **CRIMINAL JUSTICE** reporting **Ought Not to Pass** on Bill "An Act to Adopt a New Interstate Compact Regarding Adults Who are on Probation or Parole" (H.P. 1875) (L.D. 2612)

Signed:

Senators:

MURRAY of Penobscot  
DAVIS of Piscataquis  
O'GARA of Cumberland

Representatives:

CHIZMAR of Lisbon  
SHERMAN of Hodgdon  
TOBIN of Dexter  
POVICH of Ellsworth  
PEAVEY of Woolwich

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-946)** on same Bill.

Signed:

Representatives:

McALEVEY of Waterboro  
MUSE of South Portland  
QUINT of Portland  
O'BRIEN of Augusta

**READ.**

Representative POVICH of Ellsworth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

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Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Assist Students with Disabilities"

(H.P. 365) (L.D. 490)

Signed:

Senators:

BERUBE of Androscoggin  
SMALL of Sagadahoc

Representatives:

RICHARD of Madison  
WESTON of Montville  
STEDMAN of Hartland  
DESMOND of Mapleton  
BAKER of Bangor  
BELANGER of Caribou  
SKOGLUND of St. George

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-944) on same Bill.

Signed:

Senator:

MURRAY of Penobscot

Representatives:

WATSON of Farmingdale  
BRENNAN of Portland  
ANDREWS of York

**READ.**

Representative BRENNAN of Portland moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Minority **Ought to Pass as Amended** Report and later today assigned.

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Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-933) on Bill "An Act to Promote Safe Mobility for Maine's Aging Population through Education and Community-based, Economically Sustainable Alternative Transportation"

(H.P. 1796) (L.D. 2521)

Signed:

Senators:

O'GARA of Cumberland  
CASSIDY of Washington  
PARADIS of Aroostook

Representatives:

FISHER of Brewer  
JABAR of Waterville  
BOUFFARD of Lewiston

SAVAGE of Union  
WHEELER of Bridgewater

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

COLLINS of Wells  
SANBORN of Alton  
CAMERON of Rumford  
WHEELER of Eliot  
LINDAHL of Northport

**READ.**

Representative JABAR of Waterville moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

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**CONSENT CALENDAR**

**First Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 723) (L.D. 2043) Bill "An Act to Clarify Underinsured Motor Vehicle Coverage" Committee on **BANKING AND INSURANCE** reporting **Ought to Pass as Amended by Committee Amendment "B"** (S-572)

(S.P. 736) (L.D. 2086) Bill "An Act to Preserve the State's Farm Economy and Heritage" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A"** (S-574)

(S.P. 902) (L.D. 2354) Bill "An Act to Increase the Pay for Jury Duty" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A"** (S-576)

(S.P. 936) (L.D. 2386) Bill "An Act to Establish a Deer Hunting Season in the Town of Cranberry Isles" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A"** (S-575)

(H.P. 1877) (L.D. 2613) Bill "An Act to Clarify Application of the Employment Leave Law for Victims of Violence" Committee on **LABOR** reporting **Ought to Pass**

(H.P. 1532) (L.D. 2185) Bill "An Act to Promote Workplace Safety" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-948)

(H.P. 1542) (L.D. 2196) Bill "An Act Concerning the Formation of the Central Maine Regional Public Safety Communication Center" Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-945)

(H.P. 1621) (L.D. 2268) Bill "An Act to Provide Freedom of Access to All Reports Commissioned by the State" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-953)

(H.P. 1888) (L.D. 2628) Resolve, Regarding Legislative Review of Chapter 6: Certification of Law Enforcement Officers, a Major Substantive Rule of the Maine Criminal Justice Academy (EMERGENCY) Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-943)

There being no objections, the above items were ordered to appear on the Consent Calendar tomorrow under the listing of Second Day.



**CONSENT CALENDAR  
Second Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the Second Day:

(S.P. 737) (L.D. 2087) Bill "An Act to Establish the Public Resources and Information for Maine Foundation" (C. "A" S-570)

(S.P. 924) (L.D. 2375) Bill "An Act to Rid Maine's Waters of Ocean Vessel Sewage" (C. "A" S-567)

(S.P. 927) (L.D. 2377) Bill "An Act to Prevent Contamination from Home Heating Oil Tanks" (C. "A" S-566)

(H.P. 1081) (L.D. 1528) Bill "An Act to Provide Funds for Applied Research and Development Relevant to the Maine Economy" (C. "A" H-927)

(H.P. 1108) (L.D. 1567) Bill "An Act to Help Farmers to Protect the Quality of Milk" (C. "A" H-934)

(H.P. 1260) (L.D. 1814) Bill "An Act Establishing the Newborn Hearing Program" (C. "A" H-931)

(H.P. 1490) (L.D. 2128) Bill "An Act to Amend the Laws Governing the Licensure of Dental Hygienists" (C. "A" H-930)

(H.P. 1622) (L.D. 2269) Bill "An Act to Make Changes to the Cub Care Program" (C. "A" H-929)

(H.P. 1690) (L.D. 2396) Bill "An Act to Create a Patent Program in Maine" (C. "A" H-939)

(H.P. 1788) (L.D. 2508) Bill "An Act Relating to Electric Industry Restructuring" (EMERGENCY) (C. "A" H-935)

(H.P. 1797) (L.D. 2522) Bill "An Act to Establish a Memorial Dedicated to the Civilian Conservation Corps" (C. "A" H-940)

(H.P. 1798) (L.D. 2525) Bill "An Act to Amend the Charter of the Small Point Water Company" (EMERGENCY) (C. "A" H-936)

(H.P. 1809) (L.D. 2535) Bill "An Act to Broaden Business Ownership in Maine" (C. "A" H-932)

(H.P. 1825) (L.D. 2560) Bill "An Act to Amend the Acreage Requirements for a Cemetery to Contain a Columbarium" (C. "A" H-926)

(H.P. 1848) (L.D. 2586) Bill "An Act to Create the Alfred Water District" (EMERGENCY) (C. "A" H-938)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED AS AMENDED** in concurrence and the House Papers were **PASSED TO BE ENGROSSED AS AMENDED** and sent for concurrence.

(H.P. 1802) (L.D. 2529) Bill "An Act to Amend the Charter of the Moscow Water District" (C. "A" H-937)

On motion of Representative DAVIDSON of Brunswick, was **REMOVED** from the Second Day Consent Calendar.

The Committee Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. Committee Amendment "A" (H-937) was **READ** by the Clerk.

The same Representative **PRESENTED** House Amendment "A" (H-955) to Committee Amendment "A" (H-937), which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (H-937) as Amended by House Amendment "A" (H-955) thereto was **ADOPTED**.

The Bill was assigned for **SECOND READING** Wednesday, March 29, 2000.

**BILLS IN THE SECOND READING**

**Senate As Amended**

Bill "An Act to Improve Elver Fishery Management"  
(S.P. 304) (L.D. 906)  
(C. "A" S-543)

Bill "An Act to Ensure that an Eligible Work Force is Promptly Certified for Trade Act Assistance and Has Full Access to Training and Education Services as Provided by Law"

(S.P. 677) (L.D. 1927)  
(C. "A" S-569)

Bill "An Act to Amend the Laws Governing Municipal Elections"

(S.P. 878) (L.D. 2293)  
(C. "A" S-552)

Bill "An Act to Provide for Safety in the Maine Conservation Corps"

(S.P. 915) (L.D. 2367)  
(C. "A" S-568)

**House As Amended**

Bill "An Act to Preserve Live Harness Racing in the State"  
(H.P. 1214) (L.D. 1743)  
(C. "A" H-913)

Bill "An Act to Change Laws Pertaining to the Loring Development Authority of Maine"

(H.P. 1498) (L.D. 2142)  
(C. "A" H-924)

Bill "An Act to Amend the Definition of Marital Property"

(H.P. 1620) (L.D. 2267)  
(C. "A" H-917)

Bill "An Act to Enhance Teacher Development and Meet the Special Needs of Students at the Southern Maine Juvenile Facility"

(H.P. 1863) (L.D. 2598)  
(H. "A" H-919 to C. "A" H-900)

Reported by the Committee on **Bills in the Second Reading**, read the second time, the Senate Papers were **PASSED TO BE ENGROSSED AS AMENDED** in concurrence and the House Papers were **PASSED TO BE ENGROSSED AS AMENDED** and sent for concurrence.

**ENACTORS**

**Emergency Measure**

An Act to Improve the Absentee Voting Process  
(S.P. 631) (L.D. 1796)  
(C. "A" S-515)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of the same and 4 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act to Regulate the Sea Cucumber Fishery  
(S.P. 921) (L.D. 2372)  
(C. "A" S-542)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative SAXL of Portland, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

**Acts**

An Act to Appropriate Funds to Match a Federal Department of Energy Research and Development Award

(S.P. 882) (L.D. 2297)  
(C. "A" S-547)

An Act to Implement the Recommendations of the Task Force to Study the Need for an Agricultural Vitality Zone Program

(S.P. 982) (L.D. 2532)  
(C. "A" S-548)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Resolves**

Resolve, to Promote Natural Resource-based Industries

(S.P. 585) (L.D. 1665)  
(C. "A" S-549)

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Transfer or Acquire Property or Interests in Property at the Maine Criminal Justice Academy, Oak Grove Coburn School in Vassalboro and Maine State Prison in Thomaston

(S.P. 890) (L.D. 2309)  
(C. "A" S-550)

Resolve, to Increase the Reimbursement Amount for Occupational and Physical Therapy Services Under the Medicaid Program

(H.P. 1655) (L.D. 2324)  
(H. "A" H-903 to C. "A" H-853)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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An Act Regarding Oil Storage Facilities and Groundwater Protection

(H.P. 1731) (L.D. 2437)  
(C. "A" H-877)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative SAXL of Portland, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

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An Act to Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to Review of the State Board of Pesticides Control Under the State Government Evaluation Act

(H.P. 1893) (L.D. 2634)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative SAXL of Portland, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

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The following items were taken up out of order by unanimous consent:

**SENATE PAPERS**

Bill "An Act to Amend and Clarify the Powers and Duties of the Lake Arrowhead Community, Incorporated" (EMERGENCY) (S.P. 1061) (L.D. 2655)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

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Bill "An Act to Provide Affordability in New Home Construction for Maine Families" (EMERGENCY)

(S.P. 1062) (L.D. 2656)

Came from the Senate, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

**REFERRED** to the Committee on **UTILITIES AND ENERGY** in concurrence.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

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At this point, the Senate came and a Joint Convention was formed.

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**IN CONVENTION**

The President of the Senate, the Honorable Mark W. Lawrence, in the Chair.

The Convention was called to order.

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On motion of Senator Pingree of Knox, it was **ORDERED**, that a committee be appointed to wait upon the Honorable Angus S. King, Jr., Governor of the State of Maine and invite him to attend this Joint Convention.

The Order was Read and Passed.

The Chair will appoint the following:

The Sen. from Cumberland, Sen. Pendleton

The Sen. from Hancock, Sen. Goldthwait

The Sen. from Piscataquis, Sen. Davis

The Rep. from Madawaska, Rep. Ahearne

The Rep. from Machias, Rep. Bagley

The Rep. from Wiscasset, Rep. Rines

The Rep. from Portland, Rep. McDonough

The Rep. from Biddeford, Rep. Twomey

The Rep. from China, Rep. Bumps

The Rep. from Newport, Rep. Kasprzak

The Rep. from Bethel, Rep. Jodrey

The Rep. from Greenville, Rep. Richardson

The Rep. from Auburn, Rep. Gerry

The Rep. from the Passamaquoddy Tribe, Rep. Soctomah

Subsequently, Senator Pendleton of Cumberland, for the Committee, reported that the Committee had delivered the message with which it was charged and were pleased to report that the Honorable Angus S. King, Jr., Governor of the State of Maine will attend forthwith.

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The Chair recognized in the House Gallery the Secretary of State, the Honorable Dan Gwadosky; the Assistant Secretary of State, Becky Wyke; the Treasurer of the State of Maine, Dale McCormick and the Attorney General of the State of Maine, Andrew Ketterer. Also, a former member of this body, the Regional Administrator for Region 1 of the United States Small Business Administration, Patrick McGowan, here with Mark O'Brien, District Counsel of the Maine District Office of the SBA and Maurice Dube, Deputy District Director of the Maine District Office of the SBA. Mark O'Brien is also the spouse of Representative Julie O'Brien.

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The Chair is pleased to present to you the Honorable Angus S. King, Jr., Governor of the State of Maine.

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On motion of Senator Rand of Cumberland, it was ORDERED, that a committee be appointed to wait upon the Honorable George J. Mitchell and invite him to attend this Joint Convention.

The Order was Read and Passed.

The Chair will appoint the following:

The Sen. from Knox, Sen. Pingree

The Sen. from Cumberland, Sen. Rand

The Sen. from Cumberland, Sen. Amero

The Sen. from Oxford, Sen. Bennett

The Rep. from Portland, Rep. Saxl

The Rep. from Bowdoinham, Rep. Shiah

The Rep. from Kennebunk, Rep. Murphy

The Rep. from Holden, Rep. Campbell

Subsequently, Senator Pingree of Knox, for the Committee, reported that the Committee had delivered the message with which it was charged and were pleased to report that the Honorable George J. Mitchell will attend forthwith.

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The Chair recognized in the House Gallery the Director of the Mitchell Institute and former law school classmate of the presiding officer, Coleen Quint and members of Senator's family, Ann Mitchell, niece; Janet Mitchell, sister in law; Jim and Loren Mitchell, niece and nephew; Mary Mitchell Friedman, niece; Robert Mitchell, nephew; Susan Mitchell, niece; Bob Asselin; William Mitchell, nephew and Vicky Mitchell.

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The Chair is pleased to present to you the Honorable George J. Mitchell.

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**Joint Convention  
119th Maine Legislature  
Tuesday, March 28, 2000  
Honorable George J. Mitchell  
GOVERNOR'S PROCLAMATION**

WHEREAS, Senator George J. Mitchell served the State of Maine with distinction in his role as an Assistant County Attorney, United States Attorney for Maine and as a United States District Judge; and

WHEREAS, Senator George J. Mitchell joined the United States Senate in 1980 to fill the seat of Edmund Muskie and continue his strong leadership for Maine; and

WHEREAS, Senator George J. Mitchell served the State of Maine in the Senate for fifteen years and even after rising to national prominence in his leadership role, he never forgot the basic duty of his office: to advocate on behalf of Maine's citizens; and

WHEREAS, Senator George J. Mitchell has provided tremendous leadership in negotiating a peaceful settlement to the conflict in Northern Ireland; and

WHEREAS, Senator George J. Mitchell again showed his dedication to the people of Maine through the establishment of a scholarship program that provides the funds necessary to assist our state's students attain higher education,

NOW, THEREFORE, I, ANGUS S. KING, JR., Governor of the State of Maine, do hereby proclaim March 28th, 2000 as

**SENATOR GEORGE J. MITCHELL DAY**

throughout the State of Maine, and urge all citizens to recognize the leadership and dedication to our state that he continues to show.

In testimony whereof, I have caused the Great Seal of the State to be hereunto affixed

GIVEN under my hand at Augusta this

twenty-fourth day of March in the

Year of our Lord Two Thousand.

S/Angus S. King, Jr.

Governor

S/Dan A. Gwadosky

Secretary of State

TRUE ATTESTED COPY

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**ORDERS**

On motion of Speaker ROWE of Portland, the following Joint Resolution: (J.C.R. 1) (Cosponsored by President LAWRENCE of York and Representatives: AHEARNE of Madawaska, ANDREWS of York, BAGLEY of Machias, BAKER of Bangor, BELANGER of Caribou, BERRY of Belmont, BERRY of Livermore, BOLDUC of Auburn, BOUFFARD of Lewiston, BOWLES of Sanford, BRAGDON of Bangor, BRENNAN of Portland, BROOKS of Winterport, BRUNO of Raymond, BRYANT of Dixfield, BUCK of Yarmouth, BULL of Freeport, BUMPS of China, CAMERON of Rumford, CAMPBELL of Holden, CARR of Lincoln, CHICK of Lebanon, CHIZMAR of Lisbon, CIANCHETTE of South Portland, CLARK of Millinocket, CLOUGH of Scarborough, COLLINS of Wells, COLWELL of Gardiner, COTE of Lewiston, COWGER of Hallowell, CROSS of Dover-Foxcroft, DAIGLE of Arundel, DAVIDSON of Brunswick, DAVIS of Falmouth, DESMOND of Mapleton, DUDLEY of Portland, DUGAY of Cherryfield, DUNCAN of Presque Isle, DUNLAP of Old Town, DUPLESSIE of Westbrook, ETNIER of Harpswell, FISHER of Brewer, FOSTER of Gray, FRECHETTE of Biddeford, FULLER of Manchester, GAGNE of Buckfield, GAGNON of Waterville, GERRY of Auburn, GILLIS of Danforth, GLYNN of South Portland, GOODWIN of Pembroke, GOOLEY of Farmington, GREEN of Monmouth, HATCH of Skowhegan, HEIDRICH of Oxford, HONEY of Boothbay, JABAR of Waterville, JACOBS of Turner, JODREY of Bethel, JONES of Pittsfield, JOY of Crystal, KANE of Saco, KASPRZAK of Newport, KNEELAND of Easton, LABRECQUE of Gorham, LaVERDIERE of Wilton, LEMOINE of Old Orchard Beach, LEMONT of Kittery, LINDAHL of Northport, LORING of the Penobscot Nation, LOVETT of Scarborough, MacDOUGALL of North Berwick, MACK of Standish, MADORE of Augusta, MAILHOT of Lewiston, MARTIN

of Eagle Lake, MARVIN of Cape Elizabeth, MATTHEWS of Winslow, MAYO of Bath, McALEVEY of Waterboro, McDONOUGH of Portland, McGLOCKLIN of Embden, McKEE of Wayne, McKENNEY of Cumberland, McNEIL of Rockland, MENDROS of Lewiston, MITCHELL of Vassalboro, MURPHY of Berwick, MURPHY of Kennebunk, MUSE of South Portland, NASS of Acton, NORBERT of Portland, NUTTING of Oakland, O'BRIEN of Augusta, O'BRIEN of Lewiston, O'NEAL of Limestone, O'NEIL of Saco, PEAVEY of Woolwich, PERKINS of Penobscot, PERRY of Bangor, PIEH of Bremen, PINKHAM of Lamoine, PLOWMAN of Hampden, POVICH of Ellsworth, POWERS of Rockport, QUINT of Portland, RICHARD of Madison, RICHARDSON of Greenville, RICHARDSON of Brunswick, RINES of Wiscasset, ROSEN of Bucksport, SAMSON of Jay, SANBORN of Alton, SAVAGE of Union, SAVAGE of Buxton, SAXL of Bangor, SAXL of Portland, SCHNEIDER of Durham, SHERMAN of Hodgdon, SHIAH of Bowdoinham, SHIELDS of Auburn, SHOREY of Calais, SIROIS of Caribou, SKOGLUND of St. George, SNOWE-MELLO of Poland, SOCTOMAH of the Passamaquoddy Tribe, STANLEY of Medway, STANWOOD of Southwest Harbor, STEDMAN of Hartland, STEVENS of Orono, SULLIVAN of Biddeford, TESSIER of Fairfield, THOMPSON of Naples, TOBIN of Windham, TOBIN of Dexter, TOWNSEND of Portland, TRACY of Rome, TRAHAN of Waldoboro, TREADWELL of Carmel, TRIPP of Topsham, TRUE of Fryeburg, TUTTLE of Sanford, TWOMEY of Biddeford, USHER of Westbrook, VOLENIK of Brooklin, WATERHOUSE of Bridgton, WATSON of Farmingdale, WESTON of Montville, WHEELER of Bridgewater, WHEELER of Eliot, WILLIAMS of Orono, WINSOR of Norway, Senators: ABROMSON of Cumberland, AMERO of Cumberland, BENNETT of Oxford, BENOIT of Franklin, BERUBE of Androscoggin, CAREY of Kennebec, CASSIDY of Washington, CATHCART of Penobscot, DAGGETT of Kennebec, DAVIS of Piscataquis, DOUGLASS of Androscoggin, FERGUSON of Oxford, GOLDTHWAIT of Hancock, HARRIMAN of Cumberland, KIEFFER of Aroostook, KILKELLY of Lincoln, KONTOS of Cumberland, LaFOUNTAIN of York, LIBBY of York, LONGLEY of Waldo, MackINNON of York, MICHAUD of Penobscot, MILLS of Somerset, MITCHELL of Penobscot, MURRAY of Penobscot, NUTTING of Androscoggin, O'GARA of Cumberland, PARADIS of Aroostook, PENDLETON of Cumberland, PINGREE of Knox, RAND of Cumberland, RUHLIN of Penobscot, SMALL of Sagadahoc, TREAT of Kennebec)

**JOINT RESOLUTION HONORING  
THE HONORABLE GEORGE J. MITCHELL**

WHEREAS, George J. Mitchell, who was born in Waterville, Maine, attended Bowdoin College and received his law degree from Georgetown University Law Center, is one of the most respected and renowned Maine citizens of our time; and

WHEREAS, George J. Mitchell started his professional career as a trial attorney in the antitrust division of the United States Justice Department in 1960, joined the Congressional staff of Senator Edmund Muskie in 1962, entered private practice with the Portland law firm of Jensen, Baird, Gardner and Henry in 1965 and was appointed Assistant Cumberland County Attorney in 1970, United States Attorney by President Jimmy Carter in 1977 and United States District Judge by President Carter in 1979; and

WHEREAS, Senator Mitchell served in the United States Senate from 1980 to 1995, being reelected with overwhelming

majorities and serving as Senate Majority Leader from 1988 to 1995 with great distinction and responsibility; and

WHEREAS, Senator Mitchell achieved a notable legislative record, particularly in the areas of the environment and health care, sponsoring the Clean Water Act of 1987 and the Clean Air Act of 1990, and served with distinction on the Iran-Contra committee; and

WHEREAS, Senator Mitchell was held in the highest esteem by his Senate colleagues and congressional staff, who repeatedly voted him Most Respected Senator and Most Effective Legislative Leader; and

WHEREAS, upon leaving the Senate in 1995, Senator Mitchell was prevailed upon by President Clinton to be Special Advisor to Northern Ireland, where his special talents in mediation helped him play a key role in the years-long process of attempting to bring peace to a land riven with conflict and where he earned the gratitude of the Irish people; and

WHEREAS, George J. Mitchell has demonstrated a lifelong support for education and through his personal efforts helps many Maine students each year attend college through the Senator George J. Mitchell Scholarship Research Institute; and

WHEREAS, George J. Mitchell has been praised for his talents and honored for his accomplishments all over the world, including an honorary knighthood bestowed by Queen Elizabeth II of England and the Presidential Medal of Freedom presented by President Clinton; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Nineteenth Legislature, now assembled in the Second Regular Session on behalf of the people we represent, take this opportunity to honor and applaud one of Maine's most famous native sons and to extend our heartfelt congratulations in recognition of a most distinguished career devoted to the service of the people of Maine, the people of this nation and the people of the world; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George J. Mitchell on behalf of the people of Maine as a token of their esteem and affection.

**READ.**

The PRESIDENT: The Chair recognizes the Representative from Portland, Speaker Rowe.

Speaker ROWE: Mr. Chairman, colleagues of this joint convention, it is my great honor to welcome Senator George Mitchell to this joint convention of the Maine State Legislature. It truly is a privilege to host a visit by a person of such uncommon abilities and international renown.

Senator Mitchell's accomplishments in Northern Ireland have demonstrated to the world the abilities that those of us in Maine have long admired: his fairness and balance, his extraordinary negotiating skills, his integrity, his judiciousness, his patience and, perhaps rarest of all, his characteristic modesty.

When he took up the appointment from President Clinton as Special Advisor to Northern Ireland in 1995, no one could have envisioned the sequence of events that ultimately would lead to the historic Good Friday Accord. Senator Mitchell, after all, was asked to take a temporary assignment to promote trade and investment in Northern Ireland. His initial appointment had nothing to do with diplomatic negotiations.

But great persons have a way of rising to the challenges of the day. And Senator Mitchell's emergence as the chief negotiator in a new round of peace talks marked a turning point

in modern Irish history. For 22 months, he patiently mediated the talks, shuttling back and forth between the fractious parties.

The talks, as all the world knows, ended in dramatic fashion, with round-the-clock negotiations leading up to the accord announced on Good Friday 1998.

The labor of those involved in the negotiations was triumphantly ratified by the people of Ireland. When a referendum on the agreement was held in May 1998, 71 percent of voters in Northern Ireland and an astounding 94 percent of voters in the Irish Republic approved the accord.

But the Senator's role was not yet complete. For the agreement that had been reached with such painstaking labor threatened to unravel this past year. In September, Senator Mitchell once again was prevailed upon by the Irish and British governments to return to Ireland for what turned out to be another 11 weeks of negotiations.

Although the Senator modestly minimizes his own role, it is not an exaggeration to say that the negotiations truly epitomize the highest achievement of a democratic society. They represent the triumph of reason over violence and testify to the ability of dialogue to prevail over fear and distrust.

In talking of his success, Senator Mitchell offered an insight that could serve as a lesson to all of us who struggle to find common ground in making public policy. "I once told them," he said, "that the challenge we faced was having to find a way to come up with words that neither side owns."

Consensus building, an insistence on mutual respect and a willingness to share the credit – these are the Senator's personal character traits and, not coincidentally, they were the foundations on which the agreement was built.

In addition to his efforts to bring peace to the world, Senator Mitchell has also worked hard to expand accessibility to and affordability of higher education. He has a great appreciation for the role higher education plays in unlocking economic opportunities for citizens of this state and the world.

Here in Maine, we salute him for his establishment of the Senator George J. Mitchell Scholarship Research Institute last year. The Institute provides scholarships to Maine students attending Maine colleges and universities. It also researches students' aspirations and addresses obstacles to achieving a college education.

Senator George Mitchell has earned praise the world over. For me personally, he represents many attributes, none more important than the unshakeable conviction that no challenge is too tough, no problem too thorny, no conflict so imbedded, that human beings acting in good faith cannot solve it.

In a world of conflict, Senator Mitchell has demonstrated to all of us that consensus can triumph over divisiveness; that hope can trump hate; that it is the common aspiration of people everywhere to live in peace and bequeath to their children a better, more humane world.

It is indeed a remarkable legacy for this person who had his beginnings in Waterville, Maine. On behalf of this legislature, and the people of the great State of Maine, I say thank you Senator Mitchell for all you have done. We are so proud of you.

The PRESIDENT: The Chair recognizes the Representative from Madison, Representative Richard.

Representative RICHARD: Thank you Mr. President, Governor King and Ladies and Gentlemen in the House and Senate. Welcome home Senator Mitchell. We are here today to commend and to honor you for the many accomplishments that you have achieved and most of those have been mentioned. I

think one of the most outstanding things is you, who have walked and talked with the leaders of the world, have never forgotten your roots. I well remember how proud you were to show Alec and me that Maine seal in the ceiling of the President of the United States Senate. Margaret Chase Smith never forgot that you were the member of the congressional delegation that attended the dedication of her library in 1982. I shall never forget the call that you made to me to offer condolences. We are here to praise you, honor you and to thank you for being with us today. I would like to conclude with the concluding lines of that old Irish blessing. "May all life's passing seasons bring the best to you and yours."

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Pingree.

Senator PINGREE: Thank you Mr. Chair and Men and Women of the House and Senate joined today in Joint Convention. I am pleased to offer a few brief remarks to help celebrate this wonderful man who attends this session with us. I had the great privilege last October to visit Northern Ireland as a member of a delegation mostly of elected women officials, such as myself, but also some representatives of the White House and others who care deeply about the work that Senator Mitchell had done and about the ability to help this wonderful government to form its own government. Some of them were women who were elected to the parliament, but not yet seated. Others wanted to run for office who were served in local offices and they were from all sides from Sinn Fein, the unionist side and even David Trimble's wife was there. It was a wonderful group of women and elected officials who were committed to the work that Senator Mitchell had done.

I must say that before I visited this country it had always been very confusing to me. It was just another crisis that I couldn't sort out until I was there personally and heard the stories and met the people and understood that it was not unlike a crisis that many of us face in our own countries and in our own communities, but at a different level of escalation. It was truly a dark and uncertain time as we have heard from the Speaker's remarks. The April Accord had been signed, but the government had not yet been seated. Senator Mitchell was back once again to everyone's great pleasure to help them work through this next level of negotiations.

I had the great privilege while I was there to spend a few minutes speaking with Senator Mitchell. Everywhere I went, no matter who I spoke to, they said they are so glad he was willing to come back again. When I saw the Senator, I hesitate to say this, but I must, I don't have a great history here of seeing him in many circumstances, but I must say he looked tired. He looked worn. He looked as if he had given all that he could possibly give to this crisis. When he met with me late one evening after he had been negotiating all evening sitting through every difficult and contentious meetings with all kinds of leaders who were not ready to govern, he said, in so many words, "I am not sure how much longer I can do this." Senator Mitchell truly had commitments to his family and the people back home. He had given and given for years and years, yet the country did not want to let him leave and the government had yet to be seated.

I can't say how pleased I was when I had a chance to go back to Washington in December, a few months ago, and meet with some of the wonderful people that I had in Northern Ireland who were so pleased that parliament had finally been seated. Everywhere I spoke to people who have been part of this crisis and they gave credit to Senator Mitchell. I found the same words

at the table when we were having breakfast in Washington that I had heard everywhere in Northern Ireland, whether you went to a bar on the further northern coast, whether you were talking to a taxi cab driver or whether you were talking with great elected officials. They said that we owe a lot here to this man who has been willing to give so much of his personal time, economic reserves or political reserves. He has given and given and given for this government to be seated. The one thing people told me over and over was that they now believed in the process of governing themselves. I felt that was the one commitment that we knew Senator Mitchell had made to them and he knew from his long history for all he has for all of us and that he brought to Northern Ireland the ability to show that by governing themselves everything could be changed.

I was extremely proud to be able to say I came from the same state and I think we all as we have expressed and will continue to express are very proud for the work you have done there and for our ability to have you here with us today. Thank you very much.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Longley.

Senator **LONGLEY**: Mr. Chair, Senator Mitchell and Governor King. I simply want to say something very short and to the point. Every summer one of my sisters brings in two boys, one from Northern Ireland and one from Southern Ireland. One is a Protestant and one is a Catholic. Every summer we get to follow what is going on in Northern Ireland from the eyes of what was once two eight year old boys and are now two twelve year old boys. Each year they have been able to come back to Maine and say we like what Senator Mitchell has done because, very simply in the eyes of two young people, because of what you have done, we get to stay out later at night and play. As we come upon daylight savings time we all remember those Sunday nights in our lives when it was finally daylight savings time and our mothers let us stay out one hour longer. We can vividly remember how exciting that was. For that little bit of excitement that you put into all the children's lives in Ireland, I think we all want to say thank you very much.

The PRESIDENT: The Chair recognizes the Representative from Old Orchard Beach, Representative Lemoine.

Representative **LEMOINE**: Thank you Mr. President and Men and Women of the House and members of the Joint Convention. I am extremely honored to be here today looking up at one of the truly great men in my life. I want to thank the Senator for all the work he had done and the many lives he has touched over the years. I would be remiss in pointing simply to the Senator and not acknowledging behind us, as we have before, the members of his family from which he draws great strength and for which we are all proud to have met, grown up with and hopefully will grow old together. Thank you Senator.

The PRESIDENT: The Chair recognizes the Representative from Waterville, Representative Jabar.

Representative **JABAR**: Thank you Mr. President, Senator Mitchell, Governor King and members of the Senate and House. It is with a great deal of pride that I rise today to honor Senator Mitchell. The biography you have in front of you has only one line telling about his life in Waterville, Maine. Being a little biased I think I would like to bring to your attention a little bit more about his background in this Waterville community and the small Lebanese community he was raised in to demonstrate to you the humanity of this person. Back then Senator George Mitchell was known as "Georgie." I don't know what it is about

our community, but all of the boys seem to end in ie or y. His brothers were Robbie, Paulie and Johnnie. My brothers were the same way and I was known for years as Joey. He also had a sister, by the way, that is the other thing of being raised in family with a lot of boys, they forget that they really do have sisters. Senator Mitchell has a sister Barbara and I have two sisters. Senator Mitchell was raised in mill town by a community of first generation immigrants who were driven to Waterville to work in the mills and to work in other industries. Actually, Senator Mitchell's father worked at Colby College as a janitor. George as a young student worked there and he has a lot of great stories if you every heard him speak on a tour about how he and his brother Robbie worked and his brother really took advantage of George. It is a great story. Let him tell you some time. Senator Mitchell actually gave the ultimate insult to Colby though by going to Bowdoin College. Maybe that had something to do with the work he did at Colby as a janitor.

In the family as Pacey and Ludy Levine used to say, "Georgie was the smart one." His brothers got all the headlines back then playing basketball. I am sure some of you have heard of John "Swisher" Mitchell. His brother Robbie was also an outstanding basketball player. They won the state in 1949. I am sure Senator Mitchell heard growing up, as I did, about this great 1944 team and how wonderful they were. We continue to hear it today. It never ends. I am sure Senator Mitchell continues to hear it. His brother John "Swisher" Mitchell was my high school coach. He is still in Waterville. He is a retired schoolteacher and assistant coach at Colby. He has coached my son. We continue to hear about those days. I am sure Senator Mitchell heard it growing up and continues to hear it today.

In the end George Mitchell topped them all. After working with Senator Muskie, as you know, by the way, Senator Muskie, lost his first political race ever when he ran for Mayor of Waterville. It shows you how much we know in Waterville. Following that and working for Senator Muskie, Senator Mitchell really came into his own. After coming within a hair of becoming Governor of this state and losing to who was then another Independent Governor, Governor Longley. He received an opportunity to serve as US Attorney and serve as a US Federal Judge here in the State of Maine. In those capacities he demonstrated to the State of Maine his outstanding intellect, his impeccable integrity and his outstanding leadership. As you know, he became a US Senator and very successful one. In that capacity he obviously demonstrated his ability to this country the outstanding traits that he possessed. That really wasn't enough. Even after he resigned, retired from the US Senate, he became an international peacemaker. He has demonstrated to the world these outstanding abilities.

I am very proud to have been a part of Senator Mitchell's heritage. I always feel a great deal of pride, Senator, when I hear about your great accomplishments on the national news and I can say, gee I know that person. I also get a great deal of pride when people come up to me and think, hi, Senator, how are you today? The next time somebody asks me for my autograph, I am going to sign Senator Mitchell on it and they won't know the difference. Senator Mitchell has always been a role model for myself and maybe that is why I keep buying these same glasses that Senator Mitchell has worn for years. Senator Mitchell, you have come a long way from Front Street and the best thing about it is you have never forgotten where you have come from. Thank you.

The PRESIDENT: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Mr. Chairman, Governor, Senator and members of the House. I was thinking about everything that has been said here and most of the comments have been made about things that have happened in the last 20 years. I guess I want to go back to 1966 when I first met George Mitchell when he was working for Ed Muskie. Then, of course, he came home and decided to become an attorney in some little law firm in Portland and I had started to come home as well. In 1970, I served as treasurer of the Muskie Re-election Campaign and George served, of course, as the chair of the 1970 election campaign. Both of us are working out of an upstairs office in Waterville for six months. That was really my involvement initially working with George for George and then, of course, it was followed by the 1972 campaign with then Senator Muskie running for President. Subsequently of that, for those of you who have never campaigned with George, working for him is not quite the same as being just around. When he decided to run for office, initially for Governor and then, of course, to replace Senator Muskie, those of us, and there are still some in this room, who are part of the working forces of the campaign, George would never let you sleep. He was making sure you were up early to make sure that everything was set and then, of course, deciding that he wants to do the 6:30 mill gate at Frazier Paper Company in Madawaska. Keep in mind that you went to bed at 2 o'clock in the morning.

I am not surprised by the work that he did in Ireland. Primarily because he never had an ending in terms of knowing what time was all about and making sure that you were going to work if he was going to work. George, welcome home and we are pleased to have you with us here.

The PRESIDENT: The Chair recognizes the Representative from Portland, Representative Brennan.

Representative **BRENNAN**: Thank you Mr. President, Men and Women of the Convention, Senator Mitchell and Governor King. During difficult times the only thing that we have to hold onto is hope. For the people of Ireland for many, many years the only thing that we had to hold onto was the hope that one day there would be peace in Ireland and there would be end to violence. In 1995, this Legislature passed a Joint Order supporting, at that time, a pledging peace effort of Northern Ireland. We were hoping against all hope, hoping against history and hoping against time, that, in fact, peace and the end of violence will be realized. Because of the heroic efforts of Senator Mitchell that hope became a reality and we are now on the verge of peace and an end to violence in Northern Ireland. I thank you, Senator Mitchell, on behalf of myself and my relatives for that peace.

At the same time there is another kind of hope and that is the hope that each one of us has for a better future for our children and for ourselves. My grandmother came from Ireland when she was 12 years old with a sixth grade education. The only hope that she had was that her children would get a better education. Each one of her children graduated from a Maine college and a Maine university and her hope was realized. With Senator Mitchell it has not only brought peace to Northern Ireland, but he has brought hope for every child in the State of Maine for a better future through his scholarship and his commitment to promoting higher education. Not only do we have the hope for peace in Northern Ireland, but we have the hope for all our children that we will have a better tomorrow because of the

commitment of Senator Mitchell to education and for all our children. Thank you.

The PRESIDENT: The Chair recognizes the Representative from Kennebunk, Representative Murphy.

Representative **MURPHY**: Thank you Mr. President, Mr. Speaker, Governor King and special guests and members of the House and Senate. I never had the pleasure, unlike others, of campaigning with Senator George Mitchell. We were usually on the receiving end. I can remember back to that special election when the odds makers were saying that it was mission impossible for George Mitchell that he learned to move beyond the partisan groups that one would normally appeal to and he spoke to civic groups. He had a story as he became more comfortable with his audience about a cow. A cow that was going to be shipped abroad. During that campaign season we have a lot of civic groups in Kennebunk and I think I heard that speech seven times. Actually the seventh time as he began to tell the story, the audience finished the rest of the joke. There are times late at night when the good Senator was serving in the US Senate and I would turn on CSPAN and I would listen to him speak. I was always listening for the return of that cow on the Senate floor. We had a milking contest here just a few months ago it seems and Senator Mitchell, you didn't even have to enter because you milked that cow so much.

Senator, I am the grandson of Irish immigrants from both the north and the south. We fled Ireland in 1852 and 1853. You have brought the north and south together. Not only am I happy about the accomplishments of Ireland, but if peace can come to Ireland, then peace can break out anywhere in this world. Thank you Senator.

The PRESIDENT: The Chair recognizes the Representative from Portland, Representative Saxl.

Representative **SAXL**: Thank you Mr. Chairman and members of the Convention, Senator Mitchell and Governor King. You can feel that palatable excitement with a great homecoming of Senator Mitchell. What I would just add is that it is written, blessed are the peacemakers and God bless you Senator Mitchell. You have given our state, our country and this entire world so very much. We have all heard the story about when President Kennedy sat with the noble laureate at the table and said, "Here I am sitting with the most distinguished group of people ever to have dinner together since Thomas Jefferson ate by himself." I would say that President Kennedy never had a chance to have dinner with Senator Mitchell.

We are here today to celebrate you and the amazing things that you have done and the amazing ways you have touched each of our lives. I know you have touched my family's life in so many different ways and you have touched my life personally when I had a chance to work for you in Washington. Representative Stevens isn't here this morning, but I know she feels the same way and Jeannie Matava in the Speaker's Office and David Lemoine here. If I pointed around to the kids in the State of Maine who wanted to go to Washington, whether Democrat, Republican or Unenrolled who wanted to touch government and learn about government and the direct open arms that you greeted them with. It made such a difference in my life and helped me gain a love for civic involvement. It wasn't just those few of us who had a chance to go to work for you personally, it is all the people of this state and all the people of this country.

I know that one of the great facts that I learned about you when I was in Washington is that you visited each and every

high school in the State of Maine because you thought it was important to touch people at that point in their lives and help them understand. You have been a great role model for all of us. You have helped us understand our common humanity. What makes us come together is so much greater than that which takes us apart. Senator Mitchell, thank you for your work on health care. Thank you for your work on this environment, campaign finance reform, on peace in Northern Ireland and throughout this world. Thank you for all that you have given us. Thank you for what you have given me my family and the members of this body. Thank you so much.

The PRESIDENT: The Chair recognizes the Representative from Augusta, Representative O'Brien.

Representative O'BRIEN: Thank you Mr. Chair, Mr. Speaker, Colleagues of this body, Governor King and Senator Mitchell. I was not prepared at all to speak, but I feel inspired and self-compelled to stand up and say just a few words as someone from the other side of the aisle. I want to thank you and tell you that you are an inspiration to me personally and I know to many, many others. We may not agree on many of the issues, but I want to thank you for your integrity, your honesty and your determination. I have wondered so many times why in the little State of Maine that we have the likes of Margaret Chase Smith, Senator Mitchell, Senator Snowe, Senator Collins and so many others. Like my husband had said, maybe it is just because we produce good stock here. Whatever it is, I want to thank you for that. There is something about Maine and you epitomize the State of Maine. I want to thank you so very much for being an inspiration to all of us and to all of the children. Thank you so much.

**ADOPTED.**

The PRESIDENT: On the back of your program you will see an impressive list of accomplishments by George Mitchell. You have heard many of them here today. It is difficult to do justice and introduce someone who has accomplished so many different things. I have often heard it said that it is not what a person accomplishes or the positions they hold, but how they carry themselves when they are doing it. It is perhaps this quality that endears George Mitchell to us here in Maine more than anything else, Republicans, Democrats and Independents.

In 1994, people in Washington were stunned and puzzled when Senator Mitchell announced that he was retiring as Majority Leader of the US Senate. In a city accustomed to seeing people driven from power for lack of vision or pulled from power for scandal, whether real or contrived. It was a difficult concept for them to understand. Here was someone at the height of their power willing to leave a position of tremendous influence voluntarily. Obviously they started to search for some mysterious answer, but there was none. It was, as we knew here in Maine, simply as George Mitchell described it. He had a tremendous opportunity in his life to accomplish a great number of things and it was time for someone else to have their chance to leave their mark on public service. That is the George Mitchell that we know here in Maine. He is a person who sees himself still simply as an average citizen who has been given a tremendous opportunity to accomplish many great things by a system of government that is unique in this world.

One of my favorite images of George Mitchell was one of my first. It was in 1983, shortly after I had graduated from college. I had that healthy degree of skepticism about politics and

government that we all have at a young age. George Mitchell had just won election to the US Senate at a time when no one said he could win election to the US Senate. It is something that personally endears him to me very much. He had invited those that had worked on his campaign to a lasagna dinner at the Italian American Club in Portland as a way of saying thanks for their help. It was an evening of laughter and an evening of congratulations where a host of well-known and not so well known people came to celebrate with Senator Mitchell. As it ended, he walked through the crowd thanking people and receiving their best wishes. After he passed by where I was standing, he veered off and into the kitchen. I stood there and watched through the open door of the kitchen as he went through person to person saying hello to the people who served dinner for people that evening thanking them. I have seen some other elected officials do this, but it was his genuineness that left a lasting impression on my mind. It was a genuineness that could not be faked. It was as if he was back at Waterville High School walking through the line in the cafeteria chatting with the people who served him. It was as if he was greeting his own parents or their friends or the parents of some future Senator from Maine. It is this combination of ability, humility, grace and dignity that is perhaps George Mitchell's greatest contribution to those who seek to serve their fellow citizens. It is my pleasure to introduce to you a native of Waterville, son of Maine, former Majority Leader of the United States Senate and recipient of the Presidential Medal of Freedom, the Honorable George J. Mitchell.

The Chair is pleased to present to you the Honorable George J. Mitchell.

The Honorable George J. Mitchell then addressed the Joint Convention.

Governor King, Speaker Rowe, President Lawrence, Members of the House and Senate, friends. It is a rare privilege to address a Joint Convention, and I am filled with emotion and with gratitude. I have been deeply moved by the warm and friendly tributes from so many of you and by your warm reception.

I am grateful to you for inviting me here today, to my family for their love and support, to the people of Maine whose trust made possible all that I am and all that I have done.

As grateful as I am to them, I am not speaking only of the voters of Maine, who elected me to represent them in the United States Senate. I mean also the many Maine people, who, from my earliest years, gave me a helping hand when I needed it.

It is special pleasure for me to be here today for many reasons. One of them to which some of the speakers referred. As you know in 1974, I tried to come here in a different capacity. I ran for Governor, but the votes of Maine, in their wisdom, decided that I could best serve the public interest by continuing in the private practice of law. Susan Longley's dad, God rest his soul, was chosen. For me to get back here a little bit late and in a different capacity is very meaningful to me.

I recognize the custom on such occasions for me to look back on my life, with nostalgia and good feeling as so many of you have. I will do that today; but just briefly, because I believe it's more important to talk about others and the future, rather than about me and the past. I will speak especially about the ways in which you can



help to make Maine an even better, more successful society, a place of opportunity for all.

I have been very fortunate, for I have lived the American dream. My mother was an immigrant from Lebanon. My father was the orphan son of immigrants from Ireland. They were part of the great human tide that flowed from all over the world to America. The immigrants met the needs of a still young but fast growing nation, and they met their own needs, as well, for freedom, for opportunity, and for a better life, especially for their children.

Fate cast my parents ashore on the banks of the Kennebec River, in Waterville, in a crowded neighborhood called Head of Falls. It was filled with immigrants and their many children. There was not much money, and there were few possessions; no one owned a car. But there was a lot of love, much hope, and many dreams. Most of all, for my parents and their neighbors, almost all of them lacking any formal education, there was a burning desire to make it possible for their children to get the education they never had. Their American dream was a better life for their children, not for themselves. And the key was education.

So although my parents died poor, in their minds they were wealthy, each of their five children graduated from college. Joe Jabar mentioned I went to Bowdoin, although my father was a janitor at Colby. I have told an amusing story about that. In the summer after I graduated from Bowdoin I was waiting to go into the Army. While I was waiting my father got me a job temporarily on the grounds crew at Colby. I mowed lawns and painted and planted trees and my father used to delight in bringing people over pointing to me and saying, "You see that kid over there, he just graduated from Bowdoin." He said, "Colby has reached the state of excellence that you need a Bowdoin degree to get a job mowing the lawns at Colby."

A lot has changed since 1900, the year of my father's birth, or 1920, the year my mother came to America. They would not recognize much of our world. But one thing has not changed. Education is still the key to success - even more so.

Our history is filled with heartwarming stories of men and women who reached the pinnacle of success despite having little or no education. They will be very rare in this and future centuries. Success will require the ability to receive, understand and use information.

I've worked hard all of my life. But a lot of people work hard. What makes the difference? To me, the answer is obvious. Thanks to my parents' vision and dedication, I got a good college and graduate education.

In America no one should be guaranteed success. But everyone should have a fair chance to succeed, to go as high and as far as talent and willingness to work will take them. In the twenty-first century, it will be increasingly difficult to have that fair chance without a good education.

Right now, here in Maine, there are thousands of young people who won't have that fair chance. They will work hard, but they will not be all they can be.

Our challenge, and our opportunity, is to create a society in which each child can realize his or her full potential; a place where the American dream lives in each child, not just a few who become successful and well known.

Of course, a college degree does not guarantee success. But without it, it will be hard for our children to find jobs that allow for growth and challenge, progress and stability, opportunity and

results. In our rapidly evolving economy, more and more jobs require a college degree.

Mainers are independent and smart. They are good, hard workers. But only 19% of Mainers over the age 25 hold a college degree. Increasingly, Maine employers cite concerns about the level of education of our workforce. They need people with skills and training beyond high school to remain competitive within their industries. Maine needs more people with skills and training beyond high school to remain competitive with other states.

Four years of college is expensive. But it's a good investment. Nationally, average annual earnings for the holder of a bachelor's degree are \$53,000, almost double the less than \$30,000 for someone whose education ended with a high school diploma. Recent studies show that you get a \$17 return over your lifetime for every \$1 spent on higher education. That translates to lifetime earnings of almost half million dollars more for a college graduate than for a high school graduate.

There can be no doubt: It would be a good thing for more Mainers to go to and graduate from college. The only question is: How do we best get that result?

Currently, about 62% of Maine high school seniors plan to go on to some form of post-secondary education or training. That's well below the national average. And only 48% of Maine high school seniors plan to attend a four-year college or university. That's also well below the national average.

I've talked with hundreds of Maine students and their families. They're concerned about the cost of higher education. It seems so far out of reach that many are discouraged from even trying. And for those who do try, there is a high rate of attrition. Of the students who enter college after high school only about half of them end up with a college degree within six years. We don't yet know why, but it's something we must understand and correct.

What I do know is this: if we do not increase the opportunities for more of Maine's young people to go to college - and to finish - then Maine will lag behind the rest of the nation. Our people, and our economy, will not be able to keep up.

Maine should be a leader in this area. We have the advantage of being a small state, one where people know one another and look out for one another, one with a long history of hard work and determination. We can do better and we must do better.

You all know young people in your neighborhoods and hometowns - remarkable young men and women who work hard in school, who give back to their communities, who come from families that struggle to make ends meet. For so many of these students, a college education is more than just a dream, it's a necessity. It is a tragedy that some young Mainers give up on that dream. It is a shame that some Maine parents don't urge their children to plan on college because they can't bear the thought of disappointing their child by not being able to afford it when the time comes.

And yet the potential is there. When I left the Senate I created a scholarship program for Maine students. As we review applications for that program, it is an uplifting experience. We read about young men and women who while still in high school, have conducted scientific research at leading national institutions; who have performed hundreds of hours of community service; who have supported themselves financially as emancipated minors; who are from families with little or nothing available to help support their education.

Last year I spoke at the annual dinner for the Maine Community Foundation. I described in detail the kind of students we have named as Mitchell Scholars:

- there are students like the young man from Downeast who is class salutatorian, participates in three sports and is involved in many school activities, who plans to study computer science and business and who happens to be hearing impaired;
- the young woman from Penobscot County who has devoted over 1,000 hours to community service and plans to become an English as a Second Language teacher;
- the young woman from a town outside Portland who wrote a moving essay about race and racism and hope, who plans to eventually pursue a law degree;
- or the young man from Southern Maine, an Eagle Scout, who volunteers in the town fire department and is training for his EMT License, who plans to become a high school English teacher;
- or the young woman from Aroostook County who is at the top of her class academically, who plans to become an architect, and for whom her guidance counselor says "the sky is the limit."

These are some of the young people of Maine. They are smart, capable, and committed. They want to be teachers and nurses, lawyers and doctors, businessmen and women, leaders. They want to make a difference in their community, their state, and their world. And three of the five outstanding young people I have just described come from families where the family financial contribution is zero – there is literally no money available to help send their child to college.

These young men and women, and many more like them can have a bright future. But that future will be brightest, and their dreams most likely turned to reality, with a good higher education.

We must do more. It's in our interest to do more. Wages in Maine are lower than in the other New England states largely because we don't have as many high paying jobs. But we will only get those high-paying jobs with an educated workforce. Maine public institutions of higher education are expensive – the 14<sup>th</sup> highest average tuition in the country for such institutions. This, in a state in which family income is in the lowest third in the country.

Despite this and other difficulties, there is reason to be hopeful. Maine students are doing better and better in their elementary and secondary school years, and Maine consistently ranks among the top states in reading and math skills. Nearly 90% of Maine students believe that anyone can be successful if they work hard enough. More than three-quarters of Maine high school students are optimistic about the future and almost 85% say they have high goals and expectations for themselves. We must support the optimism in tangible ways. We must ensure that their expectations will be met.

Raising aspirations is one step in the journey. Making those dreams a reality is the next step. That is why I created a scholarship program when I left the Senate. I wanted to help needy Maine young people, as I was helped by so many people when I was young and in need. This year we will provide a scholarship of \$4,000 to 160 high school graduates, one from each school in the state.

This is a program of Maine, for Maine. To be eligible the student must graduate from a Maine high school and must attend

a Maine college or university. Each summer I meet with that year's scholarship recipients and their families. It is always, for me, a deeply gratifying event. Because, after my family, this program means more to me than anything else in my life.

Each of you may not be able to set up a scholarship fund. But you can have a profound and lasting impact on our state's future by making it possible for more of our young people to acquire the skills needed to graduate from college.

None of you were drafted into public service. You are volunteers who actively sought your positions. For that I commend you. In America, and in other countries, it is fashionable and too easy to ridicule and belittle those who seek public office. I believe, to the contrary, that it takes courage and dedication to seek and exercise power in a democratic society.

But the real test of success is what is done with that power once it is achieved. For some, sadly, just having it is enough. For others, it is a few minutes of fame. But for the best among you it will be the satisfaction of knowing that what you have done will make life better and more meaningful for generations to come.

Before I entered the Senate I had the privilege of serving as a Federal Judge. In that position I had great power. The power I most enjoyed exercising was when I presided over what are known as naturalization ceremonies. They are citizenship ceremonies. A group of people who had come from all over the world, and who had gone through all of the required procedures, gathered before me in the federal courtroom in Bangor. There I administered to them the oath of allegiance to the United States and I made them Americans.

It was always a moving ceremony for me. As I looked out at the faces of the eager new Americans, I thought of my parents. My mother could not read or write English and she worked all of her life on the night shift in textile mills. My father was a janitor at Colby College. Yet, because of their efforts and because of the openness of American society, I, their son, was able to become the majority leader of the United States Senate.

After the ceremonies I made it a point to the new citizens, individually and in family groups. I asked them where they came from, how they came, why they came. Their stories were as different as their countries of origin, yet all were inspiring. Through them ran a common theme, best expressed by a young Asian man who, when asked why he came, replied in slow and broken English, "I came because in America everybody has a chance."

Think about a young man who had been an American for just a few minutes, who could barely speak English, yet who summed up the meaning of our country in a single sentence. Here everybody has a chance.

Of course we know that is not literally true. It is still an aspiration, not a reality. There are still too many Americans who don't have a fair chance, and far too many here in Maine.

That is your challenge, and it should be your guiding standard. To apply yourselves, with full hearts and open minds, without partisanship, to the great and noble task of making it literally true that here, in our beloved Maine, everybody has a chance.

Good Luck, may God bless each of you.

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The Honorable George J. Mitchell withdrew amid the applause of the Convention, the audience rising.

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The purpose for which this Convention was assembled having been accomplished, the Chair declared the same dissolved.

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The Senate then retired to its Chamber amid the applause of the House, the audience rising.

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(After the joint Convention)

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The House was called to order by the Speaker.

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On motion of Representative JABAR of Waterville, the House adjourned at 2:18 p.m., until 9:00 a.m., Wednesday, March 29, 2000.