

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record
House of Representatives
One Hundred and Twentieth Legislature
State of Maine

Volume I

First Regular Session

December 6, 2000 – May 17, 2001

Pages 1-889

ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
1st Legislative Day
Wednesday, December 6, 2000

Pursuant to Article IV, Part 3, Section 1 of the Constitution of the State of Maine, the Representatives-elect to the One Hundred and Twentieth Legislature assembled in the Hall of the House and were called to Order by JOSEPH W. MAYO of Augusta, Clerk of the House of the One Hundred and Nineteenth Legislature.

Prayer by Rabbi Alice R. Dubinsky, Congregation Bet Ha'am, South Portland.

National Anthem by Cindy Bullens, Portland.

Pledge of Allegiance.

Doctor of the day, Angus Badger, M.D., Rumford.

COMMUNICATIONS

The Following Communication: (H.C. 1)

STATE OF MAINE

Office of the Secretary of State

December 6, 2000

To Joseph W. Mayo, Clerk of the House in the One Hundred and Nineteenth Legislature:

I, **DAN A. GWADOSKY**, Secretary of State, pursuant to the provisions of Title 3 MRSA, Section 1, hereby certify that the following are the names and residences of the Representatives-elect to the One Hundred and Twentieth Legislature, in accordance with the tabulation submitted to the Governor on November 27, 2000:

DISTRICT 1 STEPHEN C. ESTES, Kittery
DISTRICT 2 MARY B. ANDREWS, York
DISTRICT 3 GARY J. WHEELER, Eliot
DISTRICT 4 JAY MACDOUGALL, North Berwick
DISTRICT 5 ELEANOR M. MURPHY, Berwick
DISTRICT 6 HOWARD A. CHICK, Lebanon
DISTRICT 7 RONALD F. COLLINS, Wells
DISTRICT 8 THOMAS W. MURPHY, JR., Kennebunk
DISTRICT 9 DAVID E. BOWLES, Sanford
DISTRICT 10 JOHN L. TUTTLE, JR., Sanford
DISTRICT 11 RICHARD A. NASS, Acton
DISTRICT 12 FRANK J. TARAZEWICH, Waterboro
DISTRICT 13 ROBERT A. DAIGLE, Arundel
DISTRICT 14 WILLIAM R. SAVAGE, Buxton
DISTRICT 15 CHRISTOPHER P. O'NEIL, Saco
DISTRICT 16 THOMAS J. KANE, Saco
DISTRICT 17 NANCY B. SULLIVAN, Biddeford
DISTRICT 18 MARIE LAVERRIERE-BOUCHER, Biddeford
DISTRICT 19 JOANNE T. TWOMEY, Biddeford
DISTRICT 20 DAVID G. LEMOINE, Old Orchard Beach
DISTRICT 21 GLENYS P. LOVETT, Scarborough
DISTRICT 22 HAROLD A. CLOUGH, Scarborough
DISTRICT 23 JANICE E. LABRECQUE, Gorham
DISTRICT 24 LAWRENCE BLISS, South Portland
DISTRICT 25 JANET L. MCLAUGHLIN, Cape Elizabeth
DISTRICT 26 CHRISTOPHER T. MUSE, South Portland
DISTRICT 27 KEVIN J. GLYNN, South Portland
DISTRICT 28 RONALD E. USHER, Westbrook
DISTRICT 29 ROBERT W. DUPLESSIE, Westbrook
DISTRICT 30 BENJAMIN F. DUDLEY, Portland
DISTRICT 31 MICHAEL V. SAXL, Portland
DISTRICT 32 JOHN F. MCDONOUGH, Portland
DISTRICT 33 MICHAEL W. QUINT, Portland
DISTRICT 34 WILLIAM S. NORBERT, Portland

DISTRICT 35 JOSEPH C. BRANNIGAN, Portland
DISTRICT 36 BOYD P. MARLEY, Portland
DISTRICT 37 GLENN CUMMINGS, Portland
DISTRICT 38 JOSEPH BRUNO, Raymond
DISTRICT 39 DAVID L. TOBIN, Windham
DISTRICT 40 GERALD M. DAVIS, Falmouth
DISTRICT 41 CLIFTON E. FOSTER, Gray
DISTRICT 42 TERRENCE P. MCKENNEY, Cumberland
DISTRICT 43 SUSAN HAWES, Standish
DISTRICT 44 JOHN T. BUCK, Yarmouth
DISTRICT 45 KEVIN M. MUSE, Fryeburg
DISTRICT 46 G. PAUL WATERHOUSE, Bridgton
DISTRICT 47 PHILIP CRESSEY, JR., Baldwin
DISTRICT 48 THOMAS D. BULL, Freeport
DISTRICT 49 JOHN G. RICHARDSON, Brunswick
DISTRICT 50 STANLEY J. GERZOFSKY, Brunswick
DISTRICT 51 DAVID M. ETNIER, Harpswell
DISTRICT 52 PAUL J. LESSARD, Topsham
DISTRICT 53 DEBORAH J. HUTTON, Bowdoinham
DISTRICT 54 ARTHUR F. MAYO, III, Bath
DISTRICT 55 JUDITH B. PEAVEY, Woolwich
DISTRICT 56 CHRISTOPHER G. HALL, Bristol
DISTRICT 57 PETER L. RINES, Wiscasset
DISTRICT 58 KENNETH A. HONEY, Boothbay
DISTRICT 59 A. DAVID TRAHAN, Waldoboro
DISTRICT 60 RICHARD A. CRABTREE, Hope
DISTRICT 61 JAMES G. SKOGLUND, St. George
DISTRICT 62 DEBORAH K. MCNEIL, Rockland
DISTRICT 63 SUSAN DORR, Camden
DISTRICT 64 THEODORE H. HEIDRICH, Oxford
DISTRICT 65 ARLAN R. JODREY, Bethel
DISTRICT 66 MONICA MCGLOCKLIN, Embden
DISTRICT 67 BRUCE BRYANT, Dixfield
DISTRICT 68 TOM J. WINSOR, Norway
DISTRICT 69 ROSITA GAGNE, Buckfield
DISTRICT 70 JOHN L. PATRICK, Rumford
DISTRICT 71 LOIS A. SNOWE-MELLO, Poland
DISTRICT 72 THOMAS F. SHIELDS, Auburn
DISTRICT 73 DEBORAH L. SIMPSON, Auburn
DISTRICT 74 JOHN M. MICHAEL, Auburn
DISTRICT 75 PATRICIA T. JACOBS, Turner
DISTRICT 76 RAYMOND G. PINEAU, Jay
DISTRICT 77 CHARLES C. LAVERDIERE, Wilton
DISTRICT 78 WALTER R. GOOLEY, Farmington
DISTRICT 79 LINDA R. MCKEE, Wayne
DISTRICT 80 ELAINE FULLER, Manchester
DISTRICT 81 RICHARD H.C. TRACY, Rome
DISTRICT 82 ELIZABETH WATSON, Farmingdale
DISTRICT 83 BONNIE GREEN, Monmouth
DISTRICT 84 NANCY L. CHIZMAR, Lisbon
DISTRICT 85 WILLIAM J. SCHNEIDER, Durham
DISTRICT 86 RICHARD H. MAILHOT, Lewiston
DISTRICT 87 WILLIAM R. COTE, Lewiston
DISTRICT 88 STAVROS J. MENDROS, Lewiston
DISTRICT 89 LILLIAN LAFONTAINE O'BRIEN, Lewiston
DISTRICT 90 GERALD N. BOUFFARD, Lewiston
DISTRICT 91 PATRICK COLWELL, Gardiner
DISTRICT 92 SCOTT W. COWGER, Hallowell
DISTRICT 93 RANDALL L. BERRY, Livermore
DISTRICT 94 CHARLES E. MITCHELL, Vassalboro
DISTRICT 95 DAVID R. MADORE, Augusta
DISTRICT 96 JULIE ANN O'BRIEN, Augusta
DISTRICT 97 SHIRLEY K. RICHARD, Madison
DISTRICT 98 PAUL R. HATCH, Skowhegan
DISTRICT 99 MARILYN E. CANAVAN, Waterville

DISTRICT 100 LISA TESSIER MARRACHÉ, Waterville
 DISTRICT 101 PAUL L. TESSIER, Fairfield
 DISTRICT 102 ZACHARY E. MATTHEWS, Winslow
 DISTRICT 103 ROBERT W. NUTTING, Oakland
 DISTRICT 104 BERNARD E. MCGOWAN, Pittsfield
 DISTRICT 105 WALTER E. ASH, JR., Belfast
 DISTRICT 106 RANDALL L. BUMPS, China
 DISTRICT 107 JOSEPH E. BROOKS, Winterport
 DISTRICT 108 VAUGHN A. STEDMAN, Hartland
 DISTRICT 109 DONALD P. BERRY, SR., Belmont
 DISTRICT 110 CAROL WESTON, Montville
 DISTRICT 111 SHARON LIBBY JONES, Greenville
 DISTRICT 112 JAMES D. ANNIS, Dover-Foxcroft
 DISTRICT 113 RICHARD W. ROSEN, Bucksport
 DISTRICT 114 BRIAN M. DUPREY, Hampden
 DISTRICT 115 CHARLES D. FISHER, Brewer
 DISTRICT 116 MARY ELLEN LEDWIN, Holden
 DISTRICT 117 CHRISTINA L. BAKER, Bangor
 DISTRICT 118 JOSEPH C. PERRY, Bangor
 DISTRICT 119 PATRICIA A. BLANCHETTE, Bangor
 DISTRICT 120 JACQUELINE R. NORTON, Bangor
 DISTRICT 121 MATTHEW DUNLAP, Old Town
 DISTRICT 122 PETER D. CHASE, Levant
 DISTRICT 123 JONATHAN THOMAS, Orono
 DISTRICT 124 RUSSELL P. TREADWELL, Carmel
 DISTRICT 125 SUSAN L. KASPRZAK, Newport
 DISTRICT 126 JAMES H. TOBIN, JR., Dexter
 DISTRICT 127 EDWARD J. POVICH, Ellsworth
 DISTRICT 128 ROYCE W. PERKINS, Penobscot
 DISTRICT 129 PAUL VOLENIK, Brooklin
 DISTRICT 130 THEODORE KOFFMAN, Bar Harbor
 DISTRICT 131 EDWARD R. DUGAY, Cherryfield
 DISTRICT 132 WILLIAM D. PINKHAM, Lamoine
 DISTRICT 133 MARTHA A. BAGLEY, Machias
 DISTRICT 134 ALBION D. GOODWIN, Pembroke
 DISTRICT 135 JOHN R. MORRISON, Baileyville
 DISTRICT 136 GEORGE H. BUNKER, JR., Kossuth Twp.
 DISTRICT 137 ANITA P. HASKELL, Milford*
 DISTRICT 138 RODERICK W. CARR, Lincoln
 DISTRICT 139 STEPHEN S. STANLEY, Medway
 DISTRICT 140 JOSEPH E. CLARK, Millinocket
 DISTRICT 141 SALLY LANDRY, Patten
 DISTRICT 142 ROGER L. SHERMAN, Hodgdon
 DISTRICT 143 EDGAR WHEELER, Bridgewater
 DISTRICT 144 JACQUELINE A. LUNDEEN, Mars Hill
 DISTRICT 145 RICHARD H. DUNCAN, Presque Isle
 DISTRICT 146 MABEL J. DESMOND, Mapleton
 DISTRICT 147 IRVIN G. BELANGER, Caribou
 DISTRICT 148 FLORENCE T. YOUNG, Limestone
 DISTRICT 149 WILLIAM J. SMITH, Van Buren
 DISTRICT 150 ROSAIRE PARADIS, JR., Frenchville
 DISTRICT 151 MARC MICHAUD, Fort Kent

*12 Disputed ballots – outcome of election not yet determined

In Testimony Whereof, I have caused the Great Seal of the State to be affixed, given Under my hand at Augusta this sixth day of December in the year Two Thousand.

S/DAN A. GWADOSKY

Secretary of State

READ and ORDERED PLACED ON FILE.

For the purpose of ascertaining the presence of a quorum, a certified roll of the Representatives-elect was called by the Assistant Clerk of the One Hundred and Nineteenth Legislature.

The elected membership of the House being 151 and 147 members-elect having answered to their names, a quorum was found to be present.

Absent were: Representative-Elect BAGLEY of Machias
 Representative-Elect BAKER of Bangor
 Representative-Elect MUSE of South Portland
 Representative-Elect SHIELDS of Auburn

The Following Communication: (H.C. 2)

**BUREAU OF CORPORATIONS, ELECTIONS AND COMMISSIONS
 DEPARTMENT OF THE SECRETARY OF STATE
 101 STATE HOUSE STATION
 AUGUSTA, MAINE 04333-0101**

November 29, 2000
 Honorable Joseph W. Mayo
 Clerk of the House

2 State House Station
 Augusta, ME 04333-0002

Dear Clerk Mayo:

At the conclusion of the recount for Representative to the Legislature, District 137, on November 20, 2000, the final count was as follows:

Anita P. Haskell	1996
Laura J. Sanborn	1989
Disputed Ballots	12

Because there are enough disputed ballots to affect the result of the election, the Maine Constitution, Article IV, Part First, Section 5, requires that the Maine House of Representatives determine the outcome of the election.

The State Police are in custody of the materials related to this election. The disputed ballots are segregated in their own tamper-proof container and can be provided to you separately from the remainder of the ballots and other materials if that is your preference.

Please contact me at 287-4189 at your earliest convenience to make arrangements for the transmittal of the recount materials.

Sincerely,
 S/Julie L. Flynn

Deputy Secretary of State
 2000 General Election Recount Supervisor
READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 3)

STATE OF MAINE

Petition To the 120th Legislature of the State of Maine on the seating of Anita Haskell of Milford.

TO: Honorable Joseph Mayo, Clerk, State of Maine House of Representatives

Respectfully submitted by Laura J. Sanborn of Alton, County of Penobscot, and State of Maine

Petitioner alleges that she was the Democratic candidate for State Representative to the 120th Legislature from District 137 in the November 7, 2000 general election (Election). Petitioner was opposed in the Election by the Republican candidate, Anita Haskell of Milford.

The Governor certified Anita Haskell as the apparent winner in the Election and a certificate of election was issued to Anita Haskell by the Secretary of State.

Petitioner acknowledges that a recount of the ballots was conducted under the auspices of the Office of the Secretary of State on November 20, 2000 in the City of Augusta. The results of said recount changed the margin of victory for Anita Haskell

from 35 votes to 7 votes. Additionally, there are 12 contested ballots.

The Petitioner further alleges that certain other irregularities were brought to the attention of the Petitioner after the Election and that those irregularities are:

Certain voters residing in the City of Old Town and within the boundaries of House District 137 are mistakenly registered to vote in House District 121.

- A. Those certain voters who have been identified to date total 152. The Petitioner further alleges that more do exist and that the process of identification is ongoing at this date.
- B. An inspection of the Voter Registration List of District 121 during the November 20, 2000 recount establishes that 75 of the 152 did in fact vote on November 7, 2000, but voted in the wrong District.
- C. An inspection of the official voter registration list of the City of Old Town shows that in some instances, members of the same family living within the same household are not all listed within the same district, but in fact a wife may be registered in District 137 while the husband and son are registered in District 121.
- D. An inspection of the Official voter registration list of the City of Old Town, when compared to physical verification of the location of the household reveals that those streets/roads which have registration irregularities are Woodland Avenue, Poplar Street, Kirkland Road, and likely more pending further physical verification.
- E. Telephone calls from other voters living within the City of Old Town who are correctly registered in House District 137 indicate that they in fact receive ballots for House District 121 and not House District 137. Those voters number no less than eight at this date. This number though much more difficult to identify because communication directly with each voter is the only sure way to assure the allegation, does in fact impact greatly and add to the number of disenfranchised voters mentioned in "B" above and "F": following.
- F. Of the more than 80 disenfranchised voters who received ballots for District 121 instead of 137, a number not less than 20 have been contacted and have agreed to sign affidavits stating that not only did they receive the "wrong" ballot but had they received the correct ballot they would have in fact voted for the Petitioner, Laura J. Sanborn. The Petitioner believes those voters may easily number 40 who are willing to sign affidavits of support.
- G. Therefore, on information and belief, Petitioner concludes that the outcome of the State Representative Election in District 137 would have been different but for the aforementioned errors and irregularities.

The Petitioner further alleges that there is also a discrepancy and/or irregularity between the description of Districts 121 and 137 used by the City of Old Town and the official description of Districts 121 and 137 as furnished by the Office of the Secretary of State. The Petitioner further alleges that the use of the erroneous description by the City of Old Town further facilitates

and ensures that voters are registered in the wrong House District.

The Petitioner also alleges that there are more "disenfranchised" voters supporting her and willing to attest to their support than the margin of apparent victory as discovered during the recount of November 20, 2000. The Petitioner also reports that she did in fact receive 57% of the vote in the November 7, 2000 election from the voters of Old Town who did receive correct ballots.

In support of this Petition, the Petitioner refers you to the convening of the 108th Maine State Legislature on January 5, 1977. In that year, the House of Representatives declared vacant the House seat in District 89 for Bath on the single issue: that more people voted in the wrong district, and were thus disenfranchised, than the margin of victory for the winner. No other issues, such as the ones addressed above, were raised during the 1977 controversy. A copy of the Legislative Record for this action by the 108th Legislature is attached hereto. In the Election, which took place within the City of Old Town, precisely the same issue is raised. Thus, given this precedent, no one should be seated in District 137 until a determination is made that no citizen of District 137 was disenfranchised.

WHEREFORE, your Petitioner prays that the 120th Legislature not seat Anita Haskell at this time. Petitioner urges the House of Representatives to instead convene a committee to further investigate the issues raised above. And after said committee issues its findings, which the Petitioner believes will be in favor of the Petitioner based on those irregularities listed previous, to act as provided in the Maine Constitution in part third, section 3, and seat the Petitioner Laura J. Sanborn. By not seating anyone for District 137 at this time, the House of Representatives will preserve the status quo and will allow the process to go forward unencumbered by one candidate being seated. The process as outlined in State statutes may include a "new" election. Such an election would further ensure that the citizens of District 137 have a full and fair election and that all voters who are entitled to vote in District 137 will have the opportunity to do so.

Dated at Alton, Maine this 5th day of December, 2000

S/Laura J. Sanborn
State of Maine

Penobscot, ss. December 5, 2000

Personally appeared the above-named Laura J. Sanborn and swore to the truth of the foregoing document,
Before me,

S/Dale F. Thistle, Esq.
Attorney at Law

READ and with accompanying papers ORDERED PLACED ON FILE.

On motion of Representative-Elect COLWELL of Gardiner, the following House Order: (H.O. 1)

WHEREAS, at the conclusion of the recount of the election result in District 137, there were enough disputed ballots to affect the result of the election; and

WHEREAS, the Maine Constitution, Article IV, Part First, Section 5, therefore requires that the Maine House of Representatives determine the outcome of the election; and

WHEREAS, the House is in possession of a petition from Laura J. Sanborn of Alton, Maine, alleging certain irregularities in the election in District 137; and

WHEREAS, the House does not now determine this disputed election and does not now declare that any candidate was duly elected to the House seat in District 137; now, therefore, be it

ORDERED, that Anita P. Haskell be administered an oath of office and be permitted to temporarily assume a seat pending further action and determination and declaration of that determination by majority vote of the House, after further consideration by this House, determination of the disputed election, and declaration of the results thereof.

READ and PASSED.

On motion of Representative-Elect COLWELL of Gardiner, Representative-Elect TUTTLE of Sanford, Representative-Elect SKOGLUND of St. George, Representative-Elect TRACY of Rome, Representative-Elect DESMOND of Mapleton, Representative-Elect RICHARD of Madison, Representative-Elect USHER of Westbrook, Representative-Elect MURPHY of Berwick, Representative-Elect MURPHY of Kennebunk, Representative-Elect NASS of Acton and Representative-Elect STEDMAN of Hartland were appointed a Committee to wait upon the Governor and inform him that a quorum of the members of the House of Representatives-Elect had assembled in the Hall of the House of Representatives and requested his attendance to administer to them the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

Subsequently, Representative-Elect TUTTLE of Sanford reported that the Committee had delivered the message, with which it was charged.

The Governor, the Honorable Angus S. King, Jr., enters and administers to the members-elect and they subscribe the oaths required by the Constitution to qualify them to discharge their official duties.

Governor KING: Good morning on a absolutely spectacular Maine day. I bring you greetings from the other body. They are now duly sworn in. I am delighted to be here and my function this morning is not to make a speech, but to do the official constitutional requirement of swearing you in. I can't help but comment on one or two things. Many of you who are here have your family and friends with you. I really want to address some of my comments to those people.

This is a historic moment. It is a special occasion that occurs throughout the United States and which sometimes we take for granted. For thousands of years people struggled with the problem of power and particularly how to transfer power. For most of those thousands of years the transfer of power was almost always accompanied by violence, contention and by force. No one in America today, on an occasion like this, could avoid the use of the word "Florida." I want you to think about this as you watch CNN and as you watch the news from Florida and what you don't see. What you don't see are troops. What you don't see are guns. What you don't see is the National Guard. What you see are ordinary citizens like ourselves struggling to determine the popular will. It may not be pretty, but that was never an attribute of democracy. What we are seeing and experiencing here at this moment today is the peaceful transfer of power. That is not the norm in this world and it certainly has not been the norm historically. What this is a truly historic moment. I want to congratulate each and every one of you for not only struggling and succeeding and coming to this place at this time, but also for having the will, the desire, the patience and the work ethic to take this on.

There was a lot of joking last night about say goodbye to your family, you will see them in the spring. The reality behind that joke is that this is hard work. It is hard work. We are all struggling as God gives us the light to understand it to figure out what the right thing to do is. I just hope as we proceed through this year that we always remember that. Everybody here has the same goals, it is only as I mentioned last night, the means that we differ upon. We can deal with each other and continue to work together as we have in the past in a spirit of good faith and comity and civility. Civility, as Mike Michaud mentioned in the other body a few minutes ago, does not mean blandness. It doesn't mean we don't disagree. It doesn't mean we put aside our principles and our passions, but it does mean that we treat each other with respect. My dad always used to say that you can disagree without being disagreeable. If we continue to strive for that, I think we will all be in great shape come the end of the session.

Before administering the oath, I also want to make a point, I was listening in the Speaker's Office because I am a guy without an office today. I have been sort of hanging out in the halls this morning since my office is under renovation and the committees have been having a find the Governor exercise. I was out in the Speaker's Office and listened to Cindy sing the National Anthem. The National Anthem is something that we hear so many times in our lives that often we don't really listen to it. It is sort of automatic. It is a background music. I know kids who think that play ball is the last line. In listening to Cindy sing the National Anthem, a thought really struck me that I wanted to share with you. I think it is appropriate. I don't know a lot about National Anthems around the world, but I would venture to say that there is something unusual, if not unique, about our National Anthem. The last line of our National Anthem is a question. Did you ever think about that? "Oh say does that star spangled banner still wave over the land of the free and the home of the brave?" That is a question. It is not a statement. It is a question. I would say two things about that question. One, it is a question that comes down to us from the early days of the republic and it is a question that has to be answered in each generation. It is a question that has to be answered in each generation. It is a question that hangs pregnant in the air over all of us. "Oh say does that star spangled banner still wave over the land of the free and the home of the brave?"

The second thing about the question is that I think the answer is contained in the question, the land of the free and the home of the brave. As long as we are the home of the brave, we will be the land of the free. Do you see? The braveness is part of the answer to the question. There are all kinds of bravery. What you are doing is definitely part of the concept of courage. It is the courage to take positions. It is the courage to lead. It is the courage to work. It is the courage to leave your families. It is the courage to take a little flack. A very wise person once told me that if you take flack, that means you are over the target. It is the courage to take on the responsibility and the obligations of citizenship and leadership in a democratic society. You all have done that. I compliment and honor you for it.

If you would all rise so I can administer the oath. In Maine we have two oaths so don't quit on me in the middle. If the members-elect of the 120th Maine House of Representatives would please raise your right hands and repeat after me.

I, (members stated names) do swear, that I will support the Constitution of the United States and of this state, so long as I shall continue a citizen thereof. So help me God.

I, (members stated names) do swear, that I will faithfully discharge, to the best of my abilities, the duties incumbent upon me as a Representative in the 120th Legislature of the State of

Maine, according to the Constitution and laws of this state. So help me God.

Congratulations!

At the conclusion of the address and the oath of office, the Governor withdrew amid applause, the audience rising.

On motion of Representative ETNIER of Harpswell, Representative SKOGLUND of St. George, Representative LaVERDIERE of Wilton, Representative JONES of Greenville, Representative CHICK of Lebanon, Representative MAYO of Bath, and Representative MURPHY of Berwick were appointed a Committee to receive, sort and count votes for the Speaker.

The Assistant CLERK: The Chair recognizes the Representative from Gardiner, Representative Colwell.

Representative COLWELL: Mr. Speaker, Men and Women of the House. It is a great pleasure. It is good decorum to address the person at the rostrum as Speaker. I guess I have been well trained by my former Speakers, Speaker Mitchell and Speaker Rowe. It really is a great honor that I place the name of my friend, my colleague, Michael V. Saxl, as the next Speaker of the House of Representatives. I am totally in awe as I am sure many of you are of Representative Saxl's accomplishments from his political activism to his community service. His compassion is paramount to causes with which he has become involved. The Governor's HIV Advisory Committee, the Week Without Violence, the AIDS Project, the Alternative Youth Sentencing Program, the People's Regional Opportunity Program, the Portland Youth Services Advisory Committee, the Reiche Reader Program, the Greater Portland Children's Leadership Council and Maine's Standards for Batter Intervention Education Programs, to just name a few. The list truly goes on and on of Michael V. Saxl's community involvement. These organizations all stem from and deal with issues with which we are all well acquainted in the political arena. Likewise, Michael Saxl's political activism speaks of his commitment to Maine people. From working as Assistant to the Senate Majority Leader and being elected to represent the people of Portland's west end. Mike has worked his way up the ladder to become Assistant House Majority Leader, House Majority Leader and today, he is being nominated to be the next Speaker of the House.

All this experience I have noted is really but a drop in the bucket of the public service Mike has given to Maine and to Maine people. It is this experience that speaks to his energy, his motivation, his compassion, his commitment and his ability to be an effective leader. He is a man of the people, for the people and an advocate for all Maine people. He has my confidence and support. It is truly an honor to place the name of Michael Saxl of Portland in nomination for Speaker of the House.

Representative COLWELL of Gardiner moved that the name of MICHAEL V. SAXL of Portland be placed in nomination for the Speaker of the House.

The Assistant CLERK: The Chair recognizes the Representative from Raymond, Representative Bruno.

Representative BRUNO: Mr. Speaker, Ladies and Gentlemen of the House. I am pleased to second the nomination of Michael V. Saxl for the position of Speaker of the House. It is my honor to second this nomination. This is a tradition that goes back many years in this chamber where the Minority Leader in this Chamber seconds the nomination of the Speaker. This will be the fifth Speaker I will serve under. Martin, Gwadosky, Mitchell and Rowe, they are all people who decided they wanted to make Maine a better place to live and whom I consider all my

friends. We, in this chamber, have the honor of being elected by our constituents, our people at home. There are four of us in this chamber who have had the honor of being elected by our caucus to be leaders. Representative Saxl will now have the highest honor of being elected by this body to be Speaker of the House.

There are many people who realize that Michael Saxl of Portland took on a strong role as the House Majority Leader. In my conversations with him, he realizes he has a different role to play. He will have the respect of this body to take care of.

There are many people in this state and in this body and in this building who are waiting for a misstep to happen. They are looking for partisan bickering. They are looking for personal attacks. This doesn't mean that we will disagree. I pledge my word and the word of my caucus that we will not instigate any of those. I ask Speaker Saxl, let's prove everyone wrong. Let's prove that we can work together. We will all be together in this House for many, many days and many long nights and many early mornings. We are going to get to know each other very well. Michael Saxl of Portland and I will meet very often. We will be behind closed doors and air out differences behind closed doors. When we step into this chamber, we will treat each other with the greatest respect.

The people of the State of Maine are watching us. They want us to do their business the best that we can. Let's make those people proud of us. It is my honor to second that nomination.

Representative BRUNO of Raymond seconded the motion.

Representative FISHER of Brewer moved that nominations cease.

On motion of Representative BRUNO of Raymond, the Committee cast one vote for the House for MICHAEL V. SAXL.

The Honorable JOSEPH W. MAYO, Clerk of the House of the 119th Maine Legislature, administered the necessary oath of office to qualify the Speaker of the House to enter upon the discharge of his official duties.

The House was called to order by Speaker Michael V. Saxl, of Portland

At this point, pursuant to House Rule 201, the Speaker addressed the House.

Speaker SAXL: Pursuant to House Rule 201, it is my pleasure to address the House.

Ladies and gentlemen of the house, honored guests, esteemed colleagues, great friends and neighbors. Like each of you, I did not arrive here today by myself. Each of us has been shaped by our experiences, our families, friends and communities. Today I am joined by many of those people.

First, my mom, the Honorable Jane W. Saxl. In so many ways I wouldn't be here without her today. She has been my role model, my first teacher, my friend and so much more. It has been my distinct honor and privilege to serve with her and share professional and personal times. It is rare for a son to be able to share such an experience with his mother. I am truly privileged.

Beside her sits Elizabeth Ward, my partner and my best friend and just about everything. With her, two of my sisters, Mary-Anne and Ruth. My friend, Dan Walker, my study partner in law school, who is from Salt Lake City, Utah and with any luck we will get him to stay. He is here with his mother, Ellen Werner, a former member of this body. I also want to thank Cindy Bullens

for her silver voice. Rabbi Dubinsky and my friend Angus Badger, the Doctor of the Day. There are so many other folks here with me today who have shaped who I am, friends from Portland, the Cohens, Phil and Macy, my friend Barb from Fort Fairfield, people who I grew up with who welcomed me into their homes, the Bretons and the Works and who have made me who I am today.

I know that so many of you have folks here today who you have come with you and who will share this special moment with you. I hope that you embrace them and take a moment to celebrate what is just a remarkable day for each and every one of you. I would also like to take a moment to discuss someone who is not here today, my father. As a candidate for Majority Leader I spoke in this chamber about the enormous influence my father had on my life. He always fought the good fight and gave voice to those who without him, would have no voice. I hope to follow in his tradition.

I know each of you are surrounded by friends and family who came to cheer you on and to help you embark on what is the noble tradition of this House and this Legislature. I hope your journey is a wonderful one.

I am deeply honored and humbled by the trust you have placed in me and am mindful of the tremendous responsibilities of this office.

The institution of this House is bigger than any one of us. It has allowed Maine to do amazing things, to educate our children, to preserve natural wonders, to provide access to capital for emerging industries, to build roads, buy ferries and so much more.

Today I accept your confidence in me and I am deeply honored. I do so, only with the understanding that I am not alone. Because, only together can we uphold the traditions of this institution and only with the help of your leaders, Representatives Colwell and Bruno, Norbert and Schneider. They are fine selections and will lead you with distinction. It is my great honor to serve with them.

I move forward with the support and the guidance of those who have gone before me, those who have made this institution what it is today. I will ask him to stand for a moment. This is Dick Hughes, Maine's last Republican Speaker who led this chamber with dignity and civility. He served in this chamber from Cape Elizabeth. As I was talking with colleagues about him, I learned of his sincerity, honesty and willingness to always reach out beyond himself. I asked him just before I came in today, what was his proudest moment? He said, "It was fighting the fight to pass ERA here in the House and I did it by two votes, but then they killed it over there in the Senate." Dick did something we should all do. He fought the fight that was in his heart and we honor him for that. Besides him sits John Martin. I ask him to stand as well. Senator Martin professionalized this Legislature. I don't know if any of you know it, but before John Martin was the Speaker of this House, that glass wall didn't exist and members of the lobby who were sometimes overanxious might wonder down these aisles. John Martin professionalized this Legislature. He brought forward the non-partisan staff so that each legislator had access to the same even-handed presentation of material so that you can make the best policy for your communities. Beside Speaker Martin is Speaker Gwadosky. Dan Gwadosky brings people together in tough times with a great sense of humor and commitment to fairness. He always has a glint in his eye and a wonderful sense of humor that allows him to overcome adversity that I know he faced in this chamber from time to time and throughout his career in public service. My good friend, Libby Mitchell, our First Woman Speaker of the House. It is obvious what one of Libby's accomplishments is, she broke the barrier.

She became a terrific role model for women and girls throughout the State of Maine and throughout this country. She was the first woman presiding officer in the State of Maine. Libby combined her incredible sense of graciousness, energy, charm and a passionate idealism. We thank her for it. Beside Libby is Steve Rowe, my friend and my Speaker. Steve Rowe exudes decency and integrity. He is the very best of what a public servant should be. His work in this chamber is lasting and important. Not only did he shape legislation, which provided access to health insurance for children and their parents, he also set a tone for us of fairness and evenhandedness, which resulted in a mutual trust and accomplishment.

These individuals have set the benchmark for achievements this session, of Hughes and fairness, of Martin and professionalism, of Gwadosky and humor and honor, of Mitchell and graciousness and idealism and of Rowe and decency and integrity.

Let me speak for a moment about your obligations as a member of this hallowed institution by acknowledging someone here today who was never a House Speaker, but who understands this institution and all that it stands for better than anyone I know. That is my good friend and mentor, Joe Mayo. Each of you received a farewell letter from Joe. I wanted to share an excerpt that particularly moved me. "No person or group of persons, nor other institution is superior to the House of Representatives. The constitution alone is our guide and director. Much has been said of late concerning the loss of power of the Legislature to the Executive. This is only true, if you permit it to be true. There have been no changes in your powers. They are there for you to exercise. Be vigilant in your power to oversee the Executive. This is your Legislature, be vigilant in exercising your power of oversight and your efforts to develop public policy. The House is a unique institution, which is very close to the people. Listen to them, they will keep you moving ahead and on track."

Today we begin the work the people of Maine sent us here to do. I believe the electorate sent us to this House with several clear charges. Their message has three parts: first, take action, second, innovate and third, do it together. Let me say something about each. First, take action. The issues of health care and education were talked about in every campaign, they were cited in every brochure. They were a feature of every ad, Democrat, Republican or Independent. I remember going to a health care meeting in late October, at Massabesic High School in York County with Speaker Rowe. In attendance were elected representatives of both caucuses here today. They were there to speak up for affordable health care regardless of party.

Likewise with education and school funding and school repairs. The list goes on. We are all on the same side because the voters sent us here with a clear message. We should come here and show action. They want action. I say, let's give it them.

Second, the voters said that they want innovation. They don't want the same old solutions. They don't want government to do everything. They want partnerships. It's a challenge we all must meet.

Third, the voters want civility. They want collegiality. They want Democrats and Republicans and Independents, all of us here in Augusta, to work together for the common good. You heard it on the campaign trail as well as I did. Their patience with bickering is exhausted. I believe the message is clear. It is action, innovation and bipartisanship.

Let's give Maine people what they want, what they need, and what they deserve. They say they want better access to education and affordable health care. Let's do it. Let's set our sights high. Let us accomplish two goals during this session.

First, let's commit ourselves today that by the time we leave here two years from now every graduating senior and every displaced worker will be assured of access to higher education in Maine. Every single student.

We have made great progress in education already in Maine. Our fourth and eighth graders routinely finish at the top on standardized tests, not just in New England, not just in the United States, but top in the world. But, we still need to do more. We must continue rebuilding unsafe and crumbling schools. We must continue to move closer to meeting the state's legal commitment for school funding. We must provide students with 21st century technology they need. We must treat our teachers as professionals and give them the tools and respect they deserve.

Our biggest educational gap today is access to higher education. According to *Measuring Up 2000*, a report from the non-partisan, National Center for Public Policy and Higher Education, Maine received a failing grade for affordability of higher education. Our high school seniors graduate at a rate among the highest in the nation and then many stop their schooling and many others leave the state. We're losing our kids. Let's give our kids a chance to stay home. Even more, let's give our kids a reason to stay home. Let's make it financially possible for every Maine student and worker to attend a Maine college. This will take innovation it will take bipartisanship, but with both present we can achieve action. That's one ambitious goal, universal access to higher education.

Let us commit together that by the time we leave here two years from now that we have a program in place that moves steadily over a fixed period of time to the point where every Maine family and every Maine individual has health insurance. Every single one with no exceptions. Recently the Chief Executive's Health Care Commission released a report with some dramatic numbers. It said we spend \$5 billion a year on health care in Maine and 25 percent, over \$1 billion is wasted. That's as much as our entire state income tax collection. Can we afford not to act? One hundred and sixty thousand people have no health insurance and 18,000 of those are children. But the crisis is told in more than numbers.

It is told in the family budgets of workers in places like Millinocket where Inexcon froze wages and capped health care contributions. Leading to a doubling of out-of-pocket health care costs in the last four months. It is told in the stories each of you heard as you have gone door-to-door, about the individual who didn't qualify for the prescription drug card; the small business owner whose costs have increased in some cases by 40 percent this year and so many others struggling to get the health care they need. For the sake of people all over Maine, we cannot, we must not give up on the great fight for improved access to health care. Where are we going to find the money? With a structural gap of over \$200 million we will need to set priorities, and we will need to be innovative. But let me give you one statistic that should give us something to think about.

Maine's Medicare reimbursement ranks between 45th and 50th in the nation. In other words, we are not doing all we can to bring federal help to our citizens. If we are innovative, if we work together, we can get action and that's why we were all elected. There are many other issues of importance in the next two years, economic development, infrastructure and transportation improvement. But there is one more in particular, which I want to mention. It is one of deep personal concern to me, and that is eliminating domestic and sexual violence.

I first encountered this issue when I taught at King Middle School in Portland. There was an 11-year-old girl in my class, with sandy blond hair. She liked the new kids on the block. And

she was also spunky and fun. One week she didn't show up to class. When she returned she did not speak. It turned out that her father had killed all of her pets and had hung them from the rafters throughout her house. She was never the same again. There is nothing in life so unjust and unfair as hurting an innocent child.

Since then I have worked with numerous victim advocates, some of whom are here with us today, Lois Reckitt, Tracy Cooley, Donna Strickler, and victims of domestic and sexual violence. From them I have learned of the epidemic of violence against women and children in Maine.

In the last few years, acting together, Republicans and Democrats and Independents, we have done a lot to help. We've made stalking a crime for the first time. We've eliminated the statute of limitations for child sexual assault. We've created a domestic homicide review panel and we've allowed family leave for victims to deal with the after-effects of violence. But we are not finished. Not by a long shot. Over half of Maine's murders last year were the result of family violence. The only crime category to increase last year was sexual assault. This year we must work with the community of brave women and men who deal with these issues and give them the tools they need to succeed. No child, no woman and no man should ever live in fear in Maine. We owe action to the next generation of young girls and boys.

Education, health care, domestic and sexual violence, they all take leadership. Leadership is the responsibility we all have. It goes with being a member of this body. We have to reach beyond ourselves and beyond our own constituencies. We may run as a Democrat or Republican, but once we are here, we represent everyone in our districts. Leadership does not mean always getting your way. Leadership means listening to each other and acting with civility. Disagreement is natural. Disagreement is why we are here. Disagreement is what democracy is about. We ought to disagree. But as Tip O'Neil said, "It's ok to disagree, but not to be disagreeable." We ought to argue with passion, and I know I've been known to do this sometimes! It is by listening to each other that we improve our own ideas.

Together with floor leaders Joe Bruno and Pat Colwell, we will set a tone of mutual respect and collegiality in this body. And so we begin the 120th Legislative Session in a spirit of hope. This can be the Legislature when historic things are accomplished. This can be the year when higher education becomes available to everyone in Maine. This can be the year we finally start down the path of providing health insurance to every Maine family and individual. This can be the year when politics becomes everything it can be, when cynicism begins to fade and when Maine government becomes something people are proud to call their own.

It is a year for action, for innovation and for bipartisanship. The Maine people demand action. They want results. Let's give it to them.

Thank you.

At this point, a message was received from the Senate, borne by Senator Daggett of Kennebec of that body, that the Senate had been duly organized by the election of the Honorable Michael H. Michaud of Penobscot as President for the calendar year December 6, 2000 to December 5, 2001, the Honorable Richard A. Bennett of Oxford as President Pro Tem for the calendar year December 6, 2000 to December 5, 2001, Joy J. O'Brien as Secretary for the calendar year December 6, 2000 to December 5, 2001 and Pam Cahill as Assistant Secretary for the

calendar year December 6, 2000 to December 5, 2001, and the Senate was ready to transact such business as might come before it.

At this point, a message came from the Senate, borne by Senator Bennett of Oxford of that body, proposing a Convention of both branches of the Legislature to be held at 2:00 o'clock in the Hall of the House for the purpose of electing an Attorney General, a Secretary of State, a State Treasurer and a State Auditor.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 2:00 o'clock and the Speaker appointed Representative COLWELL of Gardiner to convey this message to the Senate.

On motion of Representative BERRY of Livermore, Representative GAGNE of Buckfield, Representative CLARK of Millinocket, Representative MARRACHÉ of Waterville, Representative LOVETT of Scarborough, and Representative BUMPS of China were appointed a Committee to receive, sort and count votes for the Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Farmingdale, Representative Watson.

Representative WATSON: Mr. Speaker, Men and Women of the House. It is truly an honor and a personal privilege to nominate Millicent M. MacFarland for Clerk of the House of Representatives. Millie has a long history of service in the Clerk's Office. For some 20 years, she has played an active role in the operations daily and long-term of that office. In recent years, Millie has served as Assistant Clerk of the House. In that capacity she has worked closely with the Clerk to manage the operations of this body. She has done so with great skill and knowledge. Throughout her tenure in the Office of the Clerk, Millie has established and maintained relationships with people in every office within the State House as well as in the Executive and Judicial Branches. She has a reputation as a reasonable and fair person and has earned the respect of all her colleagues. Furthermore, she has always been respectful of legislators on both sides of the aisle. Undoubtedly her tenure in the Clerk's Office has prepared her well to assume the position of Clerk of the House, whether the task is administrative, managerial or parliamentary. I have the utmost confidence in Millie's abilities and in her professionalism. She is also a key person in the Legislature's institutional memory. She has served this institution with grace and dignity and I am proud to place the name of Millicent M. MacFarland in nomination for the position of Clerk of the House. Thank you.

Representative WATSON of Farmingdale moved the name of MILLICENT M. MacFARLAND of Augusta be placed in nomination for the Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative McNeil.

Representative MCNEIL: Mr. Speaker, Ladies and Gentlemen of the House. I am pleased to second the nomination of Millicent M. MacFarland for the position of Clerk of the House. Serving in this chamber over the past two years, I have seen the dedication and knowledge that Millie has brought to this position of Assistant Clerk. She has worked and trained diligently under the Honorable Joseph Mayo, who I know is the best Clerk this House has ever seen. It gives me great honor and personal privilege to second her nomination. I know that all of us in this

House Chamber will be well served by Millicent MacFarland as the Clerk of the House. Thank you.

Representative McNEIL of Rockland seconded the motion.

Representative McKEE of Wayne moved that nominations cease.

On motion of Representative SCHNEIDER of Durham, the Committee cast one vote for the House for MILLICENT M. MacFARLAND.

The Speaker of the House administered the necessary oath of office to qualify the Clerk of the House to enter upon the discharge of her official duties.

Subsequently, Representative COLWELL of Gardiner reported that he had delivered the message with which he was charged.

On motion of Representative HUTTON of Bowdoinham, Representative COWGER of Hallowell, Representative WATSON of Farmingdale, Representative GREEN of Monmouth, Representative WATERHOUSE of Bridgton and Representative MAYO of Bath were appointed a Committee to receive, sort and count votes for Assistant Clerk of the House.

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

Representative NORBERT: Mr. Speaker, Men and Women of the House. I move that the name of David C. Shiah be placed in nomination for the position of Assistant Clerk of the House. It is my great privilege to stand today on behalf of my good friend, our good friend, David C. Shiah of Bowdoinham. I urge you to support his nomination for the position of Assistant Clerk of the House. As you all know, or most of you know, David is a former member who occupied this chair right here as Assistant Majority Leader. Dave is a conscientious and committed former legislator. More than that, he is a good man. He has been a friend to all. He cares deeply about this institution and he has served his constituents very well and now wishes to serve this state and this body well. Dave, as you know, served six years in this chamber representing the citizens of his district in Bowdoinham and Richmond very well. He made friends with all members of this body from both sides of the aisle. He served one term in leadership where he got to know the inner workings of this building and developed positive relationships with staff in this building. That will serve him well in this position that he hopefully will next assume.

He is very well organized. Those of you who know Dave know that he is extremely well organized and has gone to the effort of learning the rules and also the workings of this chamber. I can say on a personal level that I greatly appreciate how well organized he left his desk for me in the office as well. It has been a big help. Above all, he will treat all members fairly from both sides of the aisle. Those of you who know Dave, know that he is a very decent individual and he will extend himself graciously to all who need information and help. He understands the House and the Joint Rules. He has been studying them for many years. He has ratcheted up his studies in recent months in preparation for this new position. He understands the position of Assistant Clerk of the House and what the staff does and what it will take to do the job in a fair and effective manner.

I think many of you know that Dave has a degree in mathematics, which will serve him well these next two years. He and Millie, we all know, will be a very good team working together

on all of our behalf. I encourage all of you to support David C. Shiah of Bowdoinham to be the next Assistant Clerk of the House.

Representative NORBERT of Portland moved the name of DAVID C. SHIAH of Bowdoinham be placed in nomination for Assistant Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Chick.

Representative CHICK: Mr. Speaker, Ladies and Gentlemen of the House. I am certainly pleased to stand and second the nomination of David C. Shiah for Assistant Clerk of the House. Over time and we know not at the time, we meet people and David Shiah is a person that I had met in activities here in the State of Maine affecting the lives of many people. I have found that he was a very sincere person when he was assigned to duty. Also, I have observed him when he would go up to the Speaker's platform to do that particular job. I don't liken him to a middle reliever or a closer, but I found that he always discharged his duties very effectively. He certainly had done his homework and I believe that when we think about people substituting for someone, second in command, I can assure you what, heaven forbid, that if it is ever required, I certainly know that David Shiah would do a incredible job as Assistant Clerk of the House of Representatives in the 120th Maine Legislature.

While I am standing, for the benefit of you people that just came to this body, and for those that I served with, I will say once again that I respect every one of you. Thank you.

Representative CHICK of Lebanon seconded the motion.

Representative SKOGLUND of St. George moved that nominations cease.

On motion of Representative BRUNO of Raymond, the Committee cast one vote for the House for DAVID C. SHIAH.

COMMUNICATIONS

The Following Communication: (H.C. 11)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

December 6, 2000
Mr. Michael J. Cote
2 State House Station
Augusta, ME 04333-0002
Dear Mike:

Pursuant to House Rule 201.11 (b), I am pleased to reappoint you as the Sergeant-at-Arms for the 120th Legislature.

On behalf of the entire House membership, I would like to express our gratitude to you for the professional manner in which you carry out your duties and responsibilities.

Sincerely,
S/Michael V. Saxl
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Speaker of the House administered the necessary oaths of office to qualify the Assistant Clerk of the House and the Sergeant-at-Arms to enter upon the discharge of their official duties.

On motion of Representative TUTTLE of Sanford, Representative COLWELL of Gardiner, Representative

BRANNIGAN of Portland, Representative BOUFFARD of Lewiston, Representative CHIZMAR of Lisbon, Representative POVICH of Ellsworth, Representative VOLENIK of Brooklin, Representative GOOLEY of Farmington, Representative LABRECQUE of Gorham, Representative PEAVEY of Woolwich, and Representative PERKINS of Penobscot were appointed a Committee to notify the Governor of the organization of the House.

On motion of Representative TESSIER of Fairfield, the House recessed until 2 p.m.

(After Recess)

The House was called to order by the Speaker.

Subsequently, Representative COLWELL of Gardiner reported that the Committee had delivered the message with which it was charged.

At this point the Speaker appointed Representative NORBERT of Portland to inform the Senate that the House was duly organized for business.

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

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

IN CONVENTION

The President of the Senate, the Honorable Michael H. Michaud, in the Chair.
The Convention was called to order by the Chair.

The CHAIR: Nominations are now in order for the Office of Secretary of State for the political years 2001 & 2002.

The Chair recognizes the Senator from Lincoln, Senator Kilkelly.

Senator KILKELLY: Mr. Chairman, I nominate Dan A. Gwadosky of Fairfield for the Office of Secretary of State for the political years 2001 & 2002. Mr. President, Mr. Speaker, Men and Women of the 120th Maine Legislature here assembled in our First Regular Session, friends and families. It is my great honor and privilege to place in nomination Dan Gwadosky of Fairfield for re-election to the position of Secretary of State for the great State of Maine. It is a tradition for nomination speeches to string together a series of wonderful words to describe the attributes of the nominee. I tend to honor that tradition, which I am sure will come as a great relief to Dan.

In the spirit of truth as action, I also want to tell you why these words apply and why this man is so highly qualified to continue in the position of Secretary of State. I have known Dan for 14 years since I came into the Legislature in this body. I know him as a man of integrity, honesty and caring. He is creative, intelligent

and has a wonderful sense of humor. He is devoted to his family, his community and his state. He brings his values and principles to every aspect of his work. Dan Gwadosky's career in public service began with his election to the Maine House in 1978. He served both as Assistant Majority Floor Leader and Majority Floor Leader. His eloquence and clarity of thought made him both a welcomed ally and worthy opponent.

On February 3, 1994, he was elected as the 92nd Speaker of the Maine House of Representatives. He came into the position of Speaker during a time of great challenge in this body and is credited both from within by those of us who served with him and outside by the public and the press with bringing a new sense of cooperation, civility and common purpose to the House. His ethic of fairness was evident in his handling of matters on the floor and in his office. The door to his office was always open and that was a physical expression of his openness to new ideas, concerns and opinions. Speaker Gwadosky was a role model for effective, fair leadership.

In 1996, Secretary Gwadosky was elected to the position of Secretary of State. The Maine Constitution outlines the duties of Secretary as follows. Article V, Part Second says, "Secretary. The Secretary of State shall carefully keep and preserve the records of all the official acts and proceedings of the Governor, Senate and House of Representatives. When required, lay the same before either branch of the Legislature and perform other duties as are enjoined by the Constitution or required by law." Section II allows him to imply deputies to assist in that process. A situation for which I am sure he is very grateful. That short paragraph contains the outline of an office, a job.

The office is divided into three bureaus, Maine State Archives, The Bureau of Corporations, Elections and Commissions and the Bureau of Motor Vehicles. The Secretary's Office is responsible for everything from conducting elections to testing drivers. The Secretary of State works for all the people of the State of Maine. Secretary Gwadosky has been keenly interested in providing the best services available for the people of the State of Maine.

In his first term in office Secretary Gwadosky established a task force on young drivers to investigate the alarming number of injuries and deaths involving Maine's youngest drivers. The task force proposals that were adopted by the Legislature were the most sweeping changes in driver education, licensing and testing in the past 40 years. In his second term, Secretary Gwadosky is focused on increasing the use of technology in all areas of his department in an effort to enhance customer service and satisfaction. Dan truly believes in the value of technology to provide Maine citizens with access to information. Agency rules and rulemaking agendas in almost every form required by the Secretary's Office are now available on line. Employers can monitor the driving records of fleet drivers and citizens can determine the availability of vanity plates. At the same time the Secretary's Office worked to protect citizens from increased access to technology by implementing the Driver Privacy Protection Act to safeguard personal information on motor vehicle records. There is a Chinese saying of which I am very fond. "Within every solution is the seed of another problem." The most effective policy people I know are keenly aware of this and search diligently for those seeds and seek to resolve them before they appear. Dan is just such a policy person. He never takes shortcuts. He thoroughly and meticulously identifies issues, researches solutions and implements strong, solid public policy.

Secretary Gwadosky is a leader nationally in incorporating technology into government. He led the way in crafting INFORME, a public private partnership between state

government and a private network manager that provides citizens with access to government records on the Internet. Just this week 10 communities went online with rapid renewal. It is a process that will allow folks to renew their motor vehicle registration with one simple online transaction 24 hours a day, 7 days a week. This is the first time in the nation that two levels of government have cooperated in a shared single e-commerce transaction. These partnerships between levels of government and government in the private sector are and will be models for all other states. The age of technology will only be as effective as the people who create and implement its use.

Secretary Gwadosky is a shining star in this arena leading the way and fulfilling our state model, *Dirigo*. Whether it is preserving records, administering elections, economic development, roadway safety or involving youth in the election process, Secretary Gwadosky is a leader that makes us proud. His creativity inspired the "I voted today" stickers that I am sure all of us wore with pride on November 7 or the "Vote for a Vet" buttons that honored the men and women who have given of themselves to assure that we could vote freely. These efforts in his promote the vote registration drives, help Maine to be a leader in voter turnout again this year. Probably the most important legacy of Secretary Gwadosky's term in office will be the impact that he has had on the students of Maine. I had the pleasure of presenting several eighth grade citizenship awards to students in my district. Their pride and accomplishment is a delight to behold. Their awareness of the good works in which they were involved make them model citizens and will be with them for a lifetime.

I have also participated in mock elections and debates before student bodies, students who know more about elections than I ever did at their age. In part, because they are valued in this process through the mock elections and the kid's page available on the Secretary of State Website. Last year I had the honor of accompanying a group of students to the archives as they viewed the original Constitution of Maine. I had never seen it before either. This class had won the honor because one of their members had the winning poster entry. Accompanying them to the vault and wheeling out our founding document and seeing their attention to the detail of writing, their amazement of the security and the process of viewing it was wonderful. It was obvious that this document was real to them. Their class projects of posters and essays, the competition and now seeing it helped them to touch the history of our state and nation. As they get older, a question of constitutionality will not be another dry academic exercise, but will be colored by their experience in that vault. Their experience of the value of our history, our democracy and why it must be protected. They have to thank for that experience, Secretary Gwadosky, who as a devoted father to Joshua and Jessica and a long-time soccer and basketball coach, not only knows the value of children in our society, but understands how to communicate with them and reflect to them their role in community. Again, it is my pleasure and honor to place in nomination for the position of Secretary of State for the great State of Maine the name of Dan A. Gwadosky of Fairfield.

On a motion by Senator KILKELLY of Lincoln, Dan A. Gwadosky of Fairfield was placed in nomination for the Secretary of State for the political years 2001 & 2002.

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

Representative BERRY: Mr. Chairman, I second that nomination. Mr. Chair, Men and Women of the Joint Convention. It gives me great pleasure to speak on behalf of Dan Gwadosky. The previous speaker, I count on here for detail and

thoroughness and I commend her on a fine job. I will probably try to be a little more brief.

Secretary Gwadosky was Speaker of the House during my first term in the Legislature. I have always enjoyed his fairness, sense of humor and especially for the purpose of today's business, his management style. In the 117th Legislature, he presided from the rostrum before you in a manner that required members to respect the Rules of the House and more importantly, in my opinion, the encouraged members to behave respectfully to each other. To recognize that you may be in disagreement on any given day, but that as a body, our duty was to represent the people in our districts as well as the people of Maine in a civilized manner. Dan Gwadosky has done a tremendous job as Speaker of House and as Secretary of State because he is intelligent, extremely well organized and a very efficient manager. His dedication to public service and in improving the services of the Secretary of State's Office to the citizens of Maine has been second to none. He recognizes the usefulness of the Internet and online services to help people access government records and licensing services without having to travel to Augusta or the nearest state office. He tries to make his office user friendly and suggests that Mainers get online, not in line. He personally gets involved in the many programs and activities promoted by his office, whether he is working with school children with citizenship, mock elections or the recognizing 100 year old corporations throughout the state, such as he did recently at the Treat Memorial Library in Livermore Falls and I know he was in Winterport. People do appreciate these efforts.

Dan has used his office to reduce highway deaths by promoting changes that require more experience before a young driver receives a license. Sometimes I voted for his initiatives and efforts and sometimes I voted against them, but I have always believed that Secretary Gwadosky has always acted or worked in the best interests of Maine citizens. I encourage you to support the nomination of Dan Gwadosky for Secretary of State on the basis of his integrity and character, his proven track record of efficiency and accessibility. Given two more years, I believe he will continue to improve services and convenience for all your constituents whether you are from Kossuth Township or South Berwick. Thank you for your time and consideration.

The CHAIR: The Chair recognizes the Representative from Winslow, Representative Matthews.

Representative **MATTHEWS**: Mr. Chairman, I also second that nomination. Mr. Chairman, Honorable Men and Women of the Convention. It is an easy one and my son would say this is a no brainer for you. Dan is a good friend. He is an outstanding legislator. He was an outstanding Speaker and an even more outstanding Secretary of State. As the good Lord said, "You judge people by their good works." Dan has a lot of good works. I know his office, the Secretary of State, has been open to Republicans, Democrats and any citizen. He takes his job to heart. He does it with a sense of humor that is unrivaled in this Legislature. He really loves what he does. As the two previous speakers have mentioned many great accolades and there are many for Dan Gwadosky. I just want to talk about one. I shared this with you with the Democratic caucus earlier, but I think it is something that kind of goes to the heart of Dan and the efforts he makes. Dan has been a leader in trying to work with youths and our young drivers. He is also working closely with the school systems and getting out the vote, governmental participation and all the good things that we need to work with our young people about. On the issue of driver education and training for young drivers, the issue we had before this Legislature is to require a little more experience with our youthful drivers before they

venture out and have their young teenage friends with them, was a controversial issue. I know we spent a little bit of time in this House and I am sure the other body debating that issue. That debate didn't just happen here, I had to debate that with teenagers of mine home. I have one specific young son that I am very proud of, Alexander. I remember him coming up to me and the issue had been in the newspapers a lot that week, my son is soon to be 16. He asked me, "Dad, do you know a guy by the name of Dan Gwadosky?" I said, "Alex, I certainly do. I have served with Dan. He is a great Secretary of State and a good friend." He said, "Me and my buddies in high school were talking about our Secretary of State and why is he so concerned about us?" I said, "Alexander, he is concerned because he has teenagers of his own and he really means what he says to try to make the incidence of accidents among young people and some of them tragic to curtail them and to bring them down, hopefully, to none." My son then proceeded to ask his dad, me, "How did you vote Dad?" I said that I voted in favor of the Secretary of State's measure on the floor.

Dan takes his job to heart. He is a great man. He has done a great job in public service for this Legislature and the citizens of the state. I know how beloved he is and how loved he is in his hometown of Fairfield. I had the honor of representing Fairfield in the Senate. His name is a household name in every home in Fairfield. He is a participant in local sports and activities in the school. He really exemplifies what it means to be a statesman. Dan in every way is a statesman. We are very fortunate in Maine to have him as our Secretary of State. I urge this body, unanimsously, to support our current Secretary of State for another well deserved term. Thank you Mr. Chairman.

Representative BERRY of Livermore and Representative MATTHEWS of Winslow seconded that nomination.

On a motion by Senator DAGGETT of Kennebec, she moved that nominations cease and further moved that one ballot be cast on the part of the Convention in favor of Dan A. Gwadosky of Fairfield for the Office of Secretary of State.

Thereupon, DAN A GWADOSKY of Fairfield was elected Secretary of State for the political years 2001 & 2002.

The CHAIR: Nominations are now in order for the Office of Treasurer of the State of Maine for the political years 2001 & 2002.

The Chair recognizes the Representative from Gardiner, Representative Colwell.

Representative **COLWELL**: Mr. Chairman, I nominate Dale McCormick of Hallowell for the Office of Treasurer for the political years 2001 & 2002. Mr. President, Mr. Speaker, distinguished colleagues of the Joint Convention. Dale's is a long and distinguished career of public service that has stemmed from an undying motivation to help people. It is a lifetime of social and political activism that has ultimately led to her appointment as the current Treasurer of the great State of Maine. As a young woman in the '60s, Dale became concerned about a number of environmental and social issues. So began a lifetime of involvement in the political arena. Dale became the first President of the Maine Lesbian Gay Political Alliance. This was Maine's first statewide gay lesbian advocacy organization. She successfully lobbied for Maine's hate crime legislation. The first statute to include sexual orientation. She was a cofounder, along with my Senator, Senator Treat, and newly elected Senator Beth Edmunds of the Dirigo Alliance, Maine's first progressive electoral coalition.

In 1990, Dale won election to the other body. The first female Senator from her district. It was my Senate District at the time

too. She introduced legislation to create the Family Security Act. It was a single-payer statewide health care reform bill. She sponsored legislation to protect patients and providers under managed care health plans. She also sponsored legislation to prevent discrimination under the Maine Human Rights Act. During her tenure as a three-term Senator, Dale McCormick co-created the Maine Employers Mutual Insurance Company, which has helped bring the state's workers' comp rates down by 30 percent. She was a leader in health care reform.

In 1996, Dale narrowly lost a bid for the Democratic nomination in the First Congressional District. Later that year, she was elected the first female Treasurer of the great State of Maine. These make up a career of firsts in the long and very distinguished political life of Dale McCormick. I would like to add a personal first to this list. Dale was the first person to approach me to run for State Representative in my district. You know where to put the blame there, I guess. She has encouraged me. She has guided me and four years later she continues to offer her encouragement and her guidance to each and every member of this body.

These firsts are testament to the leadership abilities and successes of Dale McCormick. They are a result of her initiative to step forward and face a challenge head on and without hesitation. They are qualities that are prominent in her position as State Treasurer where her abilities play a key role in Maine's success and its ability to maintain an excellent bond rating.

Fellow colleagues, it is with pride and admiration that I place the name of Dale McCormick of Hallowell in nomination for State Treasurer of Maine. Thank you.

On a motion by Representative COLWELL of Gardiner, Dale McCormick of Hallowell was placed in nomination for the Office of Treasurer for the political years 2001 & 2002.

The CHAIR: The Chair recognizes the Representative from Turner, Representative Jacobs.

Representative JACOBS: Mr. Chairman, I second that motion. Mr. Chairman, distinguished members of this Joint Convention. I am proud and privileged to second the nomination of Dale McCormick for the Office of State Treasurer. She has brought us into the 21st Century by changing and upgrading our treasury system. She has been progressive, dedicated and hardworking for our great State of Maine and to all its people. Her professional achievements are numerous. To name a few, development of the state's first ever investment policy, formation of an investment advisory committee, she changed the office from two computers to a completely networked system, developed the Next Gen, Maine's college investing plan, streamlined a deposit system for towns and created a State Treasurer's newsletter. These were only a few. Dale McCormick is a many faceted person. She is a mother, an author of a couple of books, a business entrepreneur and a legislative advocate for business and investment. As a diminutive in stature, she stands like a giant among us, as a professional, a leader and as an individual. I encourage you to support the nomination of Dale McCormick for the Treasurer of the State of Maine. Thank you Mr. Chairman.

The CHAIR: The Chair recognizes the Senator from Cumberland, Senator Edmonds.

Senator EDMONDS: Mr. Chairman, I also second that nomination. Women and Men of the Maine Legislature, I am grateful that my first official act as a State Senator is to second the nomination of Dale McCormick for State Treasurer. Dale and I have known each other for almost 20 years. She has always been a model to me as a woman of action who has worked tirelessly to advance the rights of women. From her early life as the first woman in the carpenter's union, through writing two

books on house construction that we should all own, by the way, to starting Women Unlimited, an organization dedicated to bringing the necessary skills to woman so that they can compete for higher paying jobs in the non-traditional workforce. That means driving the big machines and getting better pay.

Dale in her first term in this Legislature brought her "can do" spirit to many arenas. One of my favorites is that early in her tenure, she discovered that the woman's room on the third floor of this building had a leaky faucet. The next day she arrived with her toolbox and fixed it. Saving taxpayers money and just plain getting the job done. In the midst of all her advocacy for her constituents and for the state as a whole, she is the mother of three girls and a beloved partner. When Dale became State Treasurer, I was not surprised that she took on that job with her customary zeal and has moved that office into the 21st Century. I encourage you all to join me in supporting her nomination. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Mendros.

Representative MENDROS: Mr. Chairman, Men and Women of the Joint Convention. In light of what is going on right now in Florida, where we see the partisan bickering. We see a country that is moving away from racial and other types of bigotry and moving towards more and more partisan bigotry where it is okay to hate someone because they are in another body. It is hard to say something nice about somebody because they are in another party. We need to work to end that. That is why I also raise in support of our State Treasurer.

In my district along with the help of Treasurer McCormick we helped dozens of people receive tens of thousands of dollars of their money. I heard from these people having a very difficult time with those forms and how great that office was. With all due respect to the other Constitutional Officers and the departments, without a doubt in my dealing with that office, I have never been treated better by any other office than I was by them. I truly felt as though it was a nonpartisan office. We may not agree politically, but we have a responsibility to vote for the people who do the best job. Nobody here would be there if somebody from the other party hadn't have voted for you. A lot of people and a lot of Independents voted for all of us. They put us here. They expect us in all our votes for Constitutional Offices to vote for who we think is the best. I can truly say in my dealings with the Treasurer's Office, that I truly feel that she is doing the best job for the people of Maine. The people of Maine are served with an unparalleled customer service attitude that we don't see in our other departments. I have never called there and gotten a machine to punch my way through. I thank her for the hard work that she had done for the people of Maine.

Representative JACOBS of Turner, Senator EDMONDS of Cumberland and Representative MENDROS of Lewiston seconded that nomination.

The CHAIR: The Chair recognizes the Representative from Rockland, Representative McNeil.

Representative MCNEIL: Mr. Chairman, I nominate David Bourne of East Winthrop for the Office of Treasurer for the political years 2001 & 2002. It is incumbent upon us as legislators to select the most qualified and experienced candidate for this position. David has 30 years of financial management experience in a variety of organizational settings. He has held positions of Chief Financial Officer and/or controller during most of her business career. Currently he is the president of CFO Services of Maine. Mr. Bourne was a Maine State Controller from February 1987 through April 1995. As State Controller he was responsible for internal and external financial reporting for the state's diversified operations. His office was responsible for

establishing and monitoring accounting policy and procedures for approximately 100 state agencies. During his tenure, David initiated and led to successful completion a project, which replaced all the state's financial and administrative computer systems. The project replaced antiquated human resource management and budget management systems. Annual savings from the new systems are estimated at \$3.4 million. That is approximately \$1.1 million more than annual operating costs. The project team headed by David was given the Governor's special teamwork award in 1993.

A graduate of the School of Management at the University of Massachusetts with a major in accounting, David began his business career with the international accounting firm of Ernst & Young. He has been a member of the National Association of State Auditors, Controllers and Treasurers, the Government Finance Officers Association and Health Care Financial Management Association in which he holds a fellowship.

This is an important position. Our State Treasurer needs to be eminently qualified to serve in this capacity. David Bourne possesses the experience and qualifications to excel in this position. I am pleased to nominate him. Thank you.

On a motion by Representative MCNEIL of Rockland, David Bourne of East Winthrop was placed in nomination for the Office of Treasurer for the political years 2001 & 2002.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Savage.

Representative SAVAGE: Mr. Chairman, I second that nomination. I rise to second the nomination of David A. Bourne of East Winthrop as Treasurer of the State of Maine. The State Treasurer has an awesome responsibility. It is vital that we elect the most qualified candidate for the position. David Bourne has had a distinguished financial career span in more than 30 years. From 1987 to 1995, he served as the Maine State Controller. While serving in that position, he designed and developed the state's first cash forecasting and monitoring system and led a total quality management team that developed recommendations to reduce the state's need for short-term borrowing. He reengineered the state's accounts payable processing system, reducing the process and backlog from three weeks to three days. David's professional career also includes over 20 years in health care financial management and financial consulting including tenures as controller of two large hospitals, chief financial officer of a medical center and vice president of a state hospital association. David Bourne has the professional experience to hit the ground running in the Treasurer's Office. I am honored to second his nomination. Thank you.

Representative SAVAGE of Union seconded that nomination.

On a motion by Senator DAGGETT of Kennebec, she moved that nominations cease.

The CHAIR: The Chair will appoint a Committee to receive, sort and count votes for Office of Treasurer for the political years 2001 & 2002.

Subsequently, the Chair appointed:

The Rep. from Gardiner, Rep. COLWELL

The Rep. from Turner, Rep. JACOBS

The Sen. from Cumberland, Sen. EDMONDS

The Rep. from Rockland, Rep. MCNEIL

The Sen. From Knox, Sen. SAVAGE

The pending question before the Convention is the election for the Office of Treasurer. The nominees are Dale McCormick of Hallowell and David Bourne of East Winthrop for the Office of Treasurer.

The Chair will announce the result. 180 votes having been cast, 91 votes being necessary for choice, Dale McCormick having received a majority of all votes cast, the Chair declared

Dale McCormick duly elected Treasurer of the State of Maine for the political years 2001 & 2002.

The CHAIR: Nominations are now in order for the Office of Attorney General of the State of Maine for the political years 2001 & 2002.

The Chair recognizes the Representative from Portland, Representative Quint.

Representative QUINT: Mr. President, Esteemed Colleagues of the 120th Legislature. I move that the name of G. Steven Rowe of Portland be placed in nomination for the Office of Attorney General for the political years 2001 & 2002. It is an honor and my great pleasure to nominate G. Steven Rowe for the Democratic candidate for the State of Maine's Office of the Attorney General. Steve Rowe graduated from the United States Military Academy in 1975. Following graduation from West Point, he was commissioned a second lieutenant in the United State Army Infantry. While on active duty, Steve held a variety of leadership positions in units in the United States and in Europe. While in the Army, Steve earned a Master's Degree in business administration from the University of Utah. He later earned his law degree from the University of Maine Law School.

As a legislator, Steve worked to promote economic growth and job creation throughout Maine. He chaired the Legislature's Committee on Research and Development in 1998 and he served on the Committee of Taxation. In his second and third terms he served as House Chair of the Committees of Business and Economic Development and Natural Resources respectively and, of course, most recently as Maine's Speaker of the House for the 119th Legislature.

Humble, selfless, thoughtful, generous, considerate, understanding, fair, compassionate and resourceful are just a few words that I use to describe Steve Rowe. As a fellow legislator from Portland, I consider myself extremely fortunate to work with and learn from a man whose very presence characterizes the pure essence of statesmanship. His moral principles and unwavering quest for openness and fairness have earned him the greatest respect from everyone who collaborates with him on issues. Collaborate is the key word here. Steve joins forces and teams up with anyone and everyone interested in achieving an agreed upon goal in doing the right thing for the people of the State of Maine. Steve sets goals and diligently works to achieve those goals. Any issue he is committed to is always about that issue. He is not about taking credit or getting recognized. He is not about taking the easy way out.

Let me tell you a little bit about what Steve is really about. He is about increasing access to early childhood education and children's health care programs. He is about expanding and improving the quality of childcare. His is about expanding childhood education programs and providing health care coverage to uninsured children. His is about advocating for all of Maine's tobacco settlement funds to be allocated to health related purposes. His is about supporting and working for equal rights for all Maine citizens. His is about commitment to expanding research and development in our state. He is about supporting and working for Land For Maine's Future Bonds. He is about advocating to improve the lives of low-income people in Maine. He is about helping youth at risk.

Steve is admired for his power of advocacy, wisdom of judgment and strength of leadership. His relentless dedication and good judgment are the qualities that Steve will bring to the Office of the Attorney General ensuring and providing a compassionate balance to the highest office of law enforcement in the State of Maine.

The position of the Attorney General is not just about being an experienced, talented and successful attorney, which Steve certainly is. It is about understanding, caring and being able to relate to those citizens in Maine who generally go unheard or unrepresented at the level of our Constitutional Offices. It is my pleasure to place the name of G. Steven Rowe of Portland for the position of Attorney General for the State of Maine.

On a motion of Representative QUINT of Portland, G. Steven Rowe of Portland was placed in nomination for the Office of Attorney General for the political years 2001 & 2002.

The CHAIR: The Chair recognizes the Senator from Oxford, Senator Bennett.

Senator **BENNETT**: Mr. Chairman, I second that nomination. Mind you, the remarks to follow should not be construed as an endorsement of any future high political office to which Steve Rowe undoubtedly will pursue. I am indeed honored to lend my voice of support for Steve Rowe. In fact, it is an honor that I sought. Steve Rowe is good friend. We have been through a lot together in this building. Before serving together on the Legislative Council, during the 119th Legislature, I served with Steve Rowe in his first session in the House of Representatives. We served together on the State and Local Government Committee, which in hindsight appears to have been fertile soil for future leaders of the Maine House and Senate. The Honorable Georgette Berube was the Senate Chair and the Honorable Ruth Joseph was the House Chair. Such notables as Senator Jeff Butland, Senator Marge Kilkelly, Senator Don Esty, Representative Paul Young, Representative Doug Ahearne to name a few served on this committee. Certainly Steve Rowe was no exception to the quality of people on that committee. He displayed the same extraordinary work ethic and solid character and steadfast professionalism as a rank and file first term member as he has most recently as Speaker of the House and Vice Chair of the Legislative Council. It is these same model qualities that he will carry into the Office of Attorney General, total honesty as a leader and complete respect for all people are the hallmarks of Steve Rowe's character. It is without any reservation and a great deal of enthusiasm that I ask you to support his nomination for one of Maine's most important and most substantial offices of state government, that of the Attorney General. Thank you.

The CHAIR: The Chair recognizes the Senator from Lincoln, Senator Kilkelly.

Senator **KILKELLY**: Mr. Chairman, I also second that nomination. Justice the Great wrote in the first century a.d. "Justice is the set and constant purpose, which gives every man his due. Juris prudence is the knowledge of things divine and humane, the science of the just and unjust." Without justice, democracy is a hollow word, an empty promise, an unfilled potential. The people who are responsible for enforcing the law have only to read the letter of the law and say this is what I must enforce. The people responsible for writing the law can say this is the spirit of the law as I intend it to be.

In our system the Attorney General is responsible not just for the letter of the law or the spirit of the law, but the justice of the law. As the chief legal officer of the state, the role of the Attorney General is complex. It includes striving to assure that justice is accomplished, whether by defending victims, prosecuting lawbreakers or advising the Legislature, Governor or agencies on public policy. The skills and experience needed to accomplish this task with a plumb are well ensconced in G. Steven Rowe. Nowhere in our system of law because of that need to balance enforcement and public policy is it more important to understand justice, fairness and human nature than in the position of Attorney General.

I served with Speaker Rowe as a member of the State and Local Government Committee, that famous State and Local Government Committee. His dedication to detail and hard work were amazing. As I recall those days, I picture Steve with his head in a law book trying to figure out the specifics of some rather mundane fact of law pertaining to our bills. He was never content to leave it to staff. He wanted, no, he needed to know, the minute details. He wanted to assure that we were on the right track in our deliberations no matter how minor the issue.

His eight years in the House and especially his term as Speaker are characterized by hard work, dedication, fairness, honor and integrity. His efforts on economic development, technology, children's issues, increasing health care access coverage for uninsured children and early childhood education reflect his genuine interest in all Maine people, young and old, wealthy or poor, rural or urban. A strong believer in community service, Speaker Rowe has served as the board member of the Pine Tree Legal Assistance Program and the Maine Center for the Blind and Visually Impaired. He is a man of deep and abiding faith, which I am sure is the well from which he derives his fortitude in the face of great challenges. He has the capacity to bring calm and direction to tense situations and when he arrives it is obvious that the leader is here.

As a graduate of the US Military Academy, a commissioned officer in the Army with an MBA from the University of Utah and a law degree from the University of Maine, Speaker Rowe has the breath of education and experience to tackle any issue. With legislative committee experience in Natural Resources, Economic Development, State and Local Government, Taxation and Research and Development, he has the first hand knowledge of the challenges facing Maine people and businesses. I can think of no person more qualified to be the next Attorney General of the great State of Maine by his character, his experience and his compassion than G. Steven Rowe. To lead by example and to give every citizen the justice they deserve. Thank you.

The CHAIR: The Chair recognizes the Representative from Harpswell, Representative Etnier.

Representative **ETNIER**: Mr. Chairman, I also second that nomination. Let the record show that my remarks today do stand as an endorsement for, hopefully, the next Attorney General and any and all higher offices he may choose to seek. Today Maine will be losing one of the finest Speakers of the House it has ever had. The same dull and imprecise blade of term limits that made Steve's accession to the speaker's rostrum possible six years after entering this chamber will be cutting short his potential service as Speaker after only two brief years. Thankfully, because Steve has chosen to continue his service to the people of Maine by pursuing the people position of Attorney General, our constituents, our Republican, Independent and Democratic constituents and colleagues can continue to benefit from Steve's heartfelt commitment to improve the lives of all Maine people. In the nearly six years since I first met Steve when we were both in the 117th Legislature, I have come to know well and care deeply for that humble man from Ludlow Street, Steven Rowe. To me, Steve exemplifies what a public servant should be. Above all, to his role as State Representative to his role as Speaker of the House and to the role of Attorney General, he has brought and will continue to bring the character of a gentleman. Through his life and actions, both within and without this chamber, he has brought dignity and diligence, vision and humility, compassion and results.

The Maine State Government Annual Report contains the following purist statement. "The Attorney General is the chief legal officer for the state." For all intents and purposes that

means the buck stops here. The Attorney General's Office is where we, in the Legislative and Executive Branches, turn for help. In that position must be an individual who is beyond reproach, whose intellect is kept and whose integrity is unassailable. In that position must be an individual in whom people from all political parties can place their confidence whose opinions are sought out and respected and who possesses an overarching concern for the well being of all Maine citizens. To my knowledge, there is no individual in Maine who better meets those criteria than Steven Rowe. I am delighted on behalf of my constituents to be able to support Steve for the position of Attorney General. I urge you, my fellow legislators, on behalf of your constituents, to do the same. Maine will be well served by your choice. Thank you.

Senator BENNETT of Oxford, Senator KILKELLY of Lincoln and Representative ETNIER of Harpswell seconded the nomination.

On a motion by Senator DAGGETT of Kennebec, she moved that nomination cease and further moved that one ballot be cast on the part of the Convention in favor of G. Steven Rowe of Portland for Attorney General.

Thereupon, G. STEVEN ROWE of Portland was elected Attorney General for the political years 2001 & 2002.

The CHAIR: Nominations are now in order for the Office of State Auditor of the State of Maine for the political years 2001, 2002, 2003 & 2004.

The Chair recognizes the Senator from Androscoggin, Senator Nutting.

Senator NUTTING: Mr. Chairman, I nominate Gail M. Chase of Unity for the Office of State Auditor for the political years 2001, 2002, 2003 & 2004. Mr. Chair and members of this Joint Convention. Gail served in the 116th and 117th Legislatures as the Representative from District 106. She is a dedicated public servant with over 20 years of experience in finance and is a certified internal auditor. When she sat for the certified internal auditor exam, she passed all four parts in one setting and was one of the top 25 scorers of almost 3,000 people who took the exam worldwide that year. When I served as the Senate Chair of the State and Local Government Committee in the 118th Legislature, I was impressed by Gail's strength and dedication to her job.

She presented a bill to give her office statutory access to records of state government, all records, because they didn't have access to all records. There was strong resistance from some members of the administration and from members of the insurance lobby. We held at least three work sessions on that particular bill. Gail never backed down and would not give up her request for what she knew she needed for her office to do their job. That bill passed. Her office now has the access she sought. They are now successfully auditing all areas of state government.

I also recently received a letter from two of Gail's staff members. Carol and Michael, who are both directors in the Department of Audit, they both wrote that Gail possesses leadership, dedication to public service and an understanding of state and local government. She has responded to requests for assistance from members of the Legislature, local elected officials and from citizens. She has been active in governmental organizations, forming strong working relationships with other state auditors and sharing resources with them. She is a hands on State Auditor who has the respect of her staff and who has made the Department of Audit a stronger organization because

of her involvement with it. I urge you to join me in unanimously reelecting Gail Chase to the position of State Auditor.

On a motion by Senator NUTTING of Androscoggin, Gail M. Chase of Unity was placed in nomination for the State Auditor for the political years 2001, 2002, 2003 & 2004.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Canavan.

Representative CANAVAN: Mr. Chairman, I second that nomination. I am pleased to speak in support of Gail Chase's nomination for State Auditor. I have known Gail for many years and in several capacities. First of all, I knew Gail when she was a State Representative in the 116th and the 117th Legislature. I can tell you that Gail had a reputation for being a hardworking, dedicated public servant who always put the wishes of her constituents first.

Secondly, I have known Gail as a small businessperson in my hometown. Gail was manager and part owner of the Railroad Square Cinema in Waterville and I am a movie buff. I have had the opportunity to observe first hand how hard Gail works to make a contribution to the community in so very many ways.

I have also had the pleasure of dealing with Gail in her capacity as State Auditor when I served as Director of the State Ethics Commission. Several times I called upon Gail to provide our office with assistance in auditing reports. Gail responded to my request for assistance in a courteous and a professional way and typically she later followed up to find out if our agency had been properly served.

When Gail assumed the post of State Auditor four years ago, she was a relative novice to that job. As always, Gail rose to the occasion and she has done a great job for the people of the State of Maine over the last four years. I know she will continue to bring honor to her office. I am pleased to ask that you support the nomination of Gail Chase for State Auditor. Thank you.

The CHAIR: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative TUTTLE: Mr. Chairman, I also second that nomination. Mr. Chairman and members of the Joint Convention, it is with great pleasure that I second the nomination of Gail Chase of Unity for the Office of State Auditor. I first met Gail in 1994. I had not been a member of this Legislature for six years. As many of you are aware, I had previously served in both the House and Senate in the 1970 and 1980s. I was feeling a little bit out of place and I was wondering if I had made the right decision to run for the Legislature one more time. I met Gail Chase, then State Representative, who welcomed me back. Gail told me that she welcomed my years of experience back to this institution. Ladies and gentlemen of this institution, that meant a lot to me at the time. Together we went over the new budget, the new changes in the state budget and where we felt that budget priorities should be made in the years ahead. I have always found Gail to be articulate and knowledgeable about the audit and about the budget in general. In my opinion, her door is always open to everyone. It is for that reason that I would second Gail Chase's nomination. I feel that with her legislative experience and public service history in auditing, I think that Gail has been a notable auditor for the state and she will continue to be one. I feel that she is the best person to fill this position for the years of 2001, 2002, 2003 and 2004. That is why I am asking all of you to join me in your support of Gail Chase to fill that role as State Auditor so that the victory will be the people's victory.

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

Senator LONGLEY: Mr. Chairman, I also second that nomination. In the words of an esteemed colleague, Senator

Benoit from Franklin who has retired from this office now, "If it ain't broke, don't fix it." personally as a public sector and a private sector professional and as a State Auditor, State Auditor Gail Chase deserves our votes today. It ain't broke, let's not fix it.

On my way to work today as my ride down Route 3, I often figure our what speeches I might have to make. I thought that I am speaking to my Senate colleagues today, maybe I can be a little bit informal as we often are in the muffin club down the hall and then I remembered that I was speaking to the House too and I must say that I got nervous when I realized the audience is much bigger. I then remembered that State Auditor Gail Chase was once Representative Gail Chase. I thought that that might help her more than it helps me, but it helps her and it also helps us because she understands what we have been through. Each one of us has worked very hard to get here today. It might not seem like so, but each one of us have worked with everything we have to figure out a way to get our seats back today.

State Auditor Gail Chase understands, as she was Representative Gail Chase, what it is like to campaign, what it is like to have constituent issues before us, what it is like to serve on the committees and that is what we are about, the three Cs, campaigns, constituents and committee work. She, too, stood here in this chamber and like all of you and like us down in the muffin club, we basically swore to faithfully discharge to the best of our abilities the duties incumbent on us and she understands with what weight we utter those words.

Her State Auditor Report, it came out today. It is issued in your calendar and our calendar too. I recommend that when you find out which committee you are on, read it. There are very helpful gems in there. There are gems of wisdom, gems that often stay covered up in the dust, but she has brought them to the surface to the best of the auditor's ability and it is a wonderful way on how we can best spend prudently hard-earned taxpayer money. I recommend that report to her. I don't remember getting that report before Gail Chase became State Auditor.

As a private sector professional, I also recommend on days after a hard day here, if you can, head up to Railroad Square Cinema. It is where wonderful movies play. It is a great way to forget the hard work of the day or the hard hits of the day and just go see a movie. She helped organize and it is a successful business. It is world-renowned. It brings in films from around the world. I highly recommend it. As a private professional, she has shown that she has the skills. It might have something to do with the fact that she was a Magna Cum Laude out of Colby and she was one of the top finishers on the State Auditor exam.

As a person, I would just like to say that just last week I needed help for a friend, a terrible accident had happened. I knew Gail was on the board. I knew she was the businessperson behind the board. I knew that this organization needed to know somehow that the Executive Director was having an especially difficult time. I chose to call, of all the people I knew active in this organization, Gail stood out as a friend to my friend. I thought to call Gail as a friend and say that you might want to know this. The organization might need help. I am looking to you. I hung up the phone and a few days later it occurred to me that Gail is in her own campaign. I had called her at one of the most difficult times. In eating dinner with her at the legislative dinner I found out that not only is she in her own campaign, but last Friday night she spent her 50th birthday night making phone calls to legislators working to try to make sure that she could retain this job.

I could think of 50 plus other reasons that we should vote for Gail Chase and have her remain as State Auditor, but I will spare you the 50 reasons and simply say that personally, professionally

and as State Auditor, it ain't broke and let's keep Gail Chase as our State Auditor. Thank you very much.

Representative CANAVAN of Waterville, Representative TUTTLE of Sanford and Senator LONGLEY of Waldo seconded that nomination.

The CHAIR: The Chair recognizes the Representative from Cumberland, Representative McKenney.

Representative MCKENNEY: Mr. Chairman, I nominate Richard Foote of Cumberland Center for the Office of State Auditor for the political years 2001, 2002, 2003 & 2004. It gives me great pleasure to place into nomination Richard Foote of Cumberland Center for the job of State Auditor. Mr. Foote is eminently qualified for this position having served as Deputy Auditor for the past 12 years. Mr. Foote meets all of the qualifications of this office as he is already a CPA with many years of public auditing experience under his belt. Most of us have actually never seen the inner workings of the State Auditor's office, but if we had, we would have seen that much of the work produced there is under the direction and supervision of Richard Foote. He comes highly recommended by the two statewide associations representing CPAs and auditors. To my knowledge it is the first time these organizations have seen fit to endorse anybody for this office. This only serves to underscore the trust and respect placed in Mr. Foote by his colleagues. We wouldn't consider nominating a person who hasn't studied the law as Attorney General. Likewise, it only makes sense to have an actual CPA serve in the important role of State Auditor. I urge my colleagues to cast their vote for the truly qualified candidate, Richard Foote. Thank you.

On a motion by Representative MCKENNEY of Cumberland, Richard Foote of Cumberland Center was placed in nomination for the State Auditor for the political years 2001, 2002, 2003 & 2004.

The CHAIR: The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator TURNER: Mr. Chairman, I second that nomination. It is my pleasure and privilege to second Richard Foote's nomination for State Auditor for the political years 2001 through 2004. I think, as you all know, the Maine Legislature is vested by a statute to select the State Auditor. We, as a Legislature, this afternoon are fortunate to have two qualified candidates for this position. I think you, as a collective body, have the opportunity to select the better qualified of the candidates. I think experience and qualification, in my judgment, leans in the direction of Richard Foote. He also, as I think you know, has the endorsement of two large and prestigious auditing and accounting societies here in the state. Representative McKenney has gone over, I think, the qualifications and the background very ably of Richard Foote. I would like to add that I have received upwards of a dozen calls at my home asking me to support his candidacy and all of the callers suggested they felt that Richard Foote was more experienced, better qualified and had the endorsement of professional societies here within the state. I think you should set aside your party affiliations and look at these criteria as a basis for your selection of your State Auditor. I would strongly encourage that you support Richard Foote's candidacy. Thank you very much.

Senator TURNER of Cumberland seconded that nomination.

Senator DAGGETT of Kennebec moved that nominations cease.

The CHAIR: The Chair would appoint a Committee to receive, sort and count votes for State Auditor for the political years 2001, 2002, 2003 & 2004.

Subsequently, the Chair appointed:

The Sen. from Androscoggin, Sen. NUTTING

The Rep. from Sanford, Rep. TUTTLE
The Sen. From Waldo, Sen. LONGLEY
The Rep. from Cumberland, Rep. MCKENNEY
The Sen. from Cumberland, Sen. TURNER

The pending question before the Convention is the election for State Auditor. The nominees are Gail M. Chase of Unity and David Foote of Cumberland Center for State Auditor.

The Chair will announce the result. 178 votes having been cast, 91 votes being necessary for choice, Gail M. Chase having received a majority of all the votes cast, the chairman declared Gail M. Chase duly elected State Auditor for the political years 2001, 2002, 2003 & 2004.

On a motion by Senator BENNETT of Oxford, the Secretary of the Senate was directed to notify the Constitutional Officers of their election.

On a motion by Senator DAGGETT of Cumberland, the Secretary of the Senate was directed to notify the Governor of the election of the Constitutional Officers.

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

The Senate then retired to its chamber.

(After the Joint Convention)

The House was called to order by the Speaker.

On motion of Representative COLWELL of Gardiner, the following House Order: (H.O. 7)

ORDERED, that the House Rules of the 119th Maine House of Representatives shall be the House Rules of the 120th Maine House of Representatives.

READ and PASSED.

ORDERS

On motion of Representative COLWELL of Gardiner, the following House Order: (H.O. 8)

ORDERED, that Representative Michael V. Saxl of Portland be declared Speaker of the House of Representatives for a term to expire on December 4, 2002; and be it further

ORDERED, that Millicent M. MacFarland of Augusta be declared Clerk of the House of Representatives for a term to expire on December 4, 2002; and be it further

ORDERED, that David C. Shiah of Bowdoinham be declared Assistant Clerk of the House of Representatives for a term to expire on December 4, 2002.

READ and PASSED.

COMMUNICATIONS

The Following Communication: (H.C. 12)

December 6, 2000

Honorable Millicent M. MacFarland

Clerk of the House
120th Legislature
Augusta, Maine 04333
Dear Madam Clerk:

Pursuant to my authority under House Rule 201.1(J), I have appointed the following Representatives to the House Committee on Elections:

David M. Etnier of Harpswell, Chair
Nancy L. Chizmar of Lisbon
Charles C. LaVerdiere of Wilton
David G. Lemoine of Old Orchard Beach
William J. Schneider of Durham
Arthur F. Mayo III of Bath
Janice E. Labrecque of Gorham
Roger L. Sherman of Hodgdon

Sincerely,
S/Michael V. Saxl

Speaker of the House

READ and ORDERED PLACED ON FILE.

ORDERS

On motion of Representative COLWELL of Gardiner, the following House Order: (H.O. 9)

ORDERED, that the House Committee on Elections is authorized to hire independent counsel to assist it in the conduct of its business, subject to the approval of the Speaker of the House; and be it further

ORDERED, that the Committee shall issue its report by January 5, 2001.

READ and PASSED.

The Following Communication: (H.C. 4)

STATE OF MAINE
Office of the Secretary of State
December 6, 2000

To the Speaker of the House in the One Hundred and Twentieth Legislature:

I, DAN A. GWADOSKY, Secretary of State, in accordance with the Constitution and laws of the State of Maine, having tabulated the returns of the votes cast for State Representatives at the General Election held on the seventh day of November in the year two thousand;

REPORT AS FOLLOWS; that the following named persons having received a plurality of the votes cast, appear to have been elected:

HOUSE OF REPRESENTATIVES

District 1

ESTES, STEPHEN C., Kittery 2,625

SOUSA, MARK J., Kittery 1,441

District 2

ANDREWS, MARY B., York 3,567

LAWTON, CHARLES T., York 2,653

District 3

WHEELER, GARY J., Eliot 4,540

District 4

ABBOTT, BARRY, North Berwick 2,018

MACDOUGALL, JAY, North Berwick 2,318

District 5

MURPHY, ELEANOR M., Berwick 2,215

WRIGHT, THOMAS J., Berwick 1,275

District 6

CHICK, HOWARD A., Lebanon 2,384

STROHECKER, LINDA J., Lebanon 1,571

LEGISLATIVE RECORD - HOUSE, December 6, 2000

District 7

COLLINS, RONALD F., Wells 3,057
TOMAH, HAROLD J., Wells 2,527

District 8

MURPHY, THOMAS W. JR., Kennebunk 4,519
WILSON-DININO, LYNDIA, Kennebunk 1,691

District 9

BOWLES, DAVID E., Sanford 2,029
SAUCIER, ABEL R., Sanford 1,789

District 10

LEWIS, MICHAEL A., Sanford 887
TUTTLE, JOHN L. JR., Sanford 2,224

District 11

MCKECHNIE, DAVID, Acton 1,703
NASS, RICHARD A., Acton 2,874

District 12

LORD, WILLIS A., Waterboro 2,403
TARAZEWICH, FRANK J., Waterboro 2,493

District 13

DAIGLE, ROBERT A., Arundel 2,987
THOMAS, RANDA L., Hollis 1,768

District 14

BRANDENSTEIN, ROBERT W., Buxton 1,793
SAVAGE, WILLIAM R., Buxton 2,808

District 15

O'NEIL, CHRISTOPHER P., Saco 4,409

District 16

KANE, THOMAS J., Saco 3,438
SIPES, PETER T., Saco 751

District 17

SEAVEY, H. STEDMAN, Kennebunkport 2,231
SULLIVAN, NANCY B., Biddeford 2,586

District 18

LAVERRIERE-BOUCHER, MARIE, Biddeford 1,881
WHALEN, W. STURGIS, Biddeford 576

District 19

TWOMEY, JOANNE T., Biddeford 3,402

District 20

LEMOINE, DAVID G., Old Orchard Beach 4,191

District 21

LEIGHTON, JOHN E. JR., Scarborough 1,923
LOVETT, GLENYS P., Scarborough 4,003

District 22

CLOUGH, HAROLD A., Scarborough 2,664
PENDLETON, ROBERT E. JR., Scarborough 1,819

District 23

LABRECQUE, JANICE E., Gorham 4,029

District 24

BLISS, LAWRENCE, South Portland 2,696
LARSEN, NANCY L., South Portland 1,934

District 25

MCGINTY, JOHN W., Cape Elizabeth 2,126
MCLAUGHLIN, JANET L., Cape Elizabeth 3,114

District 26

CARON, RITA L., South Portland 1,553
MUSE, CHRISTOPHER T., South Portland 2,981

District 27

GLYNN, KEVIN J., South Portland 1,859
MORGAN, ALTON E., South Portland 1,481

District 28

EATON, RICHARD W., Westbrook 856
USHER, RONALD E., Westbrook 2,598

District 29

CRAMER, LYLE B., Westbrook 1,928
DUPLESSIE, ROBERT W., Westbrook 2,375

District 30

DUDLEY, BENJAMIN F., Portland 3,258

District 31

GRANT, DERRICK, Portland 1,306
SAXL, MICHAEL V., Portland 2,438

District 32

MCDONOUGH, JOHN F., Portland 2,832
PUNSKY, STEVEN, Portland 1,087

District 33

QUINT, MICHAEL W., Portland 2,252

District 34

NORBERT, WILLIAM S., Portland 3,715

District 35

BRANNIGAN, JOSEPH C., Portland 2,815
SEBUNYA, MOSES A., Portland 568

District 36

CENCI, MARK, Portland 1,000
MARLEY, BOYD P., Portland 2,893

District 37

BREWER, DAVID A., Portland 1,234
CUMMINGS, GLENN, Portland 3,182

District 38

BRUNO, JOSEPH, Raymond 4,393

District 39

TOBIN, DAVID L., Windham 4,197

District 40

CLARK, DAVID C., Falmouth 2,473
DAVIS, GERALD M., Falmouth 3,945

District 41

FOSTER, CLIFTON E., Gray 3,187
SANBORN, MARK A., Gray 1,652

District 42

CREWE, DANIEL N., Cumberland 2,461
HAGELIN, NATHAN W., Cumberland 234

District 43

MCKENNEY, TERRENCE P., Cumberland 3,426
GREENLAW, ERNEST C., Standish 2,148

District 44

HAWES, SUSAN, Standish 2,585

District 45

BUCK, JOHN T., Yarmouth 3,906

District 46

MUSE, KEVIN M., Fryeburg 3,446

District 47

WATERHOUSE, G. PAUL, Bridgton 4,195
BROWN, GREGORY B., Casco 2,322

District 48

CRESSEY, PHILIP JR., Baldwin 2,567
BULL, THOMAS D., Freeport 3,466

District 49

PRAY, MILLARD W., Freeport 1,747
DONOVAN, WILLIAM J., Brunswick 1,259

District 50

RICHARDSON, JOHN G., Brunswick 2,399
GERZOFKY, STANLEY J., Brunswick 2,083

District 51

TREWORGY, AUSTIN E., Brunswick 1,533
ETNIER, DAVID M., Harpswell 4,667

District 52

AYER, CHARLES, Topsham 430
LESSARD, PAUL J., Topsham 2,316

District 53

SCEASE, JANE, Topsham 1,287
DUTILLE, PATRICIA L., Richmond 2,124

District 54

HUTTON, DEBORAH J., Bowdoinham 2,414

LEGISLATIVE RECORD - HOUSE, December 6, 2000

District 54

MAYO, ARTHUR F. III, Bath 2,547
 STAPLES, KELLY A., Bath 1,083

District 55

HALL, DAVID W., West Bath 1,429
 PEAVEY, JUDITH B., Woolwich 3,284

District 56

HALL, CHRISTOPHER G., Bristol 2,716
 HARRIS, JOHN C., South Bristol 2,694

District 57

BARTH, BENJAMIN M., Alna 512
 CARLETON, JENNIFER L. M., Wiscasset 1,844
 RINES, PETER L., Wiscasset 2,425

District 58

BONPASSE, MORRISON, Newcastle 1,442
 HONEY, KENNETH A., Boothbay 4,041

District 59

TRAHAN, A. DAVID, Waldoboro 2,533
 WOOSTER, ELIZABETH P., Waldoboro 2,121

District 60

AUCIELLO, SHLOMIT, Warren 1,980
 CRABTREE, RICHARD A., Hope 2,822

District 61

BUFFINGTON, AUDREY V., South Thomaston 2,026
 SKOGLUND, JAMES G., St. George 2,569

District 62

CHALMERS, JEAN B., Rockland 1,339
 LEVASSEUR, SHAWN S., Rockland 131
 MCNEIL, DEBORAH K., Rockland 1,790

District 63

DORR, SUSAN, Camden 2,969

District 64

HEIDRICH, THEODORE H., Oxford 2,470
 SWITSER, ANNIE F., Mechanic Falls 1,487

District 65

JODREY, ARLAN R., Bethel 3,980

District 66

DEXTER, EDWARD L., Kingfield 1,814
 MCGLOCKLIN, MONICA, Embden 2,441

District 67

ARSENAULT, JAMES M., Dixfield 1,121
 BRYANT, BRUCE, Dixfield 2,403

District 68

SESSIONS, BRIAN W., Norway 1,287
 SNOW, RONALD S., Norway 681
 WINSOR, TOM J., Norway 2,145

District 69

GAGNE, ROSITA, Buckfield 2,992
 ROBINSON, BARBARA E., Paris 1,329

District 70

LOVEJOY, JOLENE S., Rumford 1,464
 PATRICK, JOHN L., Rumford 2,527

District 71

SNOWE-MELLO, LOIS A., Poland 4,219

District 72

SHIELDS, THOMAS F., Auburn 2,269
 TETENMAN, STANLEY L., Auburn 2,141

District 73

GERRY, BRUCE, Auburn 1,163
 SIMPSON, DEBORAH L., Auburn 1,404

District 74

BOLDUC, BRIAN, Auburn 1,591
 MICHAEL, JOHN M., Auburn 2,357

District 75

CLARKE, WILLIAM P. JR., Greene 1,539

JACOBS, PATRICIA T., Turner 3,025

District 76

PINEAU, RAYMOND G., Jay 2,774
 REID, WILLIAM L., New Sharon 1,550

District 77

LAVERDIERE, CHARLES C., Wilton 2,773
 STINCHCOMB, CLINTON LARRY, Wilton 1,277

District 78

CAMIRE, BRIAN R., Farmington 1,807
 GOOLEY, WALTER R., Farmington 2,109

District 79

MCKEE, LINDA R., Wayne 2,769
 STIEHLER, JOAN A., Wayne 1,807

District 80

FULLER, ELAINE, Manchester 4,356

District 81

TRACY, RICHARD H.C., Rome 3,372

District 82

CARBONNEAU, GABRIELLE J., West Gardiner 2,099
 WATSON, ELIZABETH, Farmingdale 2,400

District 83

GREEN, BONNIE, Monmouth 2,660
 GREENWOOD, RANDALL A., Wales 1,929

District 84

CHIZMAR, NANCY L., Lisbon 3,258

District 85

BECK, PATRICK J., Lisbon 1,751
 SCHNEIDER, WILLIAM J., Durham 2,874

District 86

FRANK, JO ANNE, Lewiston 1,117
 MAILHOT, RICHARD H., Lewiston 2,688

District 87

COTE, WILLIAM R., Lewiston 1,321
 DROUIN, MAURICE F. JR., Lewiston 818

District 88

MENDROS, STAVROS J., Lewiston 2,167
 POULIN, ROBERT F., Lewiston 1,642

District 89

BRETON, MARC D., Lewiston 661
 O'BRIEN, LILLIAN LAFONTAINE, Lewiston 1,388

District 90

BOUFFARD, GERALD N., Lewiston 2,100
 MACDONALD, ROBERT E., Lewiston 1,640

District 91

COLWELL, PATRICK, Gardiner 2,623
 DELLERT, JEAN T., Gardiner 898

District 92

COWGER, SCOTT W., Hallowell 3,827

District 93

BERRY, RANDALL L., Livermore 2,791
 YOUNG, GREGORY JR., Canton 880

District 94

MITCHELL, CHARLES E., Vassalboro 3,610

District 95

MADORE, DAVID R., Augusta 1,860
 WATTS, DOUGLAS, Augusta 1,385

District 96

LECLAIR, CLYDE F., Augusta 1,280
 O'BRIEN, JULIE ANN, Augusta 2,040

District 97

LINKLETTER, RICHARD, Athens 1,271
 RICHARD, SHIRLEY K., Madison 2,345

District 98

HATCH, PAUL R., Skowhegan 1,307
 SUMMERS, DAVID G., Skowhegan 1,279

LEGISLATIVE RECORD - HOUSE, December 6, 2000

WOODARD, JOANNE M., Skowhegan 979
District 99
 CANAVAN, MARILYN E., Waterville 1,605
 JOHNSON, FREDERIC P., Waterville 801
 PELLETIER, GILMAN R., Waterville 631
District 100
 MARRACHÉ, LISA TESSIER, Waterville 2,632
District 101
 TESSIER, PAUL L., Fairfield 3,089
District 102
 LEACH, WAYNE R., Winslow 893
 MATTHEWS, ZACHARY E., Winslow 2,952
District 103
 MCLELLAN, DENNIS J., Oakland 2,037
 NUTTING, ROBERT W., Oakland 2,492
District 104
 JONES, SUMNER A., Pittsfield 1,705
 MCGOWAN, BERNARD E., Pittsfield 2,069
District 105
 ASH, WALTER E. JR., Belfast 2,388
 NESIN, ORENE CLARKE, Belfast 1,965
District 106
 BUMPS, RANDALL L., China 3,019
 FARRINGTON, CARMALETA, China 1,176
District 107
 BROOKS, JOSEPH E., Winterport 2,615
 KAELIN, JEFFREY H., Winterport 2,107
District 108
 FRENCH, GARY A., Canaan 1,655
 STEDMAN, VAUGHN A., Hartland 2,526
District 109
 BERRY, DONALD P. SR., Belmont 2,900
 JOHNSON, BETTY I., Lincolnville 1,949
District 110
 CORRIVEAU, CLATON R., Burnham 1,556
 WESTON, CAROL, Montville 2,820
District 111
 JONES, SHARON LIBBY, Greenville 2,245
 RICHARDSON, EARL E., Greenville 2,148
District 112
 ANNIS, JAMES D., Dover-Foxcroft 2,012
 MERCK, JUDITH C., Dover-Foxcroft 1,773
District 113
 BENNETT-CATLOW, LINDA A., Bucksport 1,236
 ROSEN, RICHARD W., Bucksport 3,090
District 114
 DUPREY, BRIAN M., Hampden 2,264
 LIBBY, ROSANNA L., Newburgh 1,188
 PEASE, CARL E., Hampden 1,482
District 115
 FISHER, CHARLES D., Brewer 3,887
District 116
 BURKE, JOHN E. II, Holden 2,003
 LEDWIN, MARY ELLEN, Holden 2,840
District 117
 BAKER, CHRISTINA L., Bangor 2,179
 FARRINGTON, FRANK J., Bangor 1,596
District 118
 DAIGLE, ROY C., Bangor 1,743
 PERRY, JOSEPH C., Bangor 2,034
District 119
 BLANCHETTE, PATRICIA A., Bangor 1,690
 LEWIS, DONALD C. III, Bangor 1,331
District 120
 HUNT, JOSEPH R., Bangor 1,132

NORTON, JACQUELINE R., Bangor 2,020
District 121
 DUNLAP, MATTHEW, Old Town 2,578
 DUPLESSIS, ALBERT J., Old Town 1,211
District 122
 CHASE, PETER D., Levant 2,314
 WILLIAMS, DANIEL B., Orono 2,305
District 123
 THOMAS, JONATHAN, Orono 2,861
District 124
 SHEPLEY, DONALD E., Hermon 2,053
 TREADWELL, RUSSELL P., Carmel 2,681
District 125
 BURGESS, JOHN T., Newport 2,077
 KASPRZAK, SUSAN L., Newport 2,170
District 126
 RUDOLPH, DAVID L., Dexter 823
 TOBIN, JAMES H. JR., Dexter 2,728
District 127
 JOY, STEVEN E., Ellsworth 2,086
 POVICH, EDWARD J., Ellsworth 3,030
District 128
 PERKINS, ROYCE W., Penobscot 3,434
 SCHATZ, JAMES M., Blue Hill 2,178
District 129
 GRINDAL, CLARE F., Sedgwick 2,245
 VOLENIK, PAUL, Brooklin 2,757
District 130
 COOLIDGE, ROBERT B., Mount Desert 343
 KOFFMAN, THEODORE, Bar Harbor 2,599
 STANWOOD, ROBERT E., Southwest Harbor 2,438
District 131
 DUGAY, EDWARD R., Cherryfield 2,223
 KELLEY, WILLARD M. JR., Milbridge 1,941
District 132
 PINKHAM, WILLIAM D., Lamoine 2,794
 WALLACE, PATRICIA J., Lamoine 1,565
District 133
 BAGLEY, MARTHA A., Machias 2,673
District 134
 GOODWIN, ALBION D., Pembroke 3,076
District 135
 CASEY, CHARLES, Baileyville 1,329
 MORRISON, JOHN R., Baileyville 1,912
District 136
 BUNKER, GEORGE H. JR., Kossuth Twp. 2,055
 GILLIS, BARRY G., Danforth 1,923
District 137
 HASKELL, ANITA P., Milford 1,996*
 SANBORN, LAURA J., Alton 1,989
District 138
 CARR, RODERICK W., Lincoln 2,815
 KIRKPATRICK, DAVID, Lincoln 1,065
District 139
 BUZZELL, CHARLES H., Milo 1,466
 STANLEY, STEPHEN S., Medway 2,320
District 140
 CLARK, JOSEPH E., Millinocket 2,119
 KALLGREN, STUART F., Indian Purchase Twp. 1,331
District 141
 LANDRY, SALLY, Patten 1,938
 MARTIN, STEPHEN J., Amity 1,737
District 142
 CLEARY, PAUL J., Houlton 989
 SHERMAN, ROGER L., Hodgdon 2,416

District 143
 WHEELER, EDGAR, Bridgewater 3,275
District 144
 LUNDEEN, JACQUELINE A., Mars Hill 1,823
 NIBLETT, MARGARET L., Easton 1,799
District 145
 DUNCAN, RICHARD H., Presque Isle 2,857
District 146
 DESMOND, MABEL J., Mapleton 3,196
District 147
 BELANGER, IRVIN G., Caribou 1,866
 SANFACON, MATTHEW J., Caribou 1,260
District 148
 MCLAUGHLIN, WADE E., Limestone 375
 O'NEAL, GARY, Limestone (write-in) 82
 YOUNG, FLORENCE T., Limestone 388
District 149
 SIROIS, ROSAIRE J., Caribou (write-in) 472
 SMITH, WILLIAM J., Van Buren 1,772
District 150
 PARADIS, ROSAIRE JR., Frenchville 3,589
District 151
 JACKSON, TROY D., Allagash 2,017
 MICHAUD, MARC, Fort Kent 2,172
 I, **DAN A. GWADOSKY**, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast for State Representatives at the General Election, as reported to me on the returns from the cities, towns and plantations of the State.
 S/DAN A. GWADOSKY
 Secretary of State

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 5)
**PENOBSCOT INDIAN NATION
 OFFICE OF THE TRIBAL CLERK
 COMMUNITY BUILDING
 INDIAN ISLAND
 OLD TOWN, MAINE 04468**

October 9, 2000
 Hon. Joseph W. Mayo
 Clerk of the House of Representatives
 Clerk's Office Room 300
 State House
 Augusta, ME 04333
 Dear Clerk Mayo:

This is to certify that Donna M. Loring was re-elected Representative to the State Legislature for the term of October 1, 2000 - September 30, 2002.

The Tribal Biennial Election was held on September 9, 2000 under the provisions of Chapter Four of the Penobscot Nation Laws and Ordinances.

Sincerely,
 S/Linda Socoby
 Tribal Clerk

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 6)
**STATE OF MAINE
 DEPARTMENT OF ADMINISTRATIVE & FINANCIAL
 SERVICES
 BUREAU OF THE BUDGET
 STATE HOUSE STATION #58
 AUGUSTA, MAINE 04333**

Date: September 22, 2000
 To: Honorable Angus S. King, Jr., Governor
 Honorable Mark W. Lawrence, President of the Senate
 Honorable G. Steven Rowe, Speaker of the House
 Honorable Michael H. Michaud, Senate Chair
 Honorable Elizabeth Townsend, House Chair
 Members, Joint Standing Committee on Appropriations & Financial Affairs
 From: S/John R. Nicholas, State Budget Officer
 Sub.: Report on the forecast of revenues and expenditures for the General Fund and the Highway Fund for the FY 00-01 biennium and the FY 02-03 biennium in accordance with Title 5, section 1665, subsection 7.

The Bureau of the Budget is pleased to present its four-year budget forecast for the General Fund and the Highway Fund for the FY 00-01 biennium and the FY 02-03 biennium in accordance with Title 5, section 1665. This effort was initiated and passed into law by the 117th Legislature as fulfillment of one of the recommendations of the Special Commission on Governmental Restructuring to provide a platform for long term financial planning.

This forecast is based on the current structure of State revenues and expenditures for both the General Fund and the Highway Fund using the results of the First Regular Session of the 119th Legislature, the November 29, 1999 revenue projection of the Revenue Forecasting Committee, the February 22, 2000 revenue re projection of the Revenue Forecasting Committee and any General Fund and Highway Fund revenue adjustments resulting from actions of the Second Regular Session of the 119th Legislature. On the expenditure side of the equation, the forecast for both the General Fund and the Highway Fund reflects appropriation and allocation actions by both the First and Second Regular Sessions of the 119th Legislature. As such, this product should provide an objective view of revenue and expenditure trends over the long term as a basis for financial planning and decision making with respect to the General Fund and the Highway Fund.

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 7)
**STATE OF MAINE
 DEPARTMENT OF AUDIT
 66 STATE HOUSE STATION
 AUGUSTA, MAINE 04333-0066
 Letter of Transmittal**

Representative G. Steven Rowe
 Speaker of the House of Representatives
 We are pleased to submit the Single Audit of the State of Maine for the fiscal year ended June 30, 1999. This report complies with the State's audit requirements, including those placed upon the State as a condition for the receipt of approximately \$1.5 billion in federal funds. The audit was conducted in accordance with *Government Auditing Standards*, issued by the Comptroller General of the United States; the requirements of the Single Audit Act Amendments of 1996; and the Office of Management and Budget Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*.
 This document contains the following reports and schedules:

- Independent Auditor's Report
 Report on Compliance and on Internal Control Over Financial Reporting Based on an Audit of Financial Statements Performed in Accordance with

- **Government Auditing Standards**
Report on Compliance With Requirements Applicable To Each Major Program, Internal Control over Compliance and on the Schedule of Expenditures of Federal Awards in Accordance With OMB Circular A-133
Schedule of Expenditures of Federal Awards
Schedule of Findings and Questioned Costs
Corrective Action Plan
Summary Schedule of Prior Audit Findings

In accordance with 5 M.R.S.A. section 244, we are pleased to provide the results of our audit in the following executive summary.

On behalf of the Department of Audit, I would like to express my gratitude to employees throughout State government who have assisted us during the conduct of our audit and in the issuance of this report. We continue our mutual effort to improve financial reporting and accountability to the citizens of our State.

We would be pleased to respond to any questions or comments about the 1999 Single Audit of the State of Maine.

Respectfully submitted,

S/Gail M. Chase, CIA

State Auditor

July 31, 2000

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 8)

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
COMMISSION ON CHILD ABUSE**

November 1, 2000

The Honorable President Mark W. Lawrence

The Honorable Speaker G. Steven Rowe

119th Maine Legislature

State House

Augusta, ME 04333

Dear President Lawrence & Speaker Rowe:

Pursuant to H.P. 1930, as amended by Committee Amendment "A," H-1135, the Commission to Study Child Abuse is pleased to submit its final report including legislation. Copies of the report have been transmitted to the Legislative Council. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Senator Beverly C. Daggett, Senate Chair

S/Representative Patricia T. Jacobs, House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 9)

**STATE OF MAINE
TASK FORCE TO REDUCE THE
BURDEN OF HOME HEATING COSTS
ON LOW-INCOME HOUSEHOLDS**

November 1, 2000

Honorable Mark W. Lawrence, Chair

Legislative Council

3 State House Station

Augusta, Maine 04333-0003

Honorable G. Steven Rowe, Vice-Chair

Legislative Council

2 State House Station

Augusta, Maine 04333-0002

Dear President Lawrence and Speaker Rowe,

On behalf of the Task Force to Reduce the Burden of Home Heating Costs on Low-income Households, it is with great pleasure that we present to you our final report, with findings and policy recommendations pursuant to Resolve 1999, chapter 132. This report creates seven new initiatives to directly address the unmet energy needs for Maine's poorest citizens.

The Task Force's focus on energy conservation grew out of the pressing needs that resulted from recent spikes in energy prices and the realization that these energy prices will likely continue to be volatile over the foreseeable future. The Task Force to Reduce the Burden of Home Heating Costs on Low-income Households has effectively identified what we feel to be the most promising solutions for those complex issues.

In closing, we thank you for this opportunity to serve the people of the State of Maine.

Sincerely,

S/Senator Richard J. Carey, Chair

S/Representative Randall L. Berry, Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 10)

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
THE JOINT STUDY COMMITTEE TO STUDY
BOMB THREATS IN MAINE SCHOOLS**

November 1, 2000

The Honorable President Mark W. Lawrence

The Honorable Speaker G. Steven Rowe

119th Maine Legislature

State House

Augusta, ME 04333

Dear President Lawrence & Speaker Rowe:

This letter is to inform you that the Joint Study Committee to Study Bomb Threats in Maine Schools has submitted the attached report including recommended legislation to the Legislative Council pursuant to Joint Order, H.P. 1938. Copies of the report have also been placed on file with the Law and Legislative Library.

Sincerely,

S/Senator Peggy Pendleton, Senate Chair

S/Representative John F. McDonough, House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

ORDERS

On motion of Representative O'NEIL of Saco, the following Joint Order: (H.P. 1)

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at his discretion, to permit radio or television in the Hall of the House of Representatives while the House is in session, or during joint conventions of the Legislature.

READ and PASSED.

Sent for concurrence. **ORDERED SENT FORTHWITH.**

On motion of Representative SAVAGE of Buxton, the following Joint Order: (H.P. 2)

ORDERED, the Senate concurring, that any Town or City Clerk or Board of County Commissioners may, upon written

request to the Clerk of the House, receive without charge, copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills; and be it further

ORDERED, that any tax supported public library may upon written request to the Clerk of the House receive without charge copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills.

READ and PASSED.

Sent for concurrence. **ORDERED SENT FORTHWITH.**

On motion of Representative COLWELL of Gardiner, the following Joint Order: (H.P. 3)

ORDERED, the Senate concurring, that the rooms in the State House and State Office Building occupied by the Legislature be reserved for hearing rooms for the One Hundred and Twentieth and succeeding Legislatures and be released for other purposes only upon approval by the Chair of the Legislative Council.

READ and PASSED.

Sent for concurrence.

On motion of Representative LaVERDIERE of Wilton, the following Joint Order: (H.P. 4)

ORDERED, the Senate concurring, that there be prepared by the Legislative Information Office under the direction of the Secretary of the Senate and the Clerk of the House, after adjournment of the present session, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed sufficient copies to meet the needs of the Legislature. A copy shall be mailed to each member and officer of the Legislature and the State Law and Legislative Reference Library.

READ and PASSED.

Sent for concurrence. **ORDERED SENT FORTHWITH.**

On motion of Representative FISHER of Brewer, the following House Order: (H.O. 2) (Cosponsored by Representative CHICK of Lebanon)

ORDERED, that Joseph W. Mayo of Augusta be appointed Clerk Emeritus of the 120th Maine House of Representatives.

AND BE IT FURTHER ORDERED, that he perform such duties as prescribed by the Speaker of the House and the Clerk of the House.

AND BE IT FURTHER ORDERED, that he assist the members of the House as they may request.

AND BE IT FURTHER ORDERED, that he receive such salary and benefits as approved by the Speaker of the House.

READ.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative Fisher.

Representative FISHER: Mr. Speaker, Men and Women of the House. When I came in this morning and looked up front and saw the previous Speaker sitting up there, one of the thoughts that came to my mind was if there was one thing that they would all agree on is the Clerk being the glue that holds this institution together. We are blessed today by having chosen an excellent replacement for the Honorable Joe Mayo who served this body so well. Tonight we have an opportunity to extend his expertise by naming Joe Mayo Clerk Emeritus of the House. I would like to

ask you to utilize this talent as best we possibly can. I could speak at great length about Joe, but Joe knows how I feel about him. Those of you who have served here have spoken about Joe and you know how we all feel about him. Those 40 some of you who are here for the first time will soon learn of the qualities of this man. Let us keep Joe Mayo on hand for his expertise in this field of running the House. Joe Mayo is truly a man of the House. I urge your acceptance of this Joint Order. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Chick.

Representative CHICK: Mr. Speaker, Ladies and Gentlemen of the House. As the document indicates, I have strong feelings about the great service Joe Mayo has provided to the State of Maine. I will speak briefly about my own experience coming here in the 117th Legislature. Each time that I would go to the Clerk's Office for information, I always was treated very fairly and this continued up to the present time and I will have to say that the State of Maine certainly has more recognition in affairs of Legislatures across the country by the fact that Joe Mayo has been called to go to other places in the United States and share his expertise in legislative matters. With this, I will say, well done, and God bless you.

PASSED.

On motion of Representative NORBERT of Portland, the following House Order: (H.O. 3)

ORDERED, that each adjournment of the House be until 10 o'clock of the following morning unless otherwise ordered.

READ and PASSED.

On motion of Representative CHIZMAR of Lisbon, the following House Order: (H.O. 4)

ORDERED, that the Clerk of the House be authorized and directed to furnish each member of the House with a copy of the Advance Journal and Calendar of the House, said copy to be on the desk of each member at the opening of each daily session.

READ and PASSED.

On motion of Representative DESMOND of Mapleton, the following House Order: (H.O. 5)

ORDERED, that the remaining subordinate officers of the House be appointed to serve for the present biennium as follows: by the Clerk, a Chief Calendar Clerk, two Advance Journal and Calendar Clerks, a Roll Call and Amendment Clerk, a Journal Copy Clerk, a House Reporter, a Systems Support Coordinator, a Telephone Receptionist, and an Office Secretary; and be it further

ORDERED, that the Clerk is hereby authorized to accept resignations and fill any vacancies of said subordinate officers during the biennium.

READ and PASSED.

On motion of Representative COWGER of Hallowell, the following House Order: (H.O. 6)

ORDERED, that the Clerk of the House be authorized to invite the clergy of Augusta, Hallowell, and Gardiner to officiate as Chaplains of the House, or to invite clergy from other areas of the State as requested by any member of the House; and be it further

ORDERED, that all clergy acting as Chaplains of the House shall receive \$25 for each officiation, to be paid on payrolls to be approved by the Clerk of the House.

READ and PASSED.

SENATE PAPERS

The following Joint Order: (S.P. 1)

ORDERED, the House concurring, that the following Joint Rules of the 120th Legislature are as follows:

Joint Rules

Preamble. These Joint Rules are adopted pursuant to the Constitution of Maine to assist in carrying out the responsibilities of the Legislature. These rules take precedence over statutes enacted by a prior Legislature relating to the proceedings of the Legislature. A higher precedence is given to the individual chamber rules, followed by past practices and customs of the chamber.

Part 1

General Provisions

Rule 101. Scope.

The rules govern the transaction of business by both chambers, between the chambers and by members of both chambers, including many of the activities of joint legislative committees. The business of the separate chambers and most actions of members are governed by chamber rules.

Rule 102. Amendment of Rules.

Joint Rules may be amended by a majority vote in each chamber on or before the 3rd Friday in January of the first regular session. After that, a vote of 2/3 of the members present in each chamber is required.

Rule 103. Suspension of Rules.

Except as provided in Joint Rule 308, a joint rule or order may be suspended only with the consent of 2/3 of the members present in each chamber.

Rule 104. Conflict of Interest.

A member may not vote on any question in committee when that question immediately involves that member's private right, as distinct from the public interest.

Rule 105. Salary and Benefits of Legislative Employees is Public Information.

Salary and benefit information regarding employees and officers of the Legislature is public information and when requested must be provided within a reasonable time by the Secretary of the Senate for Senate employees, the Clerk of the House for House employees and the Executive Director of the Legislative Council for other legislative employees.

Rule 106. Records of Certain Legislator Expenses.

Upon request, the presiding officer of each chamber shall provide the monthly total or annual total cost of telephone expenses and of postage expenses for all members in the chamber.

The presiding officers shall also provide monthly total and annual total telephone and postage expenses of individual members upon request.

Rule 107. Notice of Legislative Council Meetings.

Meeting times of the Legislative Council must be publicized, at a minimum, by posting notice on the door of the meeting room in a timely fashion. When feasible, other advance notice of Legislative Council meetings must be given.

Rule 108. Membership on Legislative Council.

Subject to the Senate Rules, the Senate President Pro Tempore may serve in the place of the Senate President on the Legislative Council.

Part 2

Legislation

Rule 201. Prefiling.

A member-elect may file bills and resolves for introduction with the Revisor of Statutes prior to the convening of each first regular session.

Rule 202. Cloture for Legislators at the First Regular Session.

All requests for bills and resolves submitted by Legislators for a first regular session must be submitted in complete form, as provided in Joint Rule 208, to the Revisor of Statutes by 4:00 p.m. on the 3rd Friday in December.

Rule 203. Cloture for Legislators at the Second Regular Session.

The Legislative Council shall set a cloture date and establish procedures for submission of legislation by Legislators to the Revisor of Statutes at a second regular session. Procedures established for each second regular session must ensure compliance with the requirements of the Constitution of Maine, Article IV, Part Third, Section 1.

Any vote of the Legislative Council to accept or reject a bill or resolve proposed for introduction under the procedures established under this Joint Rule must be taken by the yeas and nays, and that vote must be recorded and made available for public inspection.

Rule 204. Cloture for State Department, Agency or Commission Bills and Resolves.

1. Deadlines for Requests. All requests for bills and resolves submitted by a state department, agency or commission must be submitted to the Revisor of Statutes by 4:00 p.m. on the first Wednesday in December.

2. Deadline When Governor Newly Elected. If the Governor is newly elected and the convening of the first regular session coincides with the beginning of the Governor's first term, then any request for a bill or resolve submitted by a state department, agency or commission must be submitted within 30 days after the Governor is administered the oath of office.

3. Identification of Agency. Each request for a bill or resolve submitted under this rule must clearly designate, under the title, the department, agency or commission on whose behalf the bill or resolve is submitted.

Rule 205. Filing after Cloture.

Any request for a bill or resolve submitted to the Revisor of Statutes by a Legislator, a department, agency or commission after the appropriate cloture date must be transmitted to the Legislative Council. The council shall ascertain from the sponsor the facts supporting the request notwithstanding cloture. If a majority of the council approves, the legislation is eligible for introduction as other legislation that is in compliance with Rule 202 or 203.

Rule 206. Sponsorship.

1. Number; Governor's Bills. A bill, resolve, order, resolution or memorial may have up to 10 sponsors: one primary sponsor, one lead cosponsor from the other chamber and 8 cosponsors from either chamber. Each bill or resolve requested by the Governor or a department, agency or commission must indicate the requestor below the title.

2. Duplicate Requests; Chamber of Origin. For duplicate or closely related bills or resolves, the Legislative Council may establish a policy for combination of requests and the number of cosponsors permitted on combined requests. A bill, resolve, order, resolution or memorial having cosponsors must originate in the chamber of the primary sponsor.

3. Indian Representatives. The member of the Penobscot Nation and the member of the Passamaquoddy Tribe elected to represent their people at each biennial Legislature may sponsor

legislation specifically relating to Indians and Indian land claims, may cosponsor any other legislation and may sponsor and cosponsor expressions of legislative sentiment in the same manner as other members of the House.

Rule 207. Disclosure of Titles of Bills and Resolves.

1. **Legislator and Department Bills.** The titles of requests for bills and resolves submitted by legislators or by departments, agencies or commissions are considered public information upon filing. The legislator, department, agency or commission may direct that the title of a particular bill or resolve remain confidential until that bill or resolve is printed. The names of the sponsors become public information on the cloture date, and a list of titles and sponsors must be published as soon as practicable after cloture. The names of sponsors and the titles of requests for bills and resolves submitted after cloture are public information when transmitted to the Legislative Council pursuant to Joint Rule 205. The names of sponsors and the titles of requests for bills and resolves submitted for a special session are public information when transmitted to the Legislative Council.

2. **Governor Bills.** The titles of requests for bills and resolves submitted by the Governor are considered public information upon filing. The Governor may direct that the title of a particular bill or resolve remain confidential until that bill or resolve is printed.

Rule 208. Requirements for Drafting.

A request for a bill or resolve filed with the Revisor of Statutes is considered complete when the request is properly titled and accompanied by sufficient instructions, information and data required for its preparation. When a request is not accompanied by sufficient instructions, information or data, the Revisor of Statutes is directed to give written notice of inadequate information to the legislator. Upon receipt of said written notice, the legislator has 5 business days to file adequate information with the Revisor of Statutes, or the request for the bill or resolve will be denied. Drafts prepared by an outside source must be filed in final form by the appropriate cloture date.

When directed by the sponsor, the Revisor of Statutes shall prepare a bill or resolve in concept form. The bill or resolve shall contain only an enacting clause and a summary of the proposed legislation and shall not be fully drafted by the Revisor of Statutes. The bill or resolve prepared in this form shall be printed and referred to a committee in the same manner as other legislation and may be reported in fully drafted form by that committee in the same manner as other legislation. Notwithstanding the Maine Revised Statutes, Title 1, section 402, members of legislative leadership and committee chairs have access to the contents of a file for a bill or resolve that is prepared in concept form. This method of drafting legislation is not allowed for legislation submitted by the Governor, by agencies or departments of state government, by study commissions, or pursuant to statute. Any request for a bill or resolve submitted after cloture must state if it is a request for a concept draft. Any committee amendment must be germane to the detailed summary of the concept draft.

Rule 209. Bill Titles and Summaries.

The Revisor of Statutes has authority to change the title of a bill or resolve to ensure that the title accurately and concisely reflects the content and scope of the bill or resolve. If the primary sponsor objects to the change, the President of the Senate and the Speaker of the House shall jointly decide what the title should be.

The Revisor of Statutes shall prepare and include a summary of each bill, resolve and amendment. The Revisor of Statutes has authority to ensure that the summary is concise and accurately reflects the intent of the bill or resolve.

Rule 210. Form.

All bills and other instruments, including bills proposed by initiative, must be allocated to the Maine Revised Statutes as appropriate and corrected for form, legislative style and grammar by the Revisor of Statutes before printing.

Rule 211. Signatures on Drafts of Bills, Resolves and Amendments.

The Revisor of Statutes shall notify the primary sponsor of a bill or resolve that the bill or resolve is ready in final form for signature. The primary sponsor is responsible for obtaining signatures from cosponsors. The primary sponsor shall sign the bill or notify the Revisor of Statutes of any changes that are necessary within deadlines established by the presiding officers. The primary sponsor shall present the signed cosponsor sheet to the Revisor of Statutes. If the primary sponsor does not contact the Office of the Revisor of Statutes within this period, the bill is void.

If changes are requested, the Revisor of Statutes shall notify the primary sponsor when changes have been made and the bill is available for signature; the primary sponsor and cosponsors shall sign the bill within the established deadlines. Further changes must be proposed to the committee of reference. If the primary sponsor does not sign the bill within this period, the bill is void. If cosponsors do not sign the bill within either period, their names must be removed from the bill.

Rule 212. Errors.

Clerical errors in bills and resolves may be corrected upon suggestion by the Revisor of Statutes without motion to amend.

Rule 213. Expressions of Legislative Sentiment.

All expressions of legislative sentiment must conform to guidelines issued by the President of the Senate and the Speaker of the House and must be presented in a manner standardized by the Revisor of Statutes.

Each expression of legislative sentiment must contain the residency of the recipient and must, at a minimum, be cosponsored by the Senator and Representative who represent the recipient unless the Senator or Representative affirmatively declines.

The expressions of legislative sentiment may not be part of the permanent journal or the legislative record but must appear on the Advance Calendar and Journal of each body. The Secretary of the Senate and the Clerk of the House shall print the expressions in an appendix to the legislative record. When the Legislature is not in session, the President of the Senate and the Speaker of the House may authorize expressions of legislative sentiment at the request of legislative members.

Rule 214. Memorials.

A memorial is not in order for introduction unless approved by a majority of the Legislative Council.

Rule 215. Actions Relating to the United States Constitution.

All memorials, resolutions, applications and petitions that relate to the Legislature's functions under the United States Constitution, Article V are in order for introduction without approval from the Legislative Council. Passage of these items must be accomplished as follows:

1. **Calling of United States Constitutional Convention.** An item requesting the calling of a United States Constitutional Convention requires a 2/3 vote of the members present in each chamber;

2. **Ratification of Amendment.** An item requesting ratification of an amendment to the United States Constitution requires a majority vote of the members present in each chamber; and

3. Any Other Action. An item requesting any other action under the United States Constitution, Article V requires a majority vote of the members present in each chamber.

Rule 216. Claims against the State.

A claim of an amount of \$2,000 or less is in order for introduction only after the claim has been first disapproved or partially approved for payment under the Maine Revised Statutes, Title 5, section 1510-A. A claim of an amount greater than \$2,000 is in order for introduction only in the form of a resolve authorizing a suit against the State.

Rule 217. Measures Rejected at a Prior Session.

A bill, resolve, constitutional resolution, resolution, memorial or order that has been introduced and finally rejected in a regular or special session may not be introduced in a subsequent regular or special session of the same Legislature except by vote of 2/3 of both chambers.

Rule 218. Legislation Filed Pursuant to Law or Resolve.

Legislation filed pursuant to law or resolve must identify the source of the legislation and must cite the law or resolve that authorizes the filing. The legislation must be introduced in the chamber of the sponsor or the chamber of origin of the authorizing law or resolve.

**Part 3
Legislative Committees
Subpart A
Joint Standing Committees**

Rule 301. Joint Standing Committee Responsibilities and Jurisdiction.

Joint standing committees are formed to assist the Legislature in the performance of its constitutional duties and are vested with the general authority granted in the Maine Revised Statutes, Title 3, section 165 and certain other specific authority granted from time to time by the Legislature. The responsibilities of joint standing committees include, but are not limited to:

- 1. Pending Legislation.** Considering and reporting to both chambers on legislation pending before the Legislature;
- 2. Budget and Fiscal Policy Issues.** Reviewing and making recommendations on budgeting and fiscal policy issues concerning State Government;
- 3. Actions of Departments and Agencies.** Conducting oversight and review of the actions of departments and agencies of State Government, including, but not limited to, review of agency rules under Title 5, chapter 375, subchapters II and II-A and agency evaluations under the State Government Evaluation Act;
- 4. Gubernatorial Appointments.** Reviewing and making recommendations on gubernatorial appointments that require legislative confirmation under Title 3, chapter 6; and
- 5. Other Tasks.** Performing other tasks assigned to them, including, but not limited to, reviewing specific provisions of law, conducting studies on assigned topics, issuing reports on policy and legal issues of interest to the Legislature, reporting out specific legislation pursuant to joint order and authorizing the annual budgets of certain counties.

There are 17 joint standing committees, which must be appointed at the commencement of the first regular session and which exercise jurisdiction in the following areas:

- Agriculture, conservation and forestry
- Appropriations and financial affairs
- Banking and insurance
- Business and economic development
- Criminal justice
- Education and cultural affairs
- Health and human services
- Inland fisheries and wildlife

- Judiciary
- Labor
- Legal and veterans affairs
- Marine resources
- Natural resources
- State and local government
- Taxation
- Transportation
- Utilities and energy

Rule 302. Membership.

Each of the joint standing committees consists of 13 members, 3 from the Senate and 10 from the House of Representatives. The first Senate member named is the Senate chair. The first House member named is the House chair. The Senate chair shall preside and in the Senate chair's absence, the House chair shall preside and, thereafter, as the need may arise, the chair shall alternate between the members from each chamber in the sequence of their appointment to the committee. The sequence of appointment for the biennium is as announced by the presiding officers in each chamber. Every member of the Senate and the House of Representatives is entitled to at least one initial committee assignment.

Rule 303. Committee Clerks.

The hiring of all committee clerks must be mutually agreeable to both the Senate and House chairs. If not agreeable to both, the President of the Senate and the Speaker of the House shall decide. Committee clerks serve at the pleasure of the President of the Senate and the Speaker of the House. The salary of each committee clerk is established by the President of the Senate and the Speaker of the House, and the employment of the committee clerks terminates no later than the end of the session.

Rule 304. Procedures for Public Hearings and Work Sessions.

At the beginning of each legislative biennium, all committees shall adopt procedures that govern public hearings, work sessions and confirmation hearings. Copies of the procedures must be sent to the presiding officers, the Secretary of the Senate, the Clerk of the House and the Executive Director of the Legislative Council upon adoption and must be posted and made available upon request at all public hearings and work sessions.

The rules of procedure in committee are the same as the rules of the Senate and the House of Representatives to the extent applicable. Committee procedures must be consistent with these rules.

The presiding chair shall decide all questions of order, subject to appeal to the committee. The chair's ruling stands unless overruled by a majority vote of the committee membership.

Scheduling of bills to be considered in public hearings and work sessions must be arranged by the Senate chair with the agreement of the House chair; if agreement is not reached, the committee shall decide by majority vote of the membership.

At public hearings, the chair may limit testimony as necessary for the orderly conduct of the hearing. Members may question witnesses to clarify testimony and to elicit helpful and pertinent information. While aggressive and probing questions may sometimes be appropriate, members shall exhibit respect for the witnesses and for one another. Members shall refrain from interrogation that is argumentative, oppressive, repetitive or unnecessarily embarrassing to hearing participants. Advocacy and discussion among members are not appropriate at public hearings. A committee member who is the primary sponsor of a bill and any member who testifies for or against the bill should ordinarily refrain from questioning other witnesses.

Rule 305. Scheduling Public Hearings and Work Sessions.

At the beginning of the regular session, each committee shall recommend to the presiding officers specific days for its public hearings and work sessions, taking into consideration the availability of assigned staff and hearing rooms. Upon approval of the schedule by the presiding officers, the chairs shall try to schedule all committee work on those days. Each committee shall distribute a detailed list of hearings and work sessions that have been scheduled for the following week to all committee members. This schedule must also be posted outside the committee room. Notice of a committee's public hearings and work sessions must be posted each day on the board provided for that purpose on the third floor of the State House. A committee may not hold a hearing or conduct a work session for which notice has not been posted.

Public hearings must be advertised 2 weekends in advance of the hearing date. All exceptions must be approved by both presiding officers.

The committee shall direct the committee clerk to notify all sponsors of the bill of the public hearing and work session on the bill.

It is the intent of the Legislature that a person not be denied access to committee public hearings and work sessions because of a disability. Committees shall provide reasonable access for disabled persons to their proceedings and allow adequate time for participation by disabled persons.

Rule 306. Quorum.

A quorum is 7 members, and a quorum must be present to start a meeting or to take a vote. A quorum is not required to continue a meeting. If a quorum is present, but there is not a Senator among those present, the committee may take a vote only with the authorization of the President of the Senate.

Rule 307. Testimony.

Testimony before a joint standing committee is not presented under oath, except that a committee is authorized to administer oaths in the case of legislative confirmation hearings under the Maine Revised Statutes, Title 3, section 157 and may be so authorized by the Legislature when the committee is acting as a special investigating committee under the Maine Revised Statutes, Title 3, section 165, subsection 7.

All written materials presented to the committee must bear the name, address and affiliation, if applicable, of the presenter and the date presented.

Rule 308. Reference of Bills to Committee.

All bills and resolves must be referred to committee, except that this provision may be suspended by a majority vote in each chamber.

1. Legislature in Session. When the Legislature is in session, the Secretary of the Senate and the Clerk of the House shall jointly suggest an appropriate committee reference for every bill, resolve and petition offered. The suggested reference must be placed upon the Advance Journal and Calendar of each chamber. If they are unable to agree, the question of reference must be referred to a conference of the President of the Senate and the Speaker of the House. Upon their agreement, the suggested reference must be placed upon the Advance Journal and Calendar of each chamber. If they are unable to agree, the question of suggested reference must be referred to the Legislative Council for resolution. Upon the decision of the Legislative Council, the suggested reference must be placed upon the Advance Journal and Calendar of each chamber.

Each suggested reference appearing upon the Advance Journal and Calendar of each chamber must contain a recommendation for the printing of the document being referred

and may contain a recommendation on the number of copies of that document to be printed.

Any member may move for reconsideration of a committee reference on the floor. Notwithstanding Joint Rule 103, a majority vote is necessary to overturn the original committee of reference.

2. Legislature Not in Session. When the Legislature is not in session or is in recess for more than 4 days, the Secretary of the Senate and Clerk of the House may refer the bills to the appropriate joint standing committee for public hearing and order printing, subject to the approval of the President of the Senate and the Speaker of the House.

3. Reference to More Than One Committee. When a bill or resolve has a subject matter that falls within the jurisdiction of more than one committee, suggested references may be made and the full Legislature may vote to refer a bill or resolve to more than one committee. When references are made to more than one committee, the first named committee is responsible for the scheduling and conduct of all public hearings, subject to approval of the chairs of the other committee or committees. Committees to whom a bill or resolve is referred pursuant to this rule shall participate equally in all public hearings and work sessions and shall make a joint report or joint reports. The public hearing or hearings must be conducted jointly by both committees. The chairs of the committees involved shall establish the process for conduct of the work session or work sessions on the bill. If the chairs are unable to agree, the presiding officers shall establish the process. The work session process must provide for balanced representation for each committee. The report or reports on a jointly referred bill is as voted by the full membership of each committee, except that if a member serves on more than one committee to whom a bill or resolve is referred, that member may cast only one vote.

Rule 309. Notice to Report.

The President of the Senate and the Speaker of the House shall jointly establish reporting deadlines for all bills and resolves referred to committee and each committee shall, after receiving notice of the reporting deadlines, report its bills and resolves out of committee to the floor for consideration in accordance with those deadlines.

Rule 310. Reports of Bills from Committee.

1. Deadline for Reports. The joint standing committees shall report out every bill that has been referred to them in the manner prescribed in these rules and in accordance with deadlines established by the presiding officers.

2. Committee Reports. The report of the committee must include a recommendation. Recommendations that may be made are:

- Ought to Pass
- Ought to Pass as Amended
- Ought to Pass in New Draft
- Ought Not to Pass
- Refer to Another Committee

The committee shall vote on all recommendations to be included in reports on a bill during a work session on that bill. When the committee recommendation is not unanimous, a minority report or reports are required. Except as provided in subsection 5, minority committee reports must be voted on at the same work session as the majority report on that bill. Notwithstanding subsection 5, a committee vote to report a bill out favorably must be taken based on written language before the committee at that time or on a motion describing the content of the report. After a committee vote, no substantive change may be made in the committee report unless motions to reconsider and to amend the report are approved at a committee work session. All reports on

any legislative document must be submitted to the Legislature at the same time.

3. Unanimous Ought Not to Pass Report. When a joint standing committee votes unanimously to report a bill "Ought Not to Pass," the committee shall notify the presiding officers, the sponsor and the cosponsors of the bill of their action. This communication must appear on the calendar in each chamber, and the bill, upon notification of both chambers, must be placed in the legislative file and may be recalled only as provided in Rule 404.

4. Ought to Pass in New Draft Report. When the changes voted by the committee are major, the committee may elect to report the bill out "Ought to Pass in New Draft," with authorization of the presiding officers. When a plurality of the committee recommends this report, the chairs shall submit a request for authority to report the bill out in this fashion. New drafts printed pursuant to these rules must include the legislative document number that the new bill replaces and the names of the original sponsor and cosponsors. The Secretary of the Senate and the Clerk of the House shall determine the number of copies that must be printed of each new draft.

5. Committee Voting. The committee clerk shall prepare the committee jacket or jackets following the vote and obtain signatures from committee members as required. If all members are not present for the vote, the bill must be held until the following periods have expired.

A. If any member is absent from the State House and the State Office Building at the time of the vote, that member's vote may be registered with the clerk up until noon on the 2nd business day following the vote.

B. If any member is absent from the committee at the time of the vote but present in the State House or the State Office Building, that member's vote may be registered with the clerk up until 5:00 p.m. on the day of the vote.

A member may abstain from voting only for a conflict of interest under Joint Rule 104.

Except for a motion to adjourn, a question may not be decided and official action may not be taken in the absence of a quorum. No committee vote on a bill may be taken after 10:30 p.m. or before 7:30 a.m. unless authorized by the presiding officers. If the presiding officers provide this authorization, they shall notify the other members of the Legislative Council concurrently.

Rule 311. Errors and Inconsistencies Legislation.

Prior to reporting out any omnibus bill concerning errors and inconsistencies in the Laws of Maine, the Joint Standing Committee on Judiciary shall, after giving notice and an opportunity to be heard, hear proposed amendments and determine which amendments should be included in the bill reported out. A floor amendment may not be entertained in either chamber unless the amendment is printed and distributed at least 24 hours prior to introduction.

Rule 312. Fiscal Notes.

Every bill or resolve that affects state revenues, appropriations or allocations or that requires a local unit of government to expand or modify that unit's activities so as to necessitate additional expenditures from local revenues and that has a committee recommendation other than "Ought Not to Pass" or "Referral to Another Committee" must include a fiscal note. This statement must be incorporated in the bill before it is reported out of committee. Any amendment introduced that would affect the fiscal impact of the original bill must also include a fiscal note. The Office of Fiscal and Program Review has the sole responsibility for preparing all fiscal notes.

Rule 312-A. Constitutional Resolutions.

A committee may submit the question to be voted on under a resolution proposing to amend the Constitution of Maine to the Secretary of State for review prior to reporting the resolution out of committee with a recommendation other than "Ought Not to Pass" or "Referral to Another Committee." The Secretary of State shall apply the same standards of clarity to that question as to questions for the people's veto and initiative referenda under the Maine Revised Statutes, Title 21-A, section 906, subsection 6 and advise the committee and the sponsor of the resolution as to the recommended wording of the question.

Rule 313. Confidentiality.

The committee shall protect confidential records, including those records excluded from the definition of "public records" under the freedom of access laws, the Maine Revised Statutes, Title 1, section 402, subsection 3, from public disclosure by holding executive sessions to discuss information contained in those records. Executive sessions must be held in accordance with the provisions of the freedom of access laws, the Maine Revised Statutes, Title 1, chapter 13, subchapter I.

Before the committee files leave the custody of the committee, the committee chairs shall direct the custodian of the files to protect the confidentiality of the records in any appropriate manner, including returning the records to the person or department from which they came; destroying the records; or blocking out personally identifying information in the records and retaining them in the files, if the law declaring the records confidential permits disclosure in this manner.

The committee chairs shall also ensure that the files include a notation indicating what type of confidential records were reviewed by the committee.

Rule 314. Participation in Budget Hearings and Work Sessions.

As used in this Rule, "policy committee" means a joint standing committee or joint select committee of the Legislature having subject matter jurisdiction other than the Joint Standing Committee on Appropriations and Financial Affairs.

In each year of the biennium, any budget bill submitted to the Legislature by the Governor and referred to the Joint Standing Committee on Appropriations and Financial Affairs is subject to the following procedures.

1. Budget Recommendations. Budget recommendations made by the Governor on areas within the jurisdiction of a policy committee must be initially heard jointly by the Joint Standing Committee on Appropriations and Financial Affairs and the policy committee having jurisdiction over the subject matter presented.

2. Subcommittee; Appointment. Each policy committee shall appoint a subcommittee of at least 3 and not more than 5 of its members to serve as liaisons to the Joint Standing Committee on Appropriations and Financial Affairs. At least one member of the subcommittee must be appointed by the Senate chair of the policy committee and at least 2 members must be appointed by the House chair of the policy committee. If more than 3 members are appointed to the subcommittee, the additional member or members must be appointed jointly by the chairs of the policy committee. This subcommittee must include members of the 2 parties holding the largest number of seats in the Legislature. The committee chairs shall name one of the members as subcommittee chair. The Joint Standing Committee on Appropriations and Financial Affairs shall notify the policy committee chairs and the chair of the subcommittee in a timely manner prior to any subsequent deliberations on budget items relative to that policy committee's jurisdiction. Each policy committee through its subcommittee shall advise the Joint Standing Committee on Appropriations and Financial Affairs of its respective policy committee's recommendations regarding budget

items relative to that committee's jurisdiction and through its subcommittee may participate in all subsequent deliberations of the Joint Standing Committee on Appropriations and Financial Affairs on these budget items.

3. Membership Published. The membership of each subcommittee must be published in the Advance Journal and Calendar.

4. Policy Committee Recommendations. Each policy committee shall provide the Joint Standing Committee on Appropriations and Financial Affairs with the policy committee's recommendations regarding the relevant part of the Governor's budget. These recommendations must be delivered within a time period set by the chairs of the Joint Standing Committee on Appropriations and Financial Affairs after consultation with the chairs of the policy committee taking into consideration previously scheduled public hearings of the policy committee. The chairs of the Joint Standing Committee on Appropriations and Financial Affairs shall notify the presiding officers of the dates established for reporting policy committees' recommendations. The recommendations must be made within the budgetary constraints set by the Joint Standing Committee on Appropriations and Financial Affairs.

5. Additional Funds. Following submission of the policy committee's biennial budget recommendations within established budget constraints, each policy committee may recommend additional funds for program priorities that exceed the original budgeting constraints and if recommendations for additional funds are made, the committee shall explain those recommendations.

6. Decision-making Authority. The Joint Standing Committee on Appropriations and Financial Affairs shall consider the policy committees' budget recommendations during the deliberations of the Joint Standing Committee on Appropriations and Financial Affairs but retains sole decision-making authority on budget matters.

7. List of Priorities. Within 5 business days after reporting out all bills involving appropriations or revenues, the policy committees shall submit to the Joint Standing Committee on Appropriations and Financial Affairs a list indicating these committees' priorities for final passage of these bills.

Rule 315. Interim Committee Activities.

The chairs of a joint standing committee may request and upon finding of need the President of the Senate and the Speaker of the House are authorized to jointly grant permission to a committee to meet out of session to conduct work of the committee, including review of agencies' effectiveness under the Government Evaluation Act, review of major substantive rules and agency regulatory agendas under the Administrative Procedure Act and review of agency strategic planning and performance budgeting submissions under Title 5, chapter 151-C.

Subpart B

Special Legislative Committees

Rule 351. Joint Select Committees.

A joint select committee consists of 3 Senators and 7 members of the House of Representatives, unless the order creating the committee provides a different number.

When a select committee is appointed by both chambers the Secretary of the Senate and the Clerk of the House shall inform each other of the names of the members so that the names may be entered upon the Advance Journal and Calendar of each chamber.

Rule 352. Committees of Conference.

When the chambers do not agree on an action, a committee of conference is in order. A committee of conference consists of

3 members from each chamber who voted on the prevailing side. A committee of conference shall meet and submit a report within 10 legislative days to the chamber asking for the conference. The report must be agreed to by a majority of the members from each chamber. The committee report may be that it is unable to agree. The committee report may be either accepted or rejected, but no other action may be had except through another committee of conference. If necessary, a new committee of conference may be formed.

Rule 353. Legislative Study Committees.

To assist it in the exercise of its duties, the Legislature may establish joint select committees or commissions consisting of legislators and others members to conduct studies. Alternatively it may refer matters to joint standing committees or subcommittees of joint standing committees for study. The procedure for such legislative studies is as follows.

1. Establishing study committees and commissions.

Legislative study committees may be established by joint order, law or resolve. Studies that must be established by law or resolve include those that will:

- A. be conducted by a task force, blue ribbon commission or other study group created by the Legislature that includes substantial membership by non-legislators; or
- B. extend beyond the current legislative biennium.

Proposed study orders may be referred to joint standing committees for consideration and reported out in the same manner as proposed study legislation. Joint standing committees may report out study orders requesting that a study be conducted.

2. Appointment of members.

Unless otherwise specified, the members of study committees established by joint order must be appointed by the presiding officers: Senate members by the President; and House members by the Speaker. Membership may include non-legislators but a majority of the members on study committees must be legislators.

3. Appointment of chairs.

Study committees established by joint order must be chaired jointly except for study committees having 5 or less members. Each presiding officer shall appoint a chair at the time of initial appointment of study committee members except the chair of a study commission having 5 or less members must be appointed by the presiding officer of the body of the originating study order or legislation.

4. Committee size.

Study committees may consist of not less than 3 and not more than 13 members, unless legislation creating a study committee specifies a greater number.

5. Compensation.

Legislative members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of a study committee. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses and a per diem equal to the legislative per diem for their attendance at authorized meetings of a study committee.

6. Reporting dates.

All reports of study committees which are to be submitted to the first regular session of the next or subsequent legislature must be completed and submitted not later than the first Wednesday in November preceding the convening of the first regular session of the next legislature. All reports of study committees which are to be submitted to the second regular session must be completed and submitted not later than the first Wednesday in December preceding the convening of the second regular session. Any proposed legislation accompanying such reports must be submitted in final draft form to the Revisor of Statutes by the reporting date.

7. Extension of reporting dates. Any study committee that finds it is unable to comply with its reporting date must submit, in writing, a request for extension of reporting date, the reasons an extension is requested and a proposed new reporting date to the Legislative Council prior to the reporting date. The Legislative Council shall review the request and promptly notify the committee of its decision.

8. Study table. All joint orders or legislation proposing legislative studies regardless of funding source must be placed on a special study table in the House or Senate. The Legislative Council shall review the proposed studies and establish priorities for allocation of budgetary and staffing resources.

The Legislative Council shall establish a study line in the Legislative Account to which legislative studies are budgeted and study expenses charged. It also shall establish budgets and provide sufficient money from the Legislative Account for studies to be conducted by joint standing committees, joint select committees and other study committees of the Legislature. The Legislative Council shall provide money sufficient to enable the committees to reasonably conduct and complete the requirements of the studies.

The Legislative Council shall adopt guidelines for the drafting of study orders and legislation at the beginning of each legislative biennium. Study orders and legislation must be consistent with the adopted guidelines.

Rule 354. Joint Select Committee on Joint Rules.

There is established the Joint Select Committee on Joint Rules. Notwithstanding Joint Rule 351, the committee consists of 5 Senators, appointed by the President of the Senate, and 5 members of the House of Representatives, appointed by the Speaker of the House. The first-named Senate member is the Senate chair; the first-named House member is the House chair.

The committee shall meet at least once annually and at other times agreed upon by the President of the Senate and the Speaker of the House to review the joint rules and recommend changes the committee determines necessary.

The committee shall invite the participation of the Secretary of the Senate, the Clerk of the House, the Executive Director of the Legislative Council, the Director of the Office of Fiscal and Program Review, the Director of the Office of Policy and Legal Analysis and the Director of the Office of the Revisor of Statutes. The Secretary of the Senate and the Clerk of the House shall provide necessary staffing services to the committee.

The Joint Select Committee on Joint Rules shall review and make recommendations concerning the Legislative Council. This review shall include, but not be limited to the structure and operations of the Legislative Council and possible creation of a Joint Committee on Legislative Management to replace the functions of the Legislative Council. This section of the Joint Rules may be approved by a majority vote following the report of the Joint Select Committee on Joint Rules. Any change to the title of the Legislative Council in the Joint Rules may also be changed by majority vote.

The committee shall report by October 15th, in the even numbered years with any suggested changes to the Joint Rules.

Part 4

Floor Action on Legislation

Rule 401. Printing of Bills.

Every bill or resolve submitted by a Legislator must be printed unless withdrawn by the sponsor before printing. After it is printed, a bill or resolve is considered to be in the possession of the Legislature and may not be withdrawn by the sponsor. Every bill presented for reference to committee or to be engrossed without reference to committee must be printed before appearing on the Advance Journal and Calendar of either chamber.

Every amendment must be printed and distributed before being taken up in either chamber. Every committee amendment must indicate the committee making the report.

The Secretary of the Senate and the Clerk of the House are responsible for the printing and initial distribution of legislative documents and amendments.

Rule 402. Consideration of Bills.

When a bill, resolve, order or memorial passes one chamber, if rejected in the other chamber, it must be returned by the Secretary or the Clerk, as the case may be, for further consideration.

Rule 403. Amendment of Bills.

A floor amendment is not in order on any bill or resolve until a favorable report of the committee to which the bill or resolve has been referred has been accepted and the bill or resolve is before the Senate in the 2nd reading or before the House in the 2nd reading.

Rule 404. Rejection of Bills.

A bill, resolve, constitutional resolution, resolution, memorial or order that is finally rejected may not be recalled from the legislative files except by joint order approved by a vote of 2/3 of both chambers.

Rule 405. Enactment of Bills.

Every bill that has passed both chambers to be enacted and all resolutions having the force of law that have finally passed both chambers must be presented by the Secretary of the Senate to the Governor for approval; and the Secretary of the Senate shall enter on the journal of the Senate the day on which those bills or resolutions are presented to the Governor.

Rule 406. Responsibility for Legislative Papers.

All endorsements on papers passing between the 2 chambers must be under the signature of the Secretary of the Senate or the Clerk of the House, respectively; but after the final passage of bills and resolves they must be signed by the presiding officer of each chamber.

When one chamber has passed upon a legislative paper and forwarded it to the other, the receiving chamber shall promptly, upon receipt, place that paper on its calendar.

Rule 407. Joint Conventions.

Business may be transacted in convention of the 2 chambers only by unanimous consent of the convention, except for such business as may be agreed upon by the 2 chambers before the convention is formed.

Rule 408. Communications.

Whenever a message is sent from the Senate to the House, the chair shall appoint a messenger who, after being recognized, shall announce the message respectfully to the chair.

In a like manner, messages from the House must be communicated to the presiding officer of the Senate.

Part 5

Legislative Confirmations

Rule 501. Partisan Staff Assistants for Nominations.

The members of the Legislative Council representing each party shall, within 7 legislative days after the convening of the first regular session, appoint a partisan staff assistant for nominations. Each of these assistants serves at the pleasure of the appointing authority during the biennium for which the assistant is chosen. A vacancy in either of these positions must be filled for the remainder of the biennium in the same manner as the original appointment. Partisan staff assistants for nominations shall provide all necessary assistance to each joint standing committee required by law to recommend action on a gubernatorial nominee.

Rule 502. Notice of gubernatorial appointments.

The procedures for legislative confirmation are established in the Maine Revised Statutes, Title 3, chapter 6. Upon receipt by the President of the Senate and Speaker of the House of notification from the Governor of the name of a nominee and of the office to which that person is nominated, the President of the Senate and Speaker of the House shall, without delay, forward that notice and copies of accompanying materials to the chairs of the joint standing committee that is charged by law with reviewing nominations to that office, to the Legislative Information Office and to the 2 partisan staff assistants for nominations. The Legislative Information Office shall establish an official file for each nominee.

Rule 503. Committee preconference hearing.

The joint standing committee must hold a prehearing conference within 21 days of the notification from the Governor unless the committee decides otherwise. The prehearing conference must be consistent with the Maine Revised Statutes, Title 3, section 156.

Rule 504. Committee public hearing.

The joint standing committee shall hold a public hearing on the nomination in Augusta at a time convenient to the public within 30 days, or 35 days for judicial officers, from the date of the Governor's notice of the nomination to the President of the Senate and the Speaker of the House. At least 7 days before the hearing, the Legislative Information Office shall publish in the state paper and in a newspaper of general circulation in the area where the nominee resides a notice of that hearing, which must contain the time and place of the hearing, the name of the nominee, the office to which that person has been nominated and a general description of the duties of that office. The notice must also contain a statement that written comments relevant to the qualifications of the nominee together with supporting materials may be filed with the Legislative Information Office by 9 a.m. on the hearing date. At the hearing, the committee shall take written or oral testimony limited to relevant comments and questions regarding the qualifications of the nominee. Notwithstanding the Maine Revised Statutes, Title 3, section 157, for the purposes of reviewing nominations pursuant to this rule, the joint standing committee has the power to administer oaths and to take testimony under oath. All testimony taken at the hearing must be recorded and testimony and other materials received by the committee must be preserved according to the Maine Revised Statutes, Title 3, section 159. The 2 partisan assistants for nominations shall provide the committee with a written report of their investigations before the committee votes to recommend or deny confirmation.

Rule 505. Committee vote.

Within 35 days, or 40 days for judicial officers, from the date of the Governor's notice of the nomination to the President of the Senate and the Speaker of the House, the committee shall recommend confirmation or denial by majority vote of the committee members present and voting. The vote of the committee may be taken only upon an affirmative motion to recommend confirmation of the nominee, and a tie vote of the committee is considered a recommendation of denial. A vote may not be taken sooner than 15 minutes after the close of the public hearing unless by agreement of all committee members present. The committee vote must be by the yeas and nays. The chairs of the committee shall send written notices of the committee's recommendation to the President of the Senate.

Rule 506. Senate vote.

Within 45 days, or 50 days for judicial officers, from the date of the Governor's notification of the nomination to the President of the Senate and the Speaker of the House, the Senate shall

review the recommendation of the committee on the nomination and, after review, shall vote by the yeas and nays on that recommendation.

After vote by the Senate, the committee's recommendation becomes final action of confirmation or denial unless the Senate by a vote of 2/3 of those members present and voting overrides the committee's recommendation. If the committee recommends to deny confirmation and the Senate votes by a vote of 2/3 or greater of those members present and voting to override the committee's recommendation, the nomination is considered confirmed. Following Senate confirmation or denial, notice of the action taken must be given to the Speaker of the House.

Rule 507. Withdrawal of nomination.

If the Governor withdraws a nomination at any time prior to the Senate vote by sending a written notice of withdrawal to the President of the Senate, the Legislature may not take any further action on that nomination.

Rule 508. Nomination made within 30 days of adjournment.

If the Governor posts a nomination within 30 days preceding the statutory date of adjournment, a legislative committee to which a nominee is referred for confirmation review may by 2/3 vote request the President of the Senate and the Speaker of the House to delay this review in order to complete the committee's legislative work. If the President of the Senate and the Speaker of the House approve the request, the time periods for legislative action begin on the date the Legislature adjourns.

Came from the Senate, **READ** and **PASSED**.

READ.

Representative MENDROS of Lewiston **PRESENTED** House Amendment "C" (H-5), which was **READ** by the Clerk.

The **SPEAKER**: The Chair recognizes the Representative from Lewiston, Representative Mendros.

Representative **MENDROS**: Mr. Speaker, Ladies and Gentlemen of the House. I will keep this nice and simple. I know when I was in my first term it was very difficult to get elected, sworn in and learn everything and get bills in by nine days later, which is what the first-term legislators are dealing with now. What this does is it allows first-time legislators until the end of the first week in January, January 5, to get their legislation in. It moves cloture just for them. I know we all want to get out of here and I have some other amendments and I am going to wait until we get back, but obviously it would be kind of pointless to put this off until we get back. I know in my case I put in some bills that weren't that great of an idea because I was in a rush to get it done. I did some research on this and up until the early '80s cloture was at the end of February. There were much less bills put in. As a matter of fact, the 1994 cloture was the third week in January and it is the only time that we had less bills put in than a session before that. In 1992-1994 they went down and in 1994-1996 they went up. It doesn't create more work. What I believe it does and what I know it would have done in my case when I was in my first term, which would make me think more about the bills I want to put in. I really think for the 41 new members and I guess 37 of them are really first timers, they really can use this to get some time to think about their bills and to go home and talk to the constituents that elected them. I know we are all tired and we want to go home and we can let this go under the hammer and we won't have to take any time.

Representative **ETNIER** of Harpswell moved that House Amendment "C" (H-5) be **INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on his motion to **INDEFINITELY POSTPONE** House Amendment "C" (H-5).

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 Auburn, Representative Michael.

Representative **MICHAEL**: Mr. Speaker, Men and Women of the House. I would like to speak in favor of the proposed amendment. I would like to say that when I first came to this body cloture was towards the end of January and it has crept to an earlier date ever since. Technically I guess this would cover me. It says newly elected people. I can tell you that I promise not to submit any legislation past our current cloture date. One of the other two born again freshman that I spoke with has said that he feels the same way. The third person, my former roommate, I haven't spoken to, but I am sure he is organized and will not need the extended deadline himself. This is strictly for our new colleagues who are thrown into a very unusual environment and should be given an opportunity of what is a couple weeks to prepare their legislative packages. The one thing that has changed since I was here years ago is that current legislators have been able to submit legislation for weeks, which was never the case before. We are therefore given a tremendous advantage over these freshmen and this is a very simple courtesy, which I think should be extended. I would hope that the House would not indefinitely Postpone this amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Etnier.

Representative **ETNIER**: Mr. Speaker, Men and Women of the House. As you may know, I served along with other members of this body on the Select Committee on Joint Rules. We met numerous times over the summer and into the fall. On that committee was a bipartisan committee with members from the other body as well. We did look into this issue. In particular we looked into a report that was generated by another bipartisan group that reported to the 119th Legislature regarding the Legislative Council and the structure of the Legislature in general. We reviewed that report and the survey that was done back in 1999 of all legislators in November of 1999 on a number of issues. The report that we reviewed that had been done previously was looking into a number of things. In particular it was to facilitate public understanding of the process, make it easier for individuals to serve and enhance the quality of the Legislature's operation and empower the Legislature to act. They looked into this issue and choose not to come forward with it in their unanimous recommendations to the Legislature. Our Select Committee on Joint Rules looked into the issue of rolling cloture, meaning a staggered cloture going off into the beginning of the next calendar year, and decided that it was not appropriate at the time. That was looked into in addition to the idea of limiting to the number 12, the number of bills any legislator could submit. We rejected both of those concepts in the Joint Rules Committee, unanimously. This idea was brought up two years ago at this time as well. It was defeated then. Part of the reason I opposed it then and will urge you to support the Indefinite Postponement today is that, in fact, as anyone of us who was elected on November 7, although technically we weren't sworn in until today, but in reality it gives all of us six weeks to submit bills prior to the cloture date. Even freshman legislators can get their bills lined up in order. They can submit them to the Revisor's Office anytime up to December 15th under the current rules. That is a lot of time in my estimation to get your thoughts in order and to consider the things that you have heard as you campaigned around your district during the summer and fall of this past year.

In addition, there is an after deadline bill request process that is in the rules at present. It is a process by which any one of us can bring forward an idea after the cloture date has passed, say it was December 15th, as is proposed in the current Joint Rules,

you can bring forward a request for a bill after that point of time. It has to go before the Legislative Council, which is the leadership of both bodies. You have to make your case before them that there is a need for this bill that you are proposing. What we found in the select committee and I believe what the committee that reported during the last session of the Legislature that looked into the issues regarding the Legislature as a whole, we found that there was an ever increasing number of bills coming into the system up to 2,700 and 2,800 during the 119th. There were serious concerns raised then by a lot of people about the workload that the Legislature was under given our limited time here as a Citizen Legislature and the workload that was on the Revisor's Office and others and for us all to do a good job, the best job that we can for our constituents. We felt that we should keep that paramount in our mind. We didn't adopt this, obviously, two years ago, the proposal that was before us now. Even without that, we still had almost 2,800 bills submitted. The study that was done by the Revisor's Office in January 1999 showed that there was fairly equal distribution between first time legislators and second and third term legislators in terms of the number of bills they submitted. Those numbers were fairly equal. There were slightly more for third term legislators, but not a lot. I would like to rest my case there and not keep you here until the wee hours of the morning. I urge you to support the Indefinite Postponement. 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 support the pending motion of Indefinite Postponement. It is not out of any cold heartedness on my part for our new members. Frankly, the Representative from Harpswell made some very cogent and carefully articulated arguments. First, and it is so true, we have been elected since November 7, but I would suggest that many of us campaigned on legislative ideas and campaigned on bills as well that we spoke to our constituents about submitting. I would also suggest that this is a tremendously talented freshman class. I am in awe of the quality of the new Representatives that we have. I think they are all capable of finding success and finding their way here in the Legislature. I would like to pledge at least to the members of my caucus that if they do have difficulty, certainly we will work with you. If you have the driving need and the blinding need to put in after deadline legislation and I am sure that the Minority Leader feels the same way, we will advocate for you if you make the case. I would just like to also say that it was mentioned historically that fewer bills were put in the past, but I was here in the 118th and the 119th when we got up close to that 3,000 bill limit. Frankly, I just feel that when we get up to that point, it is very difficult to give every piece of legislation the just consideration that it needs. I support the pending motion and I would also like to remind this body that these are Joint Rules that we are attempting to amend with this House Amendment "C" and there is a delicate balance in the other body. I think we are all aware of that. I would urge Indefinite Postponement of this amendment. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Waldoboro, Representative Trahan.

Representative **TRAHAN**: Mr. Speaker, May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative **TRAHAN**: Mr. Speaker, Men and Women of the House. I just have a quick question that maybe someone with more extensive knowledge in the area of law might explain. If we adopt an amendment like this, wouldn't it be in conflict with the intent of our Constitution, which tries to guarantee equal

representation under the law? To allow one lawmaker more access or a longer period of time to put bills in, wouldn't it violate our Constitution? Thank you.

The SPEAKER: The Representative from Waldoboro, Representative Trahan has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Lewiston, Representative Mendros.

Representative MENDROS: Mr. Speaker, Ladies and Gentlemen of the House. In response to that question, I would say no. Current legislators running for reelection get extra time to sponsor legislation. If they lose, that legislation is lost. If reelected legislators have extra time and that is not unconstitutional, then giving newly elected legislators extra time isn't unconstitutional. Since this was done during one session in the '80s, it wasn't unconstitutional then. Our Constitution hasn't changed since then so it isn't now.

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

Representative DUNLAP: Mr. Speaker, Men and Women of the House. Having earned my 52 average in my constitutional law class, I will speak from the podium of expertise. It is, I believe, a well established fact that anything passed by this Legislature is presumed to be constitutional until challenged in court, to answer the question.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "C" (H-5). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 1

YEA - Ash, Berry DP, Berry RL, Blanchette, Bliss, Bouffard, Bowles, Brooks, Bruno, Bryant, Bull, Bumps, Bunker, Canavan, Chase, Chizmar, Clark, Clough, Colwell, Cote, Cowger, Crabtree, Cummings, Daigle, Desmond, Dorr, Dudley, Dugay, Dunlap, Duplessie, Estes, Etnier, Foster, Fuller, Gagne, Gerzofsky, Goodwin, Gooley, Green, Haskell, Hatch, Hawes, Heidrich, Honey, Hutton, Jacobs, Jodrey, Jones, Kane, Koffman, Labrecque, Landry, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Lundeen, Mailhot, Marley, Marraché, Matthews, Mayo, McDonough, McGlocklin, McGowan, McKee, McLaughlin, McNeil, Michaud, Mitchell, Muse K, Norbert, Norton, Nutting, O'Brien LL, O'Neil, Paradis, Patrick, Peavey, Pineau, Povich, Quint, Richard, Richardson, Rines, Rosen, Savage, Schneider, Sherman, Simpson, Skoglund, Smith, Stanley, Sullivan, Tarazewich, Tessier, Thomas, Tobin D, Tracy, Trahan, Treadwell, Tuttle, Usher, Volenik, Watson, Young, Mr. Speaker.

NAY - Annis, Belanger, Carr, Collins, Cressey, Davis, Duncan, Duprey, Glynn, Hall, Kasprzak, MacDougall, McKenney, Mendros, Michael, Morrison, Murphy E, Murphy T, Nass, Perkins, Pinkham, Stedman, Tobin J, Twomey, Waterhouse, Weston, Winsor.

ABSENT - Andrews, Bagley, Baker, Brannigan, Buck, Chick, Fisher, Lovett, Madore, Muse C, O'Brien JA, Perry, Shields, Snowe-Mello, Wheeler EM, Wheeler GJ.

Yes, 108; No, 27; Absent, 16; Excused, 0.

108 having voted in the affirmative and 27 voted in the negative, with 16 being absent, and accordingly **House Amendment "C" (H-5) was INDEFINITELY POSTPONED.**

Subsequently, the Joint Order was **PASSED** in concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 2)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Thursday, January 4, 2001, at 10:00 in the morning.

Came from the Senate, **READ** and **PASSED**.
READ and **PASSED** in concurrence.

The following Joint Order: (S.P. 3)

ORDERED, the House concurring, that there be paid to the members of the Senate and the House of Representatives as advances on account of compensation established by statute, 12 payments on a biweekly basis commencing January 3, 2001, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

Came from the Senate, **READ** and **PASSED**.
READ and **PASSED** in concurrence.

The following Joint Order: (S.P. 4)

ORDERED, the House concurring, that the Executive Director of the Legislative Council be authorized and directed to prepare weekly, from expense accounts to be submitted to her by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to obtain approval thereof by the President of the Senate and the Speaker of the House, respectively, and deliver the same to the State Controller for processing and payment, in the manner and form recommended by the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

ORDERED, that the Executive Director of the Legislative Council be authorized and directed to provide the forms necessary for such purpose and provide suitable space in her office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto.

Came from the Senate, **READ** and **PASSED**.
READ and **PASSED** in concurrence.

The following Joint Order: (S.P. 5)

ORDERED, the House concurring, that telephone service may be provided for each member of the Senate and House, and each Representative from the Indian Tribes at the Legislature, for a reasonable number of calls, of reasonable duration, as determined by the President of the Senate as to members of the Senate and the Speaker of the House as to members of the House of Representatives and Representatives from the Indian Tribes, to points within the limits of the State of Maine. The privilege granted to be a personal privilege not to be exercised by other than the members or representatives, that each member of the Senate and House, and each Representative from the Indian Tribes at the Legislature, may be provided with a credit card under the direction of the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the Bell Atlantic company at regular tariff rates; and be it further

ORDERED, that the President of the Senate or Speaker of the House, may upon a finding of abuse of the privilege of telephone service by a member of the Senate or a member of the House, respectively, temporarily suspend or terminate the privilege of said telephone service to that number.

Came from the Senate, **READ** and **PASSED**.
READ and **PASSED** in concurrence.

The following Joint Order: (S.P. 6)

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and the Clerk of the House.

Came from the Senate, **READ** and **PASSED**.

READ and **PASSED** in concurrence.

The following Joint Order: (S.P. 7)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House respectively, purchase such services, supplies and equipment as may be needed to carry on the business of the Senate and House, respectively.

Came from the Senate, **READ** and **PASSED**.

READ and **PASSED** in concurrence.

The following Joint Order: (S.P. 8)

ORDERED, the House concurring, that a sufficient number of the Legislative Record for the 120th Legislature be printed, one copy for each of the members of the Senate and the House of Representatives who so desires, the Secretary of the Senate and the Clerk of the House. The remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Secretary of the Senate and the Clerk of the House.

Came from the Senate, **READ** and **PASSED**.

READ and **PASSED** in concurrence.

On motion of Representative BOUFFARD of Lewiston, the House adjourned at 5:45 p.m., until 10:00 a.m., Thursday, January 4, 2001 pursuant to the Joint Order (S.P. 2).