

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-First Legislature
State of Maine

Volume I

First Regular Session

December 4, 2002 – May 23, 2003

Pages 1-776

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
FIRST REGULAR SESSION
17th Legislative Day
Tuesday, February 25, 2003

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

Prayer by Reverend Carl Geores, Monmouth (retired).

National Anthem by Kayla Hopkins, Maranacook Middle School, Manchester.

Pledge of Allegiance.

Doctor of the day, Richard Flowerdew, M.D., Falmouth.

The Journal of Thursday, February 20, 2003 was read and approved.

SENATE PAPERS

Bill "An Act To Provide that Gas Purchased for Use in a Generator Be Taxed for Commercial Use"

(S.P. 264) (L.D. 785)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

On motion of Representative LEMOINE of Old Orchard Beach, the Bill was **REFERRED** to the Committee on **TRANSPORTATION** in **NON-CONCURRENCE** and sent for concurrence.

Non-Concurrent Matter

Bill "An Act to Increase Faculty in Maine Nursing Education Programs"

(H.P. 541) (L.D. 735)

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in the House on February 14, 2003.

Came from the Senate **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Resolve, To Improve Fisheries Management in Hancock County

(H.P. 601) (L.D. 824)

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in the House on February 20, 2003.

Came from the Senate **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in **NON-CONCURRENCE**.

On motion of Representative McKEE of Wayne, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

Non-Concurrent Matter

Bill "An Act To Increase Community Development Block Grants"

(H.P. 670) (L.D. 913)

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in the House on February 20, 2003.

Came from the Senate **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in **NON-CONCURRENCE**.

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

At this point, a message came from the Senate, borne by Senator Treat of Kennebec of that Body, proposing a Joint Convention of both Branches to be held in the Hall of the House at 11:00 in the morning for the purpose of extending to the Honorable Joseph W. Westphal, Chancellor of the University of Maine System, and the Honorable John Fitzsimmons, President of the Maine Technical College System, an invitation to attend the Joint Convention and to make such communication as pleases them.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 11:00 in the morning and the Speaker appointed Representative RICHARDSON of Brunswick to convey this message to the Senate.

COMMUNICATIONS

The Following Communication: (H.C. 42)

STATE OF MAINE

121ST MAINE LEGISLATURE

January 29, 2003

Joseph Westphal, Chancellor

University of Maine System

107 Maine Avenue

Bangor, ME 04401

Dear Chancellor Westphal:

We are pleased to invite you to address a Joint Session of the 121st Maine Legislature on Tuesday, February 25, 2003 at 11:00 a.m. concerning the State of the University of Maine System and any other matters that you may care to bring to our attention.

On the same day, following your address, John Fitzsimmons, President of the Maine Technical College System, will be addressing the Joint Convention.

We look forward to seeing you then.

Sincerely,

S/Beverly C. Daggett

President of the Senate

S/Patrick Colwell

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 43)

UNIVERSITY OF MAINE SYSTEM

107 MAINE AVENUE

BANGOR, MAINE 04401-4380

January 31, 2003

The Honorable Beverly C. Daggett

President of the Senate

121st Maine Legislature

State of Maine

Augusta, ME 04333

The Honorable Patrick Colwell

Speaker of the House

121st Maine Legislature

State of Maine

Augusta, ME 04333

Dear President Daggett and Speaker Colwell:

Thank you for your January 29, 2003 invitation to address a Joint Session of the 121st Maine Legislature on Tuesday, February 25, 2003 on the topic of the State of the University System. I accept and look forward to it.

As you know, the University System continues to reach new levels in student enrollment, academic degrees awarded, federal

research investment, and public service and outreach activities that benefit individuals, businesses, schools and organizations throughout the state. Much credit for these successes must be given to our faculty and staff, who have worked extremely hard to serve the needs of the University System's many constituencies. However, credit also must be given to former Governor King and the 118th, 119th, and 120th Maine Legislatures, which invested in our state universities to enhance their quality, performance, and service to Maine people. You and your colleagues helped make it possible for our universities to generate and produce a broad range of results that strengthen our state in many ways. I intend to speak to these issues and others during my presentation on February 25.

Thank you again for the invitation. Best wishes to you as you address the many challenges and opportunities facing our state.

Sincerely,
S/Joseph W. Westphal, Ph.D.
Chancellor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 44)

**STATE OF MAINE
121ST MAINE LEGISLATURE**

January 29, 2003

John Fitzsimmons, President
Maine Technical College System
131 State House Station
Augusta, ME 04333

Dear President Fitzsimmons:

We are pleased to invite you to address a Joint Session of the 121st Maine Legislature on Tuesday, February 25, 2003 concerning the State of the Maine Technical College System and any other matters that you may care to bring to our attention. We will begin the Joint Session at 11:00 a.m. with an address from Joseph Westphal, Chancellor of the University Maine System. You will address the Joint Convention directly following the Chancellor.

We look forward to seeing you then.

Sincerely,
S/Beverly C. Daggett
President of the Senate
S/Patrick Colwell
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 45)

**MAINE TECHNICAL COLLEGE SYSTEM
OFFICE OF THE PRESIDENT
323 STATE STREET
AUGUSTA, MAINE 04330-7131**

February 3, 2003

The Honorable Beverly C. Daggett
President of the Senate
121st Maine Legislature
3 State House Station
Augusta, ME 04333-0003
The Honorable Patrick Colwell
Speaker of the House
121st Maine Legislature
2 State House Station
Augusta, ME 04333-0002
Dear President Daggett and Speaker Colwell:

Thank you for your letter of January 29, 2003, inviting me to address a Joint Session of the 121st Maine Legislature on Tuesday, February 25th. On behalf of Maine's Technical College employees and students, it is with great pride that I accept your kind invitation. I look forward to sharing with you my thoughts on the state of the Maine Technical College System.

Thank you again for your invitation.

Sincerely yours,
S/John Fitzsimmons, Ed.D.

President

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 46)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

February 18, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Criminal Justice and Public Safety has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 461 Resolve, Requiring the State Police To
Develop a Form for Use in Private Firearm
Sales

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,
S/Sen. Ethan Strimling
Senate Chair
S/Rep. George H. Bunker, Jr.
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 47)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON NATURAL RESOURCES**

February 18, 2003

Honorable Beverly C. Daggett, President of the Senate
Honorable Patrick Colwell, Speaker of the House
121st Maine Legislature
State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Natural Resources has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 30 An Act to Appropriate Funds for Special
Testing at the Norridgewock Landfill

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,
S/Sen. John L. Martin
Senate Chair
S/Rep. Theodore Koffman
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 48)

STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT

February 18, 2003

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on State and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 24 An Act to Create the State Government Information Clearinghouse

L.D. 27 Resolve, Directing the Maine Historic Preservation Commission to Develop a Database of Historic or At-risk Areas and Sites in the State

L.D. 78 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Direct Election of the Secretary of State

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Margaret Rotundo

Senate Chair

S/Rep. Janet L. McLaughlin

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 49)

STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON TAXATION

February 20, 2003

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 62 An Act to Promote Equity Among Health Care Clinics

L.D. 146 An Act to Establish a Tax Credit for Parents who Homeschool Their Children

L.D. 154 An Act to Provide a Sales Tax Exemption for Nonprofit Organizations That Provide Food and Lodging for Family Members of Patients in Hospitals

L.D. 198 An Act to Fund the Fund for a Healthy Maine From an Increase in Liquor Taxes

L.D. 216 An Act to Provide an Income Tax Deduction for a Qualified State-sponsored 529 Plan for Higher Education Expenses

L.D. 246 An Act To Promote and Facilitate Personal Retirement Saving in Maine

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Stephen Stanley

Senate Chair

S/Rep. David G. Lemoine

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 50)

STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON TRANSPORTATION

February 18, 2003

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 15 An Act to Add the Steel Bridge in New Sharon to the State's List of Historic Bridges

L.D. 63 An Act to Protect Motor Vehicles From Dangerous Pedestrians

L.D. 205 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Permit Funding of Public Transportation from Motor Vehicle and Motor Vehicle Fuel Revenues

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Pamela H. Hatch

Senate Chair

S/Rep. Ronald E. Usher

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 51)

STATE OF MAINE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY

February 18, 2003

Honorable Beverly C. Daggett, President of the Senate

Honorable Patrick Colwell, Speaker of the House

121st Maine Legislature

State House

Augusta, Maine 04333

Dear President Daggett and Speaker Colwell:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Utilities and Energy has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 29 An Act to Eliminate the Telephone Service Tax Dedicated to Libraries and Schools

We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,

S/Sen. Christopher Hall

Senate Chair

S/Rep. Lawrence Bliss
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 52)

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

February 20, 2003
Honorable Millicent MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under M.R.S.A. Title 20-A § 11053, I am pleased to appoint Representative Jonathan Thomas of Orono to serve as a member of New England Board of Higher Education. If you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,
S/Patrick Colwell

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 53)

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

February 20, 2003
Honorable Millicent MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under P.L. 1997, Chapter 790, I am pleased to appoint the following Representatives to the Children's Mental Health Oversight Committee:

Representative Marie Laverriere-Boucher of Biddeford
Representative Lillian LaFontaine O'Brien of Lewiston
Representative Marilyn E. Canavan of Waterville
Representative Julie Ann O'Brien of Augusta

If you have any questions regarding these appointments, please do not hesitate to contact me.

Sincerely,
S/Patrick Colwell

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.P. 296)

**STATE OF MAINE
121ST MAINE LEGISLATURE**

February 19, 2003
Sen. Neria R. Douglass
Senate Chair, Joint Standing Committee on
Education and Cultural Affairs
Rep. Glenn A. Cummings
House Chair, Joint Standing Committee on
Education and Cultural Affairs
121st Legislature

Augusta, ME 04333

Dear Senator Douglass and Representative Cummings:

Please be advised that Governor John E. Baldacci has nominated Susan Ann Gendron of Raymond as Commissioner of the Department of Education.

Pursuant to Title 20-A, M.R.S.A. §251, this nomination will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Sincerely,

S/Beverly C. Daggett
President of the Senate
S/Patrick Colwell
Speaker of the House

Came from the Senate, **READ and REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

READ and REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

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

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act To Amend the Laws Governing the Bigelow Preserve To Allow for Cross-country Skiing"

(H.P. 683) (L.D. 926)

Sponsored by Representative McGLOCKLIN of Embden.

Cosponsored by Representative MILLS of Farmington, Senator HATCH of Somerset and Representatives: CARR of Lincoln, JODREY of Bethel, McKEE of Wayne, MILLS of Cornville, SAVIELLO of Wilton, Senators: MARTIN of Aroostook, STANLEY of Penobscot, WOODCOCK of Franklin.

Bill "An Act Regarding the Sale and Protection of Ferrets"

(H.P. 685) (L.D. 928)

Sponsored by Representative McKEE of Wayne.

Bill "An Act To Establish a Maine-resident-only Reservation Period for State Park Campsites"

(H.P. 709) (L.D. 952)

Sponsored by Representative PERRY of Bangor.

Cosponsored by Representatives: BLANCHETTE of Bangor, CARR of Lincoln, LEMOINE of Old Orchard Beach, McKEE of Wayne, SIMPSON of Auburn, TARDY of Newport, Senators: DAMON of Hancock, LEMONT of York.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent for concurrence.

Bill "An Act To Require Public Notification of Herbicide Applications in the State's Great Ponds"

(H.P. 690) (L.D. 933)

Sponsored by Representative McKEE of Wayne.

Cosponsored by Senator MARTIN of Aroostook and Representatives: COWGER of Hallowell, HUTTON of Bowdoinham, MAKAS of Lewiston, MOODY of Manchester, SAVIELLO of Wilton, THOMPSON of China, TOBIN of Windham, TWOMEY of Biddeford.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested.

On motion of Representative PIOTTI of Unity, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Facilitate Communication between Prescribers and Dispensers of Prescription Medication"

(H.P. 702) (L.D. 945)

Sponsored by Representative PERRY of Calais.

Cosponsored by Senator SHOREY of Washington and Representatives: BREault of Buxton, BUNKER of Kossuth Township, DUGAY of Cherryfield, RICHARDSON of Brunswick, SULLIVAN of Biddeford, Senator: BROMLEY of Cumberland.

Resolve, To Establish the Commission To Promote Jobs and Economic Development through Ecotourism (EMERGENCY)

(H.P. 703) (L.D. 946)

Sponsored by Representative FAIRCLOTH of Bangor.

Cosponsored by Senator BRYANT of Oxford and Representative: DUNLAP of Old Town.

Bill "An Act To Require the Display of Oil Prices on Home Heating Oil Delivery Trucks"

(H.P. 715) (L.D. 958)

Sponsored by Representative MAIETTA of South Portland.

Bill "An Act To Require Confirmation of Appointments to the Board of Accountancy"

(H.P. 727) (L.D. 1006)

Sponsored by Representative BARSTOW of Gorham. (BY REQUEST)

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

REFERRED to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent for concurrence.

Bill "An Act To Require the Net Proceeds from the Sale of a Foreclosed Property To Be Returned to the Former Owner"

(H.P. 694) (L.D. 937)

Sponsored by Representative TWOMEY of Biddeford.

Cosponsored by Representatives: ADAMS of Portland, COLLINS of Wells, HATCH of Skowhegan, MAILHOT of Lewiston, SAVIELLO of Wilton.

Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative PELLON of Machias, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

Bill "An Act To Clarify the Bind-over Provisions of the Maine Juvenile Code"

(H.P. 679) (L.D. 922)

Sponsored by Representative DAVIS of Falmouth.

Cosponsored by Representative: NORBERT of Portland.

Bill "An Act To Strengthen the Criminal Laws by Expanding the Definition of Trafficking and Furnishing Prescription Narcotic Drugs To Include Illegal Possession of a Large Number of Pills"

(H.P. 698) (L.D. 941)

Sponsored by Representative BUNKER of Kossuth Township.

Cosponsored by Senator CARPENTER of York and Representatives: BLANCHETTE of Bangor, GREELEY of Levant, GROSE of Woolwich, MAIETTA of South Portland.

Bill "An Act To Increase Penalties for Furnishing or Trafficking Scheduled Drugs That Cause Death or Serious Bodily Injury"

(H.P. 701) (L.D. 944)

Sponsored by Representative BUNKER of Kossuth Township.

Cosponsored by Senator HATCH of Somerset and Representatives: CARR of Lincoln, CHURCHILL of Washburn, FAIRCLOTH of Bangor, GREELEY of Levant, GROSE of Woolwich, LESSARD of Topsham.

Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

Bill "An Act To Eliminate the 6 Regional Emergency Medical Services Councils and To Transfer Authority and Funding to the Technical Colleges in Each Region"

(H.P. 706) (L.D. 949)

Sponsored by Representative BLANCHETTE of Bangor.

Cosponsored by Senator CARPENTER of York and Representatives: BULL of Freeport, CLARK of Millinocket, DUPLESSIE of Westbrook, GERZOFKY of Brunswick, LESSARD of Topsham, McLAUGHLIN of Cape Elizabeth, TRAHAN of Waldoboro, Senator: DAMON of Hancock.

Bill "An Act To Improve the Procedure for Locating Runaway Children"

(H.P. 713) (L.D. 956)

Sponsored by Representative SMITH of Monmouth.

Cosponsored by Senator MARTIN of Aroostook and Representatives: BLANCHETTE of Bangor, MAKAS of Lewiston, O'BRIEN of Augusta, SAMPSON of Auburn, SNOWE-MELLO of Poland, SUSLOVIC of Portland, THOMPSON of China, WALCOTT of Lewiston.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent for concurrence.

Bill "An Act To Enhance Professionalism of Private Investigators in this State"

(H.P. 735) (L.D. 1014)

Sponsored by Representative BUNKER of Kossuth Township.

Cosponsored by Senator CARPENTER of York.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested.

On motion of Representative SYKES of Harrison, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Provide Certain Health Emergency Training to High School Seniors"

(H.P. 688) (L.D. 931)

Sponsored by Representative BLANCHETTE of Bangor.

Cosponsored by President DAGGETT of Kennebec and Representatives: BUNKER of Kossuth Township, CARR of Lincoln, CHURCHILL of Washburn, GERZOFKY of Brunswick, GREELEY of Levant, HATCH of Skowhegan, LESSARD of Topsham, Senator: STRIMLING of Cumberland.

Bill "An Act To Retain Teachers Holding Targeted Need Area Certificates"

(H.P. 714) (L.D. 957)

Sponsored by Representative SMITH of Monmouth.

Cosponsored by Senator BROMLEY of Cumberland and Representatives: DUPREY of Medway, FISCHER of Presque Isle, O'BRIEN of Lewiston, ROGERS of Brewer, SULLIVAN of Biddeford.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act To Require the Chief Medical Examiner To Perform Tests When Public Safety or Health Care Personnel Are Exposed"

(H.P. 716) (L.D. 959)

Sponsored by Representative MAIETTA of South Portland.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative KANE of Saco, the Bill was **REFERRED** to the Committee on **JUDICIARY**, ordered printed and sent for concurrence.

Bill "An Act To Address Maine's Direct Care Worker Shortage"

(H.P. 734) (L.D. 1013)

Sponsored by Representative EDER of Portland.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative KANE of Saco, the Bill was **REFERRED** to the Committee on **LABOR**, ordered printed and sent for concurrence.

Bill "An Act To Amend the Season for Laying Bait for Bear"

(H.P. 689) (L.D. 932)

Sponsored by Representative BRUNO of Raymond.

Bill "An Act To Exempt Children under 17 Years of Age from Certain Fishing Restrictions"

(H.P. 710) (L.D. 953)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator KNEELAND of Aroostook and Representatives: CLARK of Millinocket, FLETCHER of Winslow, GOODWIN of Pembroke, SHERMAN of Hodgdon, WATSON of Bath, WOTTON of Littleton.

Bill "An Act To Allow the Alternate Use of Moose Permits when an Emergency Prevents Permittee Use"

(H.P. 717) (L.D. 960)

Sponsored by Representative O'BRIEN of Augusta.

Resolve, To Establish the Commission To Study the Department of Inland Fisheries and Wildlife's Fish Stocking Procedures and Management and the Enforcement of Fishing Laws in Northwestern Aroostook County

(H.P. 720) (L.D. 963)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator MARTIN of Aroostook and Representative: SMITH of Van Buren, Senators: BRYANT of Oxford, KNEELAND of Aroostook.

Bill "An Act To Help Disabled, Elderly and Junior Hunters"

(H.P. 721) (L.D. 964)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator KNEELAND of Aroostook and Representatives: CARR of Lincoln, CLARK of Millinocket, GOODWIN of Pembroke, SHERMAN of Hodgdon, WATSON of Bath, WOTTON of Littleton, Senators: MARTIN of Aroostook, STANLEY of Penobscot.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent for concurrence.

Bill "An Act To Prohibit Arbitrary Interest Rate Hikes"

(H.P. 687) (L.D. 930)

Sponsored by Representative RICHARDSON of Brunswick.

Cosponsored by Senator DOUGLASS of Androscoggin and Representatives: CANAVAN of Waterville, DUPLESSIE of Westbrook, HUTTON of Bowdoinham, NORBERT of Portland, SIMPSON of Auburn, Senators: MARTIN of Aroostook, PENDLETON of Cumberland, TREAT of Kennebec.

Bill "An Act To Require Insurance Policies To Provide Coverage for Medically Necessary Rehabilitation Services"

(H.P. 693) (L.D. 936)

Sponsored by Representative DUDLEY of Portland.

Cosponsored by Senator TREAT of Kennebec and Representatives: BREAUULT of Buxton, CANAVAN of Waterville, O'NEIL of Saco, SMITH of Van Buren, SULLIVAN of Biddeford, Senator: DOUGLASS of Androscoggin.

Bill "An Act To Promote Clarity and Uniformity in Health Insurance Contracts"

(H.P. 728) (L.D. 1007)

Sponsored by Representative MILLS of Farmington.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act Authorizing the Creation of Individual Medical Savings Accounts"

(H.P. 707) (L.D. 950)

Sponsored by Representative BOWEN of Rockport.

Cosponsored by Representatives: CLOUGH of Scarborough, GLYNN of South Portland, SUSLOVIC of Portland, TRAHAN of Waldoboro.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested.

On motion of Representative O'NEIL of Saco, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

Bill "An Act To Enact the Uniform Trust Code"
(H.P. 678) (L.D. 921)

Sponsored by Representative MILLS of Cornville.

Bill "An Act To Allow the Videotaping of the Testimony of Witnesses 13 Years of Age and under in Certain Cases"

(H.P. 691) (L.D. 934)

Sponsored by Representative McNEIL of Rockland.

Cosponsored by Senator NASS of York and Representatives: BLANCHETTE of Bangor, GERZOFKY of Brunswick, GROSE of Woolwich, LERMAN of Augusta, O'BRIEN of Augusta, SNOWE-MELLO of Poland, Senators: HATCH of Somerset, SAVAGE of Knox.

Bill "An Act Clarifying Child Support Obligations"

(H.P. 718) (L.D. 961)

Sponsored by Representative O'BRIEN of Augusta.

Cosponsored by Representative: COWGER of Hallowell.

Committee on **JUDICIARY** suggested and ordered printed.

REFERRED to the Committee on **JUDICIARY** and ordered printed.

Sent for concurrence.

Bill "An Act To Discourage Abuse and Fraud under the Workers' Compensation Laws"

(H.P. 700) (L.D. 943)

Sponsored by Representative SUSLOVIC of Portland.

Cosponsored by Senator BROMLEY of Cumberland and Representatives: DUPREY of Medway, KOFFMAN of Bar Harbor, SAVIELLO of Wilton, Senator: STRIMLING of Cumberland.

Bill "An Act To Require Disclosure of the Amount and Duration of Unemployment Benefits to Recipients"

(H.P. 711) (L.D. 954)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator EDMONDS of Cumberland and Representatives: HATCH of Skowhegan, HEIDRICH of Oxford, HUTTON of Bowdoinham, NUTTING of Oakland, PATRICK of Rumford, SHERMAN of Hodgdon, SMITH of Van Buren, WATSON of Bath.

Bill "An Act To Allow Recipients To Withdraw from Receiving Unemployment Benefits by Phone and at Any Time before Receiving Benefits"

(H.P. 712) (L.D. 955)

Sponsored by Representative JACKSON of Fort Kent.

Cosponsored by Senator EDMONDS of Cumberland and Representatives: HATCH of Skowhegan, HEIDRICH of Oxford, HUTTON of Bowdoinham, NUTTING of Oakland, PATRICK of Rumford, SHERMAN of Hodgdon, SMITH of Van Buren, WATSON of Bath.

Bill "An Act Concerning Retirement Benefits for State Employees"

(H.P. 730) (L.D. 1009)

Sponsored by Representative DUPLESSIE of Westbrook.

Cosponsored by President DAGGETT of Kennebec and Representatives: ADAMS of Portland, Speaker COLWELL of Gardiner, LERMAN of Augusta, O'BRIEN of Lewiston, RICHARDSON of Brunswick, Senators: GAGNON of Kennebec, TREAT of Kennebec.

Committee on **LABOR** suggested and ordered printed.

REFERRED to the Committee on **LABOR** and ordered printed.

Sent for concurrence.

Bill "An Act To Specify the Size and Typeface of Disclaimers on Political Literature Not Authorized by a Candidate"

(H.P. 686) (L.D. 929)

Sponsored by Representative MOODY of Manchester.

Cosponsored by Representative DUPLESSIE of Westbrook and Representatives: ADAMS of Portland, ASH of Belfast, BERRY of Belmont, FLETCHER of Winslow, SAVIELLO of Wilton, TARDY of Newport, Senators: HALL of Lincoln, WESTON of Waldo.

Bill "An Act To Abolish Term Limits for Legislators"

(H.P. 692) (L.D. 935)

Sponsored by Representative SUSLOVIC of Portland.

Cosponsored by Senator GAGNON of Kennebec and Representatives: BOWEN of Rockport, CANAVAN of Waterville, CLARK of Millinocket, LANDRY of Sanford, MILLS of Cornville, THOMPSON of China, Senator: MAYO of Sagadahoc.

Bill "An Act To Clarify When Notice is Effective to Terminate a Tenancy at Will"

(H.P. 729) (L.D. 1008)

Sponsored by Representative MILLS of Cornville.

Cosponsored by President DAGGETT of Kennebec and Representatives: MILLS of Farmington, SAVIELLO of Wilton.

Committee on **LEGAL AND VETERANS AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act To Repeal the Fee on Aquacultural Salmon Production"

(H.P. 696) (L.D. 939)

Sponsored by Representative KAELIN of Winterport.

Cosponsored by Representative: HONEY of Boothbay, Senator: SHOREY of Washington.

Committee on **MARINE RESOURCES** suggested and ordered printed.

REFERRED to the Committee on **MARINE RESOURCES** and ordered printed.

Sent for concurrence.

Bill "An Act To Require an Impact Statement on Legislation Relating to the Department of Environmental Protection and the Executive Department, State Planning Office"

(H.P. 684) (L.D. 927)

Sponsored by Representative CARR of Lincoln.

Cosponsored by Senator STANLEY of Penobscot and Representatives: CLARK of Millinocket, McKENNEY of Cumberland, SHERMAN of Hodgdon, TREADWELL of Carmel.

Bill "An Act To Ensure Clean Air in Communities Affected by Privately Owned Incinerator Facilities"

(H.P. 705) (L.D. 948)

Sponsored by Representative LEMOINE of Old Orchard Beach.

Bill "An Act To Establish Minimum Environmental Compliance Standards for Subsidized Employers"

(H.P. 732) (L.D. 1011)

Sponsored by Representative THOMPSON of China.
Cosponsored by Senator EDMONDS of Cumberland and Representatives: BULL of Freeport, COWGER of Hallowell, EDER of Portland, HUTTON of Bowdoinham, TWOMEY of Biddeford.

Committee on **NATURAL RESOURCES** suggested and ordered printed.

REFERRED to the Committee on **NATURAL RESOURCES** and ordered printed.

Sent for concurrence.

Resolve, Directing Certain State Agencies To Renegotiate an Agreement Regarding Dams on the Sebasticook River (EMERGENCY)

(H.P. 737) (L.D. 1016)

Sponsored by Representative FLETCHER of Winslow.
Cosponsored by Senator GAGNON of Kennebec and Representative: McGOWAN of Pittsfield.

Committee on **NATURAL RESOURCES** suggested.

On motion of Representative KOFFMAN of Bar Harbor, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Create Guidelines To Promote Good Science in Rulemaking"

(H.P. 699) (L.D. 942)

Sponsored by Representative SAVIELLO of Wilton.
Cosponsored by Senator WOODCOCK of Franklin and Representatives: ANNIS of Dover-Foxcroft, JOY of Crystal, KOFFMAN of Bar Harbor, MAKAS of Lewiston, MOODY of Manchester, PINEAU of Jay, SUSLOVIC of Portland, THOMPSON of China.

Bill "An Act to Consolidate the Advocacies of the Various State Agencies into an Executive Department and Establish the Office of Inspector General"

(H.P. 719) (L.D. 962)

Sponsored by Representative BUNKER of Kossuth Township.
Cosponsored by President DAGGETT of Kennebec and Representatives: Speaker COLWELL of Gardiner, DUPLESSIE of Westbrook, JOY of Crystal, RICHARDSON of Brunswick, Senators: DAVIS of Piscataquis, WOODCOCK of Franklin.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent for concurrence.

RESOLUTION, Proposing Amendments to the Constitution of Maine To Require the Appointment of County Sheriffs, Judges and Registers of Probate

(H.P. 733) (L.D. 1012)

Sponsored by Representative BULL of Freeport.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative STONE of Berwick, **TABLED** pending **REFERENCE** and later today assigned.

Resolve, to Create a Task Force to Implement the 1991 Report of the President's and Speaker's Blue Ribbon Commission on Children and Families (EMERGENCY)

(H.P. 722) (L.D. 965)

Sponsored by Representative O'BRIEN of Augusta.

Cosponsored by Senator BENNETT of Oxford.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative McLAUGHLIN of Cape Elizabeth, **TABLED** pending **REFERENCE** and later today assigned.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Assessment of Lands Used for Long-term Ownership

(H.P. 695) (L.D. 938)

Sponsored by Representative PERCY of Phippsburg.
Cosponsored by Senator MAYO of Sagadahoc and Representatives: ADAMS of Portland, JACKSON of Fort Kent, KAELIN of Winterport, LERMAN of Augusta, MILLS of Cornville, PARADIS of Frenchville, PINGREE of North Haven, Senator: HATCH of Somerset.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Cap the Property Taxes of Homes That Have Been in the Same Family for 4 Generations

(H.P. 697) (L.D. 940)

Sponsored by Representative McNEIL of Rockland. (BY REQUEST)

Cosponsored by Senator SAVAGE of Knox.

Bill "An Act To Establish the Maine Land Bank and Community Preservation Program"

(H.P. 708) (L.D. 951)

Sponsored by Representative PERCY of Phippsburg.
Cosponsored by Senator MAYO of Sagadahoc and Representatives: ADAMS of Portland, JACKSON of Fort Kent, KAELIN of Winterport, LERMAN of Augusta, PARADIS of Frenchville, PINGREE of North Haven, SMITH of Monmouth, Senator: HATCH of Somerset.

Bill "An Act To Encourage the Payment of Delinquent Taxes"

(H.P. 723) (L.D. 966)

Sponsored by Representative MILLETT of Waterford.

Cosponsored by Senator ROTUNDO of Androscoggin and Representative: O'BRIEN of Augusta, Senator: TURNER of Cumberland.

Bill "An Act To Exempt Military Pensions from State Income Tax"

(H.P. 731) (L.D. 1010)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth.
Under suspension of the rules, cosponsored by Representatives: CRESSEY of Baldwin, HEIDRICH of Oxford, Senator DOUGLASS of Androscoggin and Representatives: BARSTOW of Gorham, BIERMAN of Sorrento, BLISS of South Portland, CANAVAN of Waterville, CARR of Lincoln, COLLINS of Wells, CROSTHWAITE of Ellsworth, DAVIS of Falmouth, EDER of Portland, GERZOFKY of Brunswick, GLYNN of South Portland, GREELEY of Levant, LANDRY of Sanford, LAVERRIERE-BOUCHER of Biddeford, LERMAN of Augusta, MAKAS of Lewiston, McCORMICK of West Gardiner, McKEE of Wayne, McKENNEY of Cumberland, McNEIL of Rockland, NORBERT of Portland, O'BRIEN of Lewiston, PERCY of Phippsburg, SMITH of

Monmouth, THOMPSON of China, WATSON of Bath, Senators: BROMLEY of Cumberland, DAMON of Hancock, EDMONDS of Cumberland, HALL of Lincoln, MAYO of Sagadahoc, ROTUNDO of Androscoggin.

Resolve, To Create the Industrial Property Assessing Methods Group (EMERGENCY)

(H.P. 740) (L.D. 1019)

Sponsored by Representative FLETCHER of Winslow.

Cosponsored by President DAGGETT of Kennebec and Representative: CLARK of Millinocket, Senator: STANLEY of Penobscot.

Committee on **TAXATION** suggested and ordered printed.

REFERRED to the Committee on **TAXATION** and ordered printed.

Sent for concurrence.

Resolve, To Increase Safety in Stockton Springs

(H.P. 680) (L.D. 923)

Sponsored by Representative KAELIN of Winterport.

Cosponsored by Senator WESTON of Waldo and Representatives: COLLINS of Wells, McKENNEY of Cumberland.

Resolve, To Enhance Public Safety in Winterport

(H.P. 681) (L.D. 924)

Sponsored by Representative KAELIN of Winterport.

Cosponsored by Senator WESTON of Waldo and Representatives: COLLINS of Wells, McKENNEY of Cumberland.

Resolve, Directing the Department of Transportation To Repair Swan Lake Road in the Town of Frankfort

(H.P. 682) (L.D. 925)

Sponsored by Representative KAELIN of Winterport.

Cosponsored by Senator WESTON of Waldo and Representatives: COLLINS of Wells, McKENNEY of Cumberland.

Bill "An Act To Accommodate the Unique Circumstances Affecting Regional Transportation Providers in the Administration of Car Seat Laws"

(H.P. 736) (L.D. 1015)

Sponsored by Representative MARLEY of Portland.

Bill "An Act To Broaden the Scope of Driving to Endanger"

(H.P. 738) (L.D. 1017)

Sponsored by Representative MARLEY of Portland.

Bill "An Act To Clarify and Update the Laws Concerning the Types of Transportation Vehicle Used To Transport Children"

(H.P. 739) (L.D. 1018)

Sponsored by Representative MARLEY of Portland.

Committee on **TRANSPORTATION** suggested and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** and ordered printed.

Sent for concurrence.

Bill "An Act To Create the Cable Television Franchise Board"

(H.P. 704) (L.D. 947)

Sponsored by Representative GLYNN of South Portland.

Cosponsored by Senator BLAIS of Kennebec and Representatives: GERZOFKY of Brunswick, SUSLOVIC of Portland, TWOMEY of Biddeford.

Committee on **UTILITIES AND ENERGY** suggested and ordered printed.

REFERRED to the Committee on **UTILITIES AND ENERGY** and ordered printed.

Sent for concurrence.

Pursuant to Statute

Criminal Law Advisory Commission

Representative BUNKER for the **Criminal Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act To Amend the Maine Criminal Code as Recommended by the Criminal Law Advisory Commission"

(H.P. 741) (L.D. 1020)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

ORDERS

On motion of Representative McLAUGHLIN of Cape Elizabeth, the following Joint Order: (H.P. 742)

ORDERED, the Senate concurring, that the Joint Standing Committee on State and Local Government report out, to the House, legislation regarding reporting by the Maine Historic Preservation Commission to the Legislature.

READ and **PASSED**.

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

On motion of Representative JACKSON of Fort Kent, the following Joint Order: (H.P. 724) (Cosponsored by Senator MARTIN of Aroostook and Representatives: CARR of Lincoln, FLETCHER of Winslow, GAGNE-FRIEL of Buckfield, McKEE of Wayne, PINEAU of Jay, SMITH of Van Buren, TRAHAN of Waldoboro, Senator: BRYANT of Oxford)

ORDERED, the Senate concurring, that:

1. The Joint Standing Committee on Agriculture, Conservation and Forestry shall conduct a study of new payment models for the logging industry. The committee shall conduct the study during authorized interim committee meetings, except that the committee may hold one additional meeting to conclude its work.

2. The committee shall:

- A. Examine how logging contractors and their employees are paid;
- B. Explore new models of payment;
- C. Examine public policies for forests that promote better forestry practices or protect wildlife habitat and how the policies affect landowners;
- D. Examine whether there are forest policies that give incentives for mismanagement or disincentives for improved management;
- E. Examine state labor and educational policies that govern the creation of apprenticeship programs;
- F. Identify the opportunities for and barriers to creating logger apprenticeship programs; and
- G. Consult with interested parties affected by the forest industry.

3. The committee members are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses for attendance at the additional meeting to conclude its work.

4. The committee shall submit a report, together with any necessary implementing legislation, to the Legislature no later than December 31, 2003. The Joint Standing Committee on Agriculture, Conservation and Forestry is authorized to introduce a bill related to the report to the Second Regular Session of the 121st Legislature.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested.

READ and **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

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

On motion of Representative VAUGHAN of Durham, the following Joint Order: (H.P. 725) (Cosponsored by Representatives: COURTNEY of Sanford, GLYNN of South Portland, PERRY of Bangor, Senator: DOUGLASS of Androscoggin)

ORDERED, the Senate concurring, that:

1. The Joint Standing Committee on Insurance and Financial Services shall conduct a study to examine the issue of insurance mandates for the purpose of reducing health insurance premiums and the cost to the individual consumer. The committee shall conduct the study during authorized interim committee meetings, except that the committee may hold one additional meeting to conclude its work;

2. The Joint Standing Committee on Insurance and Financial Services shall use as a starting point a recent legislative study report on mandates, and the examinations must focus on allowing consumer choice in choosing the type of health insurance needed and affordable; and

3. The Joint Standing Committee on Insurance and Financial Services shall submit its report, together with any necessary implementing legislation, to the Second Regular Session of the 121st Legislature.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested.

READ and **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

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

On motion of Representative SHIELDS of Auburn, the following Joint Order: (H.P. 726) (Cosponsored by Senator YOUNGBLOOD of Penobscot and Representatives: BOWLES of Sanford, DAVIS of Falmouth, HONEY of Boothbay, JOY of Crystal)

ORDERED, the Senate concurring, that the Task Force to Study the Functional Efficiencies in the Legislative Process is established as follows.

1. **Task Force to Study the Functional Efficiencies in the Legislative Process established.** The Task Force to Study the Functional Efficiencies in the Legislative Process, referred to in this order as "the task force," is established.

2. **Membership.** The task force consists of 10 members appointed jointly by the President of the Senate and the Speaker of the House. When making appointments, the President of the Senate and the Speaker of the House shall appoint legislators from all parties.

3. **Task force chairs.** The first-named Senator is the Senate chair of the task force and the first-named member of the House is the House chair of the task force.

4. **Appointments; convening of task force.** All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force, which must be no later than 60 days following passage of this order.

5. **Duties.** The task force shall hold its meetings at various locations in the State, to be determined by the chairs. The task force shall gather information and request necessary data from public and private entities in order to:

- A. Assess and identify the inefficiencies and redundancies in the legislative process; and
- B. Determine what solutions and changes need to be made to correct the inefficiencies in the legislative process.

6. **Staff assistance.** Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the task force.

7. **Compensation.** Members of the task force are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the task force.

8. **Report.** The task force shall submit a report that includes its findings and recommendations, including suggested legislation, to the Legislative Council by November 6, 2003.

9. **Extension.** If the task force requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension. Upon submission of its required report, the task force terminates.

10. **Budget.** The chairs of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for its approval. The task force may not incur expenses that would result in the task force's exceeding its approved budget. Upon request from the task force, the Executive Director of the Legislative Council shall promptly provide the task force chairs and staff with a status report on the task force's budget, expenditures incurred and paid and available funds.

JOINT SELECT COMMITTEE ON JOINT RULES suggested.

READ and **REFERRED** to the **JOINT SELECT COMMITTEE ON JOINT RULES**.

Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Portland High School Football Team, winners of the State Class A Football Championship, their first in 20 years. The team also set a new school record with 12 victories. We extend our congratulations and best wishes to the team and its supporters on this championship season;

(HLS 119)

Presented by Representative NORBERT of Portland.

Cosponsored by Representative DUDLEY of Portland, Representative EDER of Portland, Representative SUSLOVIC of Portland, Representative ADAMS of Portland, Representative BRANNIGAN of Portland, Representative MARLEY of Portland,

Representative CUMMINGS of Portland, Representative DAVIS of Falmouth, Senator BRENNAN of Cumberland, Senator STRIMLING of Cumberland.

On **OBJECTION** of Representative NORBERT of Portland, was **REMOVED** from the Special Sentiment Calendar.

READ

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

Representative **NORBERT**: Mr. Speaker, Ladies and Gentlemen of the House. The Portland Delegation is proud today to welcome the Portland High School Football 2002 State Champions for Class A. They are behind the glass. We are very proud to have them here.

I was a freshman the last time this team won a state championship. It was no thanks to me, I can assure you. It has been a while. It has been too long. The good news is that they are here today and they have had an outstanding season. As you can see on the Sentiment, they set a new school record with 12 victories. They have tremendous players. The Coach Mike Bailey is here with some assistants. I know of two of them from my school days who were legends back then. Many of you visited Portland High on a recent economic tour and you saw what a special place it is. It truly is a unique place in the state.

We have scholars and athletes on this team. There are a number of all-state players and all-conference players and all academic team players. The team did a phenomenal job. They were Western Maine Champs in 2001 and 2002. This season the offense averaged 27 points per game and the defense averaged 8 points per game, which is the best in the state.

It is a great pleasure to welcome them all here today. I know the entire Portland Delegation joins me in extending best wishes to them and congratulations. They are having a visit today of the capital and the Blaine House and all sorts of things. Thank you.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Davis.

Representative **DAVIS**: Mr. Speaker, Ladies and Gentlemen of the House. As many of you know, I coached at Portland High School for many seasons. I had some of these young men in back of you, their brothers and sisters. I just wanted to say that I think Mike Bailey is the finest coach in the state. I think his two sisters are tremendous coaches. Lance Johnson and Paul Vaschon, I had as students. I am very proud of them. I saw them play three times. They never quit. This is truly a great team. We are very, very proud of you. Thank you.

Subsequently, **PASSED** and sent for concurrence.

Recognizing:

William S. Rollins, Jr., of Augusta, who is retiring from the State's Department of Transportation after 55 years of dedicated and talented service. A professional engineer, registered surveyor and experienced project manager, Mr. Rollins has the distinction of being the longest-serving state employee. Because of his diverse skills, he developed advanced methods of analysis that replaced trial and error methods, resulting in improved designs and extensive cost savings to the State. We congratulate Mr. Rollins on a well-deserved retirement and extend our best wishes to him;

(HLS 127)

Presented by Representative O'BRIEN of Augusta.

Cosponsored by Representative BROWNE of Vassalboro, Representative COLLINS of Wells, Representative JODREY of Bethel, Representative LERMAN of Augusta, Representative MARLEY of Portland, Representative MARRACHÉ of Waterville, Representative MCKENNEY of Cumberland, Representative

McNEIL of Rockland, Representative PARADIS of Frenchville, Representative SAMPSON of Auburn, Senator SAVAGE of Knox, Representative USHER of Westbrook, President DAGGETT of Kennebec, Senator DAMON of Hancock, Senator HATCH of Somerset.

On **OBJECTION** of Representative O'BRIEN of Augusta, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **O'BRIEN**: Mr. Speaker, Ladies and Gentlemen of the House. As I rise for the first time, certainly not the last this session, it gives me great pride that I am able to present this sentiment on behalf of a wonderful man, William S. Rollins. He is retiring from the Maine Department of Transportation with 55 years of service. This is the most service ever of any state employee. His dedication and innovation has had an impact on the lives of every citizen of the State of Maine and its many visitors. His survey design and environmental and project management skills have played a critical role in the creation of a safe and efficient roadway system in the State of Maine. This is his legacy.

His accomplishments certainly are much too many to mention. Suffice it say that he has a very diverse background in highway design, highway traffic noise, field surveying, construction and program management. He has worked on projects from one end of the state to the other. In the late '60s he designed the Congress Park Exchange, which included overpasses and ramps where it was such a large project that 150 homes had to be moved.

Bill Rollins hand can be seen in all of our districts. Mr. Rollins is a very humble and quiet man and this is probably very difficult for him to accept this honor. We do so with great thanks.

He loves math. I don't understand that, but he loves it and engineering. He has always taught kids who are having trouble in Algebra or geometry and he plans to continue to do so. He is truly a family man with three grown sons who are also engineers. He loves to travel. We hope that he is able to do that for many years to come.

Again, it brings me great honor and pride to present this sentiment to the longest ever state employee, 55 years of service, to Mr. Bill Rollins.

Subsequently, **PASSED** and sent for concurrence.

Recognizing:

Carl Frye, of Portland, winner of the 32nd Fitzpatrick Trophy. The Portland High School running back was chosen to receive the award which is given annually to the State's top senior football player. We extend our congratulations and best wishes to him;

(HLS 130)

Presented by Representative DUDLEY of Portland. Cosponsored by Representative ADAMS of Portland, Representative BRANNIGAN of Portland, Representative CUMMINGS of Portland, Representative EDER of Portland, Representative MARLEY of Portland, Representative NORBERT of Portland, Representative SUSLOVIC of Portland, Senator BRENNAN of Cumberland, Senator STRIMLING of Cumberland.

On **OBJECTION** of Representative DUDLEY of Portland, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **CUMMINGS**: Mr. Speaker, Ladies and Gentlemen of the House. The Portland Delegation is honored, not only with the blessings of the State Class A Football Team, but with outstanding performance of a player by the name of Carl Frye that is with us today. Mr. Frye was featured in Sports Illustrated. He is the Fitzpatrick Trophy winner, the outstanding player of the State of Maine, the Maine Gatorade Player of the Year, and the Maine Sunday Telegram Player of the Year. He rushed with 284 rushing attempts for 1,841 yards with at total of career yardage of over 3,000 yards. That is a lot of bangs and bruises, a lot of performance. I just want to congratulate him. His mother Ellen is with us today. Thank you very much.

Subsequently, **PASSED** and sent for concurrence.

In Memory of:

Pat Farnsworth, of Orono, renowned owner of Pat's Pizza. In 1931, he bought the business that would become the University of Maine's landmark restaurant in Orono. The Mill Street business survived the Great Depression, World War II and many other upheavals. The 93-year old icon fended off downtown revitalization in 1985 and would-be robbers 10 years later. Pat worked 12 hours a day, 7 days a week until his 90th birthday. Today, 13 franchise restaurants in the State bear the name "Pat's Pizza." We extend our condolences to the family, friends and colleagues of this popular and highly respected businessman;

(HLS 122)

Presented by Representative DUNLAP of Old Town.

Cosponsored by Representative ADAMS of Portland, Representative ANDREWS of York, Representative ANNIS of Dover-Foxcroft, Representative ASH of Belfast, Representative AUSTIN of Gray, Representative BARSTOW of Gorham, Representative BENNETT of Caribou, Representative BERRY of Belmont, Representative BERUBE of Lisbon, Representative BIERMAN of Sorrento, Representative BLANCHETTE of Bangor, Representative BLISS of South Portland, Representative BOWEN of Rockport, Representative BOWLES of Sanford, Representative BRANNIGAN of Portland, Representative BREAULT of Buxton, Representative BROWN of South Berwick, Representative BROWNE of Vassalboro, Representative BRUNO of Raymond, Representative BRYANT-DESCHENES of Turner, Representative BULL of Freeport, Representative BUNKER of Kossuth Township, Representative CAMPBELL of Newfield, Representative CANAVAN of Waterville, Representative CARR of Lincoln, Representative CHURCHILL of Orland, Representative CHURCHILL of Washburn, Representative CLARK of Millinocket, Representative CLOUGH of Scarborough, Representative COLLINS of Wells, Speaker COLWELL of Gardiner, Representative COURTNEY of Sanford, Representative COWGER of Hallowell, Representative CRAVEN of Lewiston, Representative CRESSEY of Baldwin, Representative CROSTHWAITE of Ellsworth, Representative CUMMINGS of Portland, Representative CURLEY of Scarborough, Representative DAIGLE of Arundel, Representative DAVIS of Falmouth, Representative DUDLEY of Portland, Representative DUGAY of Cherryfield, Representative DUPLESSIE of Westbrook, Representative DUPREY of Hampden, Representative DUPREY of Medway, Representative EARLE of Damariscotta, Representative EDER of Portland, Representative FAIRCLOTH of Bangor, Representative FINCH of Fairfield, Representative FISCHER of Presque Isle, Representative FLETCHER of Winslow, Representative GAGNE-

FRIEL of Buckfield, Representative GERZOFKY of Brunswick, Representative GLYNN of South Portland, Representative GOODWIN of Pembroke, Representative GREELEY of Levant, Representative GROSE of Woolwich, Representative HATCH of Skowhegan, Representative HEIDRICH of Oxford, Representative HONEY of Boothbay, Representative HOTHAM of Dixfield, Representative HUTTON of Bowdoinham, Representative JACKSON of Fort Kent, Representative JACOBSEN of Waterboro, Representative JENNINGS of Leeds, Representative JODREY of Bethel, Representative JOY of Crystal, Representative KAELIN of Winterport, Representative KANE of Saco, Representative KETTERER of Madison, Representative KOFFMAN of Bar Harbor, Representative LANDRY of Sanford, Representative LAVERRIERE-BOUCHER of Biddeford, Representative LEDWIN of Holden, Representative LEMOINE of Old Orchard Beach, Representative LERMAN of Augusta, Representative LESSARD of Topsham, Representative LEWIN of Eliot, Representative LORING of the Penobscot Nation, Representative LUNDEEN of Mars Hill, Representative MAIETTA of South Portland, Representative MAILHOT of Lewiston, Representative MAKAS of Lewiston, Representative MARLEY of Portland, Representative MARRACHÉ of Waterville, Representative McCORMICK of West Gardiner, Representative McGLOCKLIN of Embden, Representative McGOWAN of Pittsfield, Representative McKEE of Wayne, Representative McKENNEY of Cumberland, Representative McLAUGHLIN of Cape Elizabeth, Representative McNEIL of Rockland, Representative MILLETT of Waterford, Representative MILLS of Farmington, Representative MILLS of Cornville, Representative MOODY of Manchester, Representative MOORE of the Passamaquoddy Tribe, Representative MOORE of Standish, Representative MURPHY of Kennebunk, Representative MUSE of Fryeburg, Representative NORBERT of Portland, Representative NORTON of Bangor, Representative NUTTING of Oakland, Representative O'BRIEN of Augusta, Representative O'BRIEN of Lewiston, Representative O'NEIL of Saco, Representative PARADIS of Frenchville, Representative PATRICK of Rumford, Representative PEAVEY-HASKELL of Greenbush, Representative PELLON of Machias, Representative PERCY of Phippsburg, Representative PERRY of Calais, Representative PERRY of Bangor, Representative PINEAU of Jay, Representative PINGREE of North Haven, Representative PIOTTI of Unity, Representative RECTOR of Thomaston, Representative RICHARDSON of Greenville, Representative RICHARDSON of Brunswick, Representative RICHARDSON of Skowhegan, Representative RINES of Wiscasset, Representative ROGERS of Brewer, Representative ROSEN of Bucksport, Representative SAMPSON of Auburn, Representative SAVIELLO of Wilton, Representative SHERMAN of Hodgdon, Representative SHIELDS of Auburn, Representative SIMPSON of Auburn, Representative SMITH of Monmouth, Representative SMITH of Van Buren, Representative SNOWE-MELLO of Poland, Representative STONE of Berwick, Representative SUKEFORTH of Union, Representative SULLIVAN of Biddeford, Representative SUSLOVIC of Portland, Representative SYKES of Harrison, Representative TARDY of Newport, Representative THOMAS of Orono, Representative THOMPSON of China, Representative TOBIN of Windham, Representative TOBIN of Dexter, Representative TRAHAN of Waldoboro, Representative TREADWELL of Carmel, Representative TWOMEY of Biddeford, Representative USHER of Westbrook, Representative VAUGHAN of Durham, Representative WALCOTT of Lewiston, Representative WATSON of Bath, Representative WHEELER of Kittery, Representative WOODBURY of Yarmouth, Representative WOTTON of Littleton, Representative YOUNG of

Limestone, Senator BENNETT of Oxford, Senator BLAIS of Kennebec, Senator BRENNAN of Cumberland, Senator BROMLEY of Cumberland, Senator BRYANT of Oxford, Senator CARPENTER of York, Senator CATHCART of Penobscot, President DAGGETT of Kennebec, Senator DAMON of Hancock, Senator DAVIS of Piscataquis, Senator DOUGLASS of Androscoggin, Senator EDMONDS of Cumberland, Senator GAGNON of Kennebec, Senator GILMAN of Cumberland, Senator HALL of Lincoln, Senator HATCH of Somerset, Senator KNEELAND of Aroostook, Senator LaFOUNTAIN of York, Senator LEMONT of York, Senator MARTIN of Aroostook, Senator MAYO of Sagadahoc, Senator MITCHELL of Penobscot, Senator NASS of York, Senator PENDLETON of Cumberland, Senator ROTUNDO of Androscoggin, Senator SAVAGE of Knox, Senator SAWYER of Penobscot, Senator SHOREY of Washington, Senator STANLEY of Penobscot, Senator STRIMLING of Cumberland, Senator TREAT of Kennebec, Senator TURNER of Cumberland, Senator WESTON of Waldo, Senator WOODCOCK of Franklin, Senator YOUNGBLOOD of Penobscot.

On **OBJECTION** of Representative DUNLAP of Old Town, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **DUNLAP**: Mr. Speaker, Men and Women of the House. I would like to thank the presiding officers for assisting me in opening this to co-sponsorship of the entire Legislature. I also would like to thank the members of the Orono Delegation for allowing me to present this. I worked for Pat Farnsworth for a lot of years. I still do. I fill in there pretty regularly. He was quite a fella. I think if you have followed the events, the outpouring of support and community since his passing, you get an idea of that.

He did a lot of amazing things. He was an amazing man. He was driven simply by a simple work ethic. He bought the restaurant in 1931 with his summer earnings from a summer job. He worked there as a clerk. The place was going bankrupt and he purchased the entire building for \$150. He supplemented his income in trying to make this place work by running a hog farm. He started a trucking business for a while. He had another bar in town he supported it with. There was another restaurant up the street that started making pizza, which was kind of a new thing in the '50s and people were bringing it to the restaurant to eat. He sent his wife off to learn how to make pizza and the rest is history.

He worked about 12 hours a day until a couple of years ago. Finally his antics caught up with him. His health was always good right up until the very end. He was as tough as a bag of hammers. One day I came into work and Pat had a band aide over his eye. I asked what happened to you? He said he was driving home yesterday about four in the morning and I hit a moose and I rolled my car over three times. He was back at work the next day. Another time he came into work limping a little bit, I asked if he hit another moose? No had a big snowstorm the night before and went off the road. He couldn't get his door open so he kicked the window open on the car and fell down. He was 90 years old and couldn't get back up. He crawled half a mile through the snow to his house and he was back to work the next day.

The reference to the robbers in the sentiment is, he was coming out of work one night at four in the morning and had all the receipts. He had an automatic car starter in his car so the car was running. These guys come out and say, give us the dough. He puts a cigar in his mouth, opens the car, throws the

moneybags into the car and locks it. That was it. He went after them. These are teenagers and they didn't know what to make of this 88-year-old man trying to run them down. They maced him and ran off. They eventually got caught up with. I don't think that engenders an awful lot of respect in the penitentiary right now.

He was a remarkable man, very proud of his family, his business. He had wonderful gardens and he was a really, really good guy to work for. We are all going to miss him. I just thank the body for an opportunity to speak on this. I believe some of his family may be here. I talked to them this weekend and then the wheels kind of came flying off my own life. Hopefully they are here. I appreciate the opportunity to speak on this.

The **SPEAKER**: The Chair recognizes the Representative from Orono, Representative Thomas.

Representative **THOMAS**: Mr. Speaker, Men and Women of the House. I rise today to pay humble tribute to a man who was a pillar in my community. Representative Dunlap said it best, since 1931 Pat has really been the heart and soul of Pat's Pizza. It is a just a small family business that began in Orono, not even selling pizza, but now extends around the state through three generations of his family. Indeed family values are something that Pat knows well and with members of his close family now running the restaurant, still more pictures of him hanging on the wall. It is truly a family-oriented place. It is a place where myself and my family have spent many great evenings. I also worked for Pat. I worked for Pat twice at the Orono restaurant.

One night in particular stands out in my memory. It was a slow night. There aren't many of those at Pats, but it was almost midnight and I was on my break. I remember seeing Pat come up from his office and he took the top off a bar stool and he disappeared downstairs into his office with it. It was kind of strange, but I didn't ask questions. About 15 minutes later he came up, put the top on the barstool, it was beautiful brand new. He went right down the line. He did every one. He finally finished in the wee hours of the morning. I remember talking about that night later on with Pat's grandson, CD, who also now works at the restaurant. CD told me he was down there helping him reupholster those bar stools. I thought we were just going to do a couple. We got three done and said that we are just going to do three more, just three more and eventually they finished it like 3 in the morning. That is just the kind of man Pat was. He was a tireless worker. He touched countless lives and inspired the same type of motivation and drive and all those that he came in contact me. I know he did for me.

He was a savvy businessman. He was really the epitome of the Maine work ethic. He was a great friend, family man and he will be sorely missed.

Subsequently, **ADOPTED** and sent for concurrence.

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

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

In Convention

The President of the Senate, the Honorable Beverly C. Daggett, in the Chair.

The Convention was called to order by the Chair.

On a motion by Senator Treat of Kennebec, it was Ordered, that a Committee be appointed to wait upon the Honorable Joseph W. Westphal, Chancellor of the University of Maine System, the Honorable John Fitzsimmons, President of the Maine Technical College System, the Campus Presidents, and the Board of Trustees of the Two Systems to inform them that the two branches of the Legislature are in Convention assembled, ready to receive such communications as pleases them.

The Order was Read and Passed.

The Chair will appoint the following:

The Sen. from Androscoggin, Sen. Douglass

The Sen. from Cumberland, Sen. Brennan

The Sen. from Penobscot, Sen. Mitchell

The Rep. from Portland, Rep. Cummings

The Rep. from Buckfield, Rep. Gagne-Friel

The Rep. from Bangor, Rep. Norton

The Rep. from Orono, Rep. Thomas

The Rep. from Fairfield, Rep. Finch

The Rep. from Presque Isle, Rep. Fischer

The Rep. from Kennebunk, Rep. Murphy

The Rep. from York, Rep. Andrews

The Rep. from Holden, Rep. Ledwin

The Rep. from Falmouth, Rep. Davis

Subsequently, Senator Douglass of Androscoggin, for the Committee, reported that the Committee had delivered the message with which it was charged and are pleased to report that the Honorable Joseph W. Westphal, Chancellor of the University of Maine System, the Honorable John Fitzsimmons, President of the Maine Technical College System, the campus presidents and the Board of Trustees of the two systems will attend forthwith.

The Chair is pleased to welcome the Honorable Joseph W. Westphal, Chancellor of the University of Maine System, the Honorable John Fitzsimmons, President of the Maine Technical College System, the campus presidents, the Board of Trustees and guests of the two systems.

The Chair recognized in the House Gallery, representing the University of Maine System, Board of Trustees: James (Jim) Mullen, Chair; Gregory (Greg) Cyr; Charles "Wick" Johnson, III; Donald (Don) McDowell; Sandra Prescott; Dr. Wickham (Wick) Skinner; Meg Weston. Also, the Chair recognized in the House Gallery, representing the University of Maine System Presidents: Dr. Peter Hoff, the University of Maine; Dr. Charles Lyons, University of Maine at Augusta; Dr. Theodora Kaliko, University of Maine at Farmington; Dr. Richard Cost, University of Maine at Fort Kent; Dr. John Joseph, University of Maine at Machias; Dr. Nancy Hensel, University of Maine at Presque Isle; and Richard Pattenau, University of Southern Maine. Also, the Chair recognized in the House Gallery members of the Maine Technical College System Board of Trustees: Jana LaPointe of Falmouth; Brian Hamel of Presque Isle; Bridget Healy of Freeport; Dennis King of Freeport; and Cynthia Phinney of New Sharon. Also, the Chair recognized in the House Gallery representing the Maine Technical College System Colleges, the College Presidents: Dr. Scott Knapp, Central Maine Technical College in Auburn; Dr. Joyce Hedlund, Eastern Maine Technical College in Bangor; Dr. Barbara Woodlee, Kennebec Valley Technical College in Fairfield; Mr. Timothy Crowley, Northern Maine Technical College in Presque Isle; Dr. James Ortiz, Southern Maine Technical

College in South Portland; Dr. William Flahive, Washington County Technical College in Calais; and Dr. Patricia Ryan, York County Technical College in Wells.

The Chair is pleased to present to you the Honorable Joseph W. Westphal, Chancellor of the University of Maine System.

Chancellor of the University of Maine System, Joseph W. Westphal, then addressed the Convention.

Madam President; Mr. Speaker; distinguished members of the 121st Legislature; Trustees; Presidents; friends and special guests:

Today I come to report to you on the State of the University.

It is with great honor and pride that I come before you to bring a message about significant advancement, measurable success, and tremendous opportunity resulting from the investment and support of this legislative body for more than 135 years.

Dating back to the early 1800's, the founders of this great State had a vision about progress and a way of life based on the values they adhered to, that were rooted in their social and religious heritage.

Their vision laid the foundation for what was built and developed to give greater meaning to our lives and to open the doors of opportunity to our future generations.

Today, as our great nation faces peril from the evil of terrorism and prepares for war, our lives move on through the trial and tribulations of the economic and social challenges we all face. But we do not despair and we do not retreat, we move forward and look to those institutions we trust, for guidance, leadership, and vision.

We look to you, our elected representatives, to advance our way of life and resolve the difficulties that pose challenges to our future development.

Likewise, we look to our universities to pave the way for opportunity, to help us achieve the lofty ideal in our Declaration of Independence – "the pursuit of happiness" – that is the betterment of their quality of life and to insure that future generations of people in Maine will always be better off than previous generations as a result of our sacrifices today.

And so, I come before you with great enthusiasm and all the energy that I can muster – to report on this Maine institution, your public universities, and to reaffirm our pledge to work with you to the betterment of our society and its prosperous future.

From before statehood and the early periods of Maine's history to today, education has been an important part of the public agenda.

One Governor, during a period of much domestic anxiety such as we are experiencing today, spoke these words to the Legislature:

It is no exaggeration to say that the present is a new era in teaching. The demands of the times have necessitated aims, objects, and methods which render education altogether a different business from what it was a generation ago."

It was Governor Joshua Chamberlain, addressing the Maine Legislature in 1870.

At the time, new educational opportunities had been recently created in Maine – the founding of a public teacher-education college in Farmington, and a new type of public college in Orono – as a result of the Federal Land Grant Act signed into law by Abraham Lincoln in 1862.

Governor Chamberlain's quote may sound more contemporary than something from the 19th century. But his point is as relevant today as it was then: times change, and education and creativity offer our best hopes for dealing with those changes – and capitalizing on them.

Changing times, limited resources, and new opportunities were on the minds of legislators 35 years ago. That's when they created the University of Maine System. Their aim was: to increase public access, to improve the quality of education, and to find more coordinated and cost-effective ways to address the increasing demand for post-secondary education.

Today, the System features seven universities, 10 academic outreach centers called University College, and more than 100 distance learning sites located throughout the state.

- The University of Maine in Orono is in the top category of universities as a Doctoral/Research University - Extensive, the classification given by the Carnegie Foundation for the Advancement of Teaching.
- The University of Maine at Augusta, founded as the Community College of Maine, is now the state's largest single provider of associate's degrees and distance education, with over 5,600 students in total.
- The University of Maine at Farmington has earned a national reputation for excellence. In its most recent guide, U.S. News & World Report rated Farmington one of the nation's top public liberal arts universities for the 6th consecutive year. It is the only college of its kind in all of New England to receive that distinction.
- The University of Southern Maine has become a leading resource in our state's economic growth. As the tenth largest employer in southern Maine, USM also serves more than 80,000 people a year through its continuing education, non-credit classes, conferences, and workshops.
- Our University of Maine at Presque Isle, at Machias and at Fort Kent are the educational and cultural centers of their respective areas. In March of this year the University of Maine at Presque Isle will celebrate its 100th year of service to this state and the region. Congratulations Presque Isle.

The role of the university has always been to impart learning, to increase our ability to compete in a complex and competitive environment, and to give us the capacity to make a greater contribution to our society.

That role is meeting the wonderful challenge of the highest enrollments in our history.

Over the years we have developed a university system that is responsive to the changing needs and demands of our society, as students – and employers – require us to be more flexible, affordable, and relevant.

We kept tuition increases as low as possible. We have increased access throughout the state. We have improved the quality of our programs while avoiding duplication. We have increased the research and development capacity at our two graduate education institutions.

We have also made significant advances in technology.

In fact, our instructional technology and the infrastructure we have in place throughout the State of Maine is among the most advanced in the nation.

We chose never to leave someone outside the classroom door. We understood our "public" mission and we met it head on.

Why did we choose to make this investment in technology? Our people, our geography, our economy, and our hopes made it necessary.

But technology is a tool – a mechanical way to assist teaching and learning.

In whose hands we place these tools, in whose mentoring we reside to learn about the world and its progress, is the key to the value we add to our student's achievement.

Many of you have been or are teachers. What a wonderful profession, what great service, what personal sacrifice.

You also know the constant and demanding nature of your jobs as legislators. Never masters of your own schedule, always needing to be responsive to others; such is your work, such is the work of teachers and professors.

Our faculty's commitment, dedication, integrity, and capabilities make their profession a life's work.

Their most important mission is teaching but they are also engaged in advising and mentoring students, conducting research, participating in university administration, and engaging in public service.

There are hundreds of examples of outstanding faculty, and I would love to talk to you about all of them. But, let me tell you about one in particular that I have had the honor to meet and engage in conversation.

He is Professor George Denton of the University of Maine. Professor Denton is an outstanding teacher and researcher.

In addition, he was recently named a member of the National Academy of Sciences – the only faculty member from any Maine college or university ever selected to that internationally prestigious body.

Professor Denton also serves as a member of the Royal Swedish Academy of Sciences, which awards the Nobel Prize.

Here is how the National Academy of Sciences describes his work:

"Denton is the world's leading expert on late Cenozoic glacial history and global cryosphere evolution. He was the first to recognize Cenozoic major glacial activity in Alaska and Antarctica before the Quaternary, late Cenozoic stability of the East Antarctic Ice Sheet and landscape antiquity, and interhemispheric synchronism of Quaternary glacial change."

Now, I do not have the foggiest idea what I just said to you, but I do know that when I met with him, I was awed – not by these unpronounceable terms, but by our discussion of rapid climate change and its impact on Maine's environment, and, by extension, its economy

The importance of Professor Denton's work – and his connection to world class research with other scholars – is how it helps him and his colleagues teach students about how we may better understand the very real problems associated with climate change that are affecting our state, our region, our country, and our world.

There are many other faculty members throughout the University System who, in their own fields and in their own work, excel and help all of us advance.

Think about the wealth we have in Maine — the wealth of intellectual capacity, of people committed to teaching, mentoring, writing, serving our communities, and advancing research. This is an incredible resource.

Our faculty is our greatest asset. We must commit to their development and support.

I am also proud of our University presidents – leaders whose vision and skills are making great things happen at their schools and in Maine.

Of course the beneficiaries of those assets are our students.

Our students will determine our legacy, not we. We can work to be remembered, but they are the product of our efforts and they are our legacy.

Like our faculty, our students come in many varieties. We have more than 34,000 of them, yearning to move forward,

stretching their personal budgets to get an education, making sacrifices to enhance their future opportunities.

About 5,000 of our students are taking graduate-level courses, generally working toward a master's degree or doctorate.

In Maine, we have a large non-traditional student population pursuing associate and bachelor's degrees

No longer is the "typical student" a typical student. Our universities attract students of varying ages and circumstances:

- Students who have jobs, families, or both
- Displaced workers
- Displaced homemakers
- Single parents
- People with disabilities
- And yes, students right out of high school

Recently, I met with a group of students who are enrolled through the University of Maine at Augusta.

Since its beginning as a separate University in 1971, UMA has served as the University System's provider of community college education – that is, its focus has been primarily, but not exclusively, offering associate-level degrees in every region of the state.

Right now it has over twenty-six hundred students in those programs.

The meeting I attended included students from around the state. Each of them had a moving story to tell about why they were enrolled in the university.

There was a woman from Oxford County whose story was particularly impressive. Her name is Brenda Maines of Bethel.

Brenda is raising five children. She works nights an hour away from home in Auburn, loading trucks for UPS. During the day she takes classes at the University College outreach center in Rumford-Mexico.

Brenda is a Dean's List student, working on an associate's degree in Social Services. And when she completes that degree, she plans to transfer her credits into a bachelor's degree program in the same academic field.

Brenda and members of her family are in the Gallery today and with your permission, I would like Brenda to stand and be recognized.

Brenda's opportunity to prepare for a better job through education, though requiring her hard work, will be a model for her children; an example of what can be.

Brenda knows that opportunity is what you make of it. You and I know that our job is to give her the chance to reach for it.

With a college degree, Brenda and thousands of students like her will increase their earning power and employability.

According to the U.S. Census Bureau, a person with an associate's degree earns nearly a half-million dollars more over his or her working years than does a person with a high school diploma.

The Census Bureau also says that on average, a person with a bachelor's degree earns nearly one million dollars more than a high school graduate.

Public investment in our students has netted significant economic returns.

Each year the University System awards approximately 4,600 college degrees. Today, there are about 100,000 University of Maine System alumni living in our state. Many are in this Chamber and State House today. Using just their general income levels, the annual economic impact of their salaries alone exceeds five billion dollars.

So when a mother and father long to have their children make their lives in Maine, it is not just for the desire of proximity, it is

because of what they believe their offspring can contribute and how they add value to our society – right here.

We are working to address this critical concern, commonly called the "brain drain," by:

- Acquiring better data and information on graduating high school students
- Creating greater linkages to high schools and promoting outreach
- Developing greater investment in scholarships to be more competitive with out-of-state schools for Maine students

And we must also work to attract students back to Maine to pursue their graduate education.

Now, to deal with issues of workforce training, adult learning, access, and affordability, the creation of a separate community college system will be debated. We are prepared to work with this Legislature and our Governor as a positive force in that discussion.

A few weeks ago, with Governor Baldacci and several of you looking on, President Fitzsimmons and I signed a new working agreement at the opening of our joint higher education outreach center in Bath.

That agreement commits both systems to find ways to coordinate and cooperate like never before.

I believe that working together we can strive for quality at all levels, enhance access and affordability and achieve cost savings that will result in educating more of our workforce, keeping more students in Maine and enhancing job creation and investment.

I am looking forward to working with President Fitzsimmons in this regard.

But of course, we face greater challenge.

Sadly, our State finances, like those of almost every other state, are suffering the effects of a weak national economy.

Like State government, our costs have risen and so have public expectations.

But we know it will take time before we can recover and make greater investments in all areas of public need.

However, I am convinced that education – and particularly higher education – will be a strong force in that recovery.

Over the past several months, we have been working steadily on a series of initiatives that address the state's educational and economic needs.

Increases in operational costs, combined with recent state budget cuts and other increased costs, have created the biggest financial challenge in the System's history – a \$23 million gap between our current level of funding and what it would cost us to continue providing our current level of programs and services.

We know that the State cannot cover that gap – at least not in the immediate future.

Furthermore, we have resisted doing what so many other systems did right at the beginning: raising tuition immediately before attempting to gain savings in other ways.

We started the process to identify savings early in this fiscal year:

- We have frozen and eliminated positions
- We have reduced operating budgets and restricted other activities
- We have centralized more services to create greater cost-efficiencies
- And we are looking at the missions and functions of each campus and administration of our operations system-wide

And we have more to do.

Despite our efforts to reduce the cost of our operation, we remain committed to expanding the University System's role as a resource and partner in addressing Maine's most urgent needs.

Let me share some of what we are undertaking.

We recently announced a new initiative: the Public Education Partnership. Our objective is to aggressively pursue ways to train more teachers and to help upgrade the education of current teachers. Our objective is to aggressively pursue ways to educate more teachers and to help upgrade the education of current teachers. We need to assist with issues of certification, and work with teachers and administrators on professional development.

We will be providing accelerated teacher training and master's programs in subject areas where Maine faces a shortage of qualified classroom instructors – in fields such as mathematics, sciences, and foreign languages.

We are also working on the development of a partnership involving small business and workforce training. With the serious loss of jobs our state is currently experiencing, we must step up to the plate and find ways to help.

One of our most important initiatives is to grow our research dollars and enhance the coordination of our research and development efforts throughout the System.

The financial benefits of state investment in university-based research have been tremendous.

The State made its first direct investment in university-based research in the 1998 fiscal year. Over the following five years the State approved \$35 million to help our universities attract federal research grants through the Maine Economic Improvement Fund.

That investment paid off. Our faculty and staff have used that money to bring in more than \$140 million in research grants, mostly from the federal government. That's a four-dollar return for every one dollar the State made available in matching funds—a 400 percent rate of return!

Most of that money has been spent right here in Maine on salaries, wages, goods, and services.

The key to research and development is, of course, technology transfer. This is simply the payoff of making this investment and seeing tangible results. Creating jobs – creating income.

One example is a new company called Engineered Materials of Maine. That business is taking wood-composite technology developed at the University of Maine and is commercializing it for use in the construction industry.

The goal of our R&D initiative is the same: to put the resources and expertise of our universities to new and greater uses for the betterment of Maine.

I began my remarks by talking about the vision of those who began the path to statehood and helped build education in Maine to achieve a better way of life for it's citizens.

They knew a way and led us to it. They built schools and made education a priority. And for nearly 200 years, Maine people have supported and benefited from that vision.

Madam President, Mr. Speaker, Members of the 121st Legislature: I come before you to tell you that the State of the University is strong.

It is strong because of our people: the leadership of our trustees and presidents, our outstanding faculty, dedicated staff, and talented and motivated students.

It is strong because we are single minded in our dedication to our mission and purpose and see value in what we do.

It is strong because of our commitment to diversity through equal opportunity and affirmative action.

It is strong because we have a Governor who understands the value of higher education and has placed it squarely on the forefront of his priorities. His leadership is essential and we count on it.

It is strong because of you. You are here standing for the people of Maine. You stand for their hopes and aspirations. You stand for their welfare and their values. No one knows them better than you. You are their last, but perhaps most critical, recourse.

And so, I urge you not to let economic projections undermine the value of what you and your predecessors have built.

I hope that you will be proud of what Maine has created with limited resources, a can-do attitude, and a strong vision of the future.

Brenda Maines and thousands of others need us to continue the vision. I pledge to you that we will not let her down.

We will face these times with determination, creativity and inspiration and we will not let you down in helping you find solutions to help our people in their "pursuit of happiness."

Thank you and God bless.

The Chair is pleased to present to you the Honorable John Fitzsimmons, President of the Maine Technical College System.

President of the Maine Technical College System, John Fitzsimmons, then addressed the Convention.

President Daggett, Speaker Colwell, distinguished members of the 121st Maine Legislature, it is an honor to be here this morning, with my new colleague Chancellor Westphal, to talk about how we can bring greater economic prosperity to Maine and our citizens.

I come before you today as more than just an advocate for the Maine Technical College System, but also as a person mindful of the very challenging issues before you and respectful of the responsibility you have to balance the budget while you protect Maine's most vulnerable citizens. As you work through the budget process, please be assured that we stand ready to be your partner in helping Maine recover from this economic downturn, and chart a course toward a more prosperous future.

We come to this chamber today from all across Maine. Whether elected or by profession, we are charged with the responsibility and the privilege of setting the public policies that impact the lives of Maine people. And we all share the same vision..to give this and future generations of Mainers the opportunity to live, work and follow their dreams in our great state. Report after report has documented the direct link between higher education and higher incomes, business growth, and vibrant economies. Very simply, we cannot stay at 39th in the nation in the percent of adults with college degrees if we want to realize this vision for Maine. And that is what I'm here to talk about today.

This month marks the beginning of my 14th year as president of the Maine Technical College System. I joined this system when the 114th Maine Legislature had just taken historic action, to change our Vocational Technical Institutes into Technical Colleges. They did so because technology and global competition had transformed our workplaces and, likewise, increased the education and skill levels of jobs, with more jobs requiring a full two-year associate degree.

The results of that historic legislation have been significant.

- We have more than doubled our enrollment, adding 4,000 more college students. Today we are serving over 7,500 degree students and another 13,000 continuing education students.

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- We have added and diversified our programs. Today we offer 230 programs statewide, ranging from machine tool and nursing to computer fields and liberal studies. Eighty percent of our programs are now two-year associate degrees, and 90 percent of those transfer to four-year programs.
- For the past four years, we have frozen our annual tuition at \$2,040. This freeze helped spur a 43 percent jump in enrollment in just four years, and moved us closer to our goal of having a tuition rate at or below the national average for community colleges.
- And we have delivered on our mission of supporting Maine's economic development efforts with our Maine Quality Centers program, in which we retrained Maine workers for 7,000 new jobs — *all full-time jobs with health benefits.*
- And finally, the most important measure: college placement. During those years we have achieved a 96 percent placement rate — either in jobs or transferring on to four-year colleges and universities. And equally important, of those entering jobs, *96 percent are employed right here in Maine.*

Clearly that important legislation — coupled with the talent and dedication of our faculty, staff, administrators and trustees — has had a significant economic and social impact on Maine.

But today, we are living and working in a fiercely competitive global economy. Intense competition and new technologies have upped the ante, and employees are now expected to do more and know more. The educational bar has been raised even higher, and a college credential has become almost a standard prerequisite for good-paying jobs. The challenge before us today is to provide broad access to college, to engage those who have not traditionally gone to college. And so we find ourselves on the verge of another historic legislative action — transforming our technical colleges into full community colleges.

I know everyone in this room shares the belief that in times of great economic change, our public institutions must be responsive — and if necessary, *willing to change themselves* — to rise to new challenges and better serve our state. Throughout our history — as VTI's and as Technical Colleges — change has been a part of our culture, and our philosophy. Now, it is time for us to change again, to help our citizens prepare for, and prosper in the new knowledge-based economy.

I would like to thank Governor Baldacci for his leadership, for making the education of our citizens a top priority of his administration through the creation of an accessible, affordable community college system. The Governor has included \$1 million in his budget to complete the transition and launch our plan. While this will be a slower start than we and the Governor had hoped, I am pleased to say that these funds will allow us to start this initiative this year.

I want to say that I recognize how difficult a decision it was for the Governor — and will be for you — to move this initiative forward in these challenging financial times. But I share his belief that Maine people...and Maine businesses...cannot afford for us to wait.

In the past two years, over 16,000 Maine workers have lost their jobs due to foreign competition. The churning economy has hit communities all across Maine....300 workers from Hathaway Shirt....91 from Pratt & Whitney....575 from Dexter Shoe....100 from Forster Wood Products....and possibly 500 or more from Great Northern Paper.

Place yourself in the shoes of those workers. The global economy landed right in the middle of their lives and they didn't ask for it. These tax-paying, hard-working men and women have seen their livelihoods, and in many cases their very way of life, change forever. This year over 860 dislocated workers are enrolled at our Technical Colleges. They fully understand that their best chance for finding a new livelihood is by going to college.

While these plant closings are capturing our attention — as they should — they reflect a much larger, more systemic change taking place in our economy. It is the loss or downsizing of our traditional industries, and the growth of new but different jobs that is triggering the need for higher education.

The magnitude of the task before us is substantial. Maine has 450,000 working age adults who do not hold a college degree. We know from research that 53 percent have at least some interest in pursuing a college degree. Twenty percent — or 90,000 — have a high interest in going to college. We don't have to convince Maine people that college is important...they are living the consequences of low paying jobs or unemployment.

And while our adult workforce struggles to find their place in a changing economy, each spring a new generation enters the workforce. Each year we graduate over 6,000 high school students who leave school and don't pursue higher education. In the next five years, unless we take action, 30,000 young adults will begin their journey with limited options. We must increase the number of high school students who go on to college. It is their best hope... and Maine's best hope.

By now, we all know what the barriers are. Chief among them is cost, and ability to pay for college. Another is academic background; there are many very capable people who need additional academic support to be successful in college. Many are unsure of their career plans, and thus are hesitant to make such a big commitment. And too many question whether they can be successful in college.

The people I have just described are the very people you would meet if you visited a community college.

In at least 45 states and every other state in New England, community colleges are providing a critical open door to college. Nationally, 42 percent of U.S. undergraduates are enrolled in public two-year colleges, compared with 15 percent in Maine. Seventeen percent of high school graduates enroll directly in public two-year colleges, compared with seven percent in Maine.

Clearly, community colleges are the missing link in engaging more Maine citizens in higher education.

So, are the Technical Colleges ready to deliver the community college mission for Maine?

In almost every respect, our Technical Colleges are already functioning as community colleges.

- First, we share the same two-year college mission and educational philosophy
- We offer the same academic credentials
- Our program mix is similar, with both career and transfer programs
- We provide affordable access, with the lowest tuition in Maine
- We offer geographic access; we are located within 25 miles of 92 percent of Maine's population
- We offer the academic support and small classes that help students succeed
- Like community colleges, we enroll students with varying levels of academic preparation, serving them directly in our learning centers or in concert with Adult Education.

So, if we are, in essence, already functioning as community colleges, what do we need to fully deliver that mission for Maine?

The seven-year plan we have developed has four components:

First, taking on the community college mission means we will be engaging students who enter college with more diverse backgrounds, and needs. We must enhance our developmental programs to assist those in need of academic support, and strengthen counseling services — to provide guidance with academic, career and transfer issues. Getting more students in college is only the first step; providing the counseling and support that help students succeed is equally important.

Secondly, at the heart of the community college mission is access. In our plan, we call for adding 4,000 more students over the next seven years, to reach a goal of 11,000 students by the end of the decade. We will be expanding both career and transfer programs. At least 80 percent of our programs will be in career fields directly tied to the Maine economy.

And third, we need a bond to renovate our facilities and upgrade our classroom equipment. I want to thank President Daggett and Speaker Colwell for being the lead sponsors of a \$20 million bond issue for this November. This bond will allow our seven colleges to maximize their current space and ensure a high-quality learning environment as we add more students and diversify our curriculum.

And finally, we need to change the names of our colleges to "community college" to accurately reflect our dual mission of preparing students for careers and transfer opportunities.

Over the last year, I have been out visiting Maine communities to discuss our community college plan, and the response has been overwhelmingly positive. I am pleased to highlight a few of the key business, education and nonprofit groups that have formally endorsed our plan:

Maine State Chamber of Commerce
Economic Development Council of Maine
Maine Congress of Parents and Teachers
Maine Adult Education Association
Maine School Counselors Association
Maine Association of Vocational Community colleges.

I also want to express our thanks to Chancellor Westphal for his support of our Technical Colleges becoming Maine's community colleges.

The Governor's initial investment gets us started, and as Maine's revenue picture improves, we will need the State's support to fulfill the promise of Maine's new Community College System.

I want you to know that we are working hard to attract additional resources on our own. We are also strengthening partnerships and reviewing our own priorities to maximize the State's resources and reposition our colleges for the future.

Within the next week we will be announcing two matching gifts totaling over \$800,000 in funds directed at scholarships and expanding high-demand health care programs.

And last month we announced two new partnerships — one with the Maine Adult Education Association and one with the University of Maine System. These partnerships will help assure that Maine people have a convenient, effective and cost-efficient bridge into our community colleges, and on to Maine's universities. Equally important, they will ensure a higher level of communication and collaboration among our respective systems.

We have worked very hard to reach this point. We have revamped our curriculum, enhanced our libraries, changed accrediting bodies, added the Associate in Arts degree, built new

partnerships, and garnered the support of business, non-profit, and education leaders.

We are ready to assume the role as Maine's Community College System and with your support we will be ready this fall to accept the first class of community college students.

If I am standing tall today, it is because I am standing on the shoulders of giants...our faculty, staff, presidents, and trustees. The success of this system is due to all of their talents, their dedication, and their hard work. The tie that binds us together as one family is our students. We believe in the innate talent and potential of every student we serve — whatever their background, whatever their barriers, whatever their dreams. Our students are at the heart of every decision we make.

I know at the heart of every decision you make this session will be your commitment to do what is best for Maine people. Let us give more Maine people the opportunity to compete and equally important, let us give them the greatest gift of all...the gift of hope. Hope that they will have a place in the changing economy. Hope that they and their children will be full participants in the American dream. And hope that they can continue to live and work in Maine and enjoy the life that we promote.

With the common belief that education is our guiding light, and with your leadership, and the talents of Maine people, our future will be bright.

Thank you.

Chancellor Westphal and President Fitzsimmons withdrew amid the applause of the Convention, the audience rising.

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

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

(After the Joint Convention)

The House was called to order by the Speaker.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

Resolve, to Create a Task Force to Implement the 1991 Report of the President's and Speaker's Blue Ribbon Commission on Children and Families (EMERGENCY)

(H.P. 722) (L.D. 965)

Which was **TABLED** by Representative McLAUGHLIN of Cape Elizabeth pending **REFERENCE**.

Subsequently, the Resolve was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, ordered printed and sent for concurrence.

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, February 20, 2003, had preference in the Orders of the Day and

continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act Concerning Recovery of Expenses under the General Assistance Laws"

(H.P. 643) (L.D. 866)

(Committee on **JUDICIARY** suggested)

TABLED - February 20, 2003 (Till Later Today) by Representative SIMPSON of Auburn.

PENDING - **REFERENCE**.

On motion of Representative RICHARDSON of Brunswick, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, ordered printed and sent for concurrence.

Bill "An Act To Distribute Costs for the Funding of Pensions and Health Insurance for Retired Teachers"

(H.P. 600) (L.D. 823)

(Committee on **LABOR** suggested)

TABLED - February 20, 2003 (Till Later Today) by Representative SMITH of Van Buren.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **LABOR**, ordered printed and sent for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require a Vote of 2/3 of Each House of the Legislature To Enact or Increase a Tax

(S.P. 280) (L.D. 801)

- In Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

TABLED - February 20, 2003 (Till Later Today) by Representative RICHARDSON of Brunswick.

PENDING - **REFERENCE IN CONCURRENCE**.

On motion of Representative RICHARDSON of Brunswick, the Resolution was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

REPORTS OF COMMITTEE
Divided Report

Majority Report of the Committee on **NATURAL RESOURCES** reporting **Ought to Pass** on Bill "An Act to Ensure Full Disclosure of the Source of Water Sold in Containers"

(H.P. 28) (L.D. 21)

Signed:

Senators:

MARTIN of Aroostook
EDMONDS of Cumberland
SAWYER of Penobscot

Representatives:

KOFFMAN of Bar Harbor
TWOMEY of Biddeford
HUTTON of Bowdoinham
MAKAS of Lewiston
SAVIELLO of Wilton
THOMPSON of China
TOBIN of Windham
ANNIS of Dover-Foxcroft

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

Signed:

Representative:

JOY of Crystal

Representative DAIGLE of Arundel - of the House -

abstaining.

READ.

On motion of Representative KOFFMAN of Bar Harbor, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE** and was assigned for **SECOND READING** Wednesday, February 26, 2003.

CONSENT CALENDAR

First Day

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

(H.P. 95) (L.D. 86) Bill "An Act To Amend the Charter of the Eastport Port Authority" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

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

CONSENT CALENDAR

Second Day

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

(S.P. 20) (L.D. 34) Bill "An Act to Ensure that Child Labor Laws Apply to Public Sector Employers"

(H.P. 74) (L.D. 66) Bill "An Act to Repeal the Mandate to Perambulate the Municipal Boundary Lines when there is No Boundary Dispute"

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

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

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

SENATE PAPERS

Bill "An Act To Ensure Equity in Mortgage Volume Fees" (S.P. 310) (L.D. 969)

Bill "An Act To Require Continuing Education for Professional Engineers" (S.P. 320) (L.D. 979)

Bill "An Act To Improve the State's Returnable Bottle Law and Adjust Handling Fees" (S.P. 326) (L.D. 985)

Bill "An Act To Transfer Speech Pathologist Licensure Functions to the Department of Education" (S.P. 330) (L.D. 989)

Bill "An Act To Promote Economic Growth by Retaining Engineers in Maine" (S.P. 334) (L.D. 993)

Resolve, Directing the Department of Economic and Community Development To Inventory Maine Business Excellence (S.P. 338) (L.D. 994)

Bill "An Act To Exempt a Person Who Performs Work on Certain Vessels from the Laws Governing Professional Engineers" (S.P. 339) (L.D. 995)

Bill "An Act To Clarify the Status of Regulated Water Utility Plumbing Permits"

(S.P. 348) (L.D. 1004)

Came from the Senate, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act To Allow a Judge To Assess a Fee on a Defendant To Reimburse a Municipality for a Drug Test"

(S.P. 311) (L.D. 970)

Bill "An Act To Ensure Effective Prosecution of Certain Repeat Offenders"

(S.P. 317) (L.D. 976)

Bill "An Act To Increase the Class of Crime of Unlawful Sexual Contact"

(S.P. 349) (L.D. 1005)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Establish Consistent Requirements for High School Course Credits and Diploma Eligibility"

(S.P. 328) (L.D. 987)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Ensure Comprehensive Cancer Control in Maine"

(S.P. 314) (L.D. 973)

Bill "An Act To Increase the Legal Age for the Purchase of Tobacco Products"

(S.P. 323) (L.D. 982)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act To Establish a Policy for Inland Fishing Rules"

(S.P. 344) (L.D. 1000)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act To Amend the Constitution of the Maine Episcopal Missionary Society"

(S.P. 312) (L.D. 971)

Bill "An Act To Enact the Uniform Interstate Family Support Act Amendments of 1996 and 2001"

(S.P. 327) (L.D. 986)

Bill "An Act To Ensure Fairness in Payment of Superior Court Witness Fees by Counties"

(S.P. 343) (L.D. 999)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

REFERRED to the Committee on **JUDICIARY** in concurrence.

Bill "An Act To Provide an Alternative Method of Payment under the Maine State Retirement System"

(S.P. 331) (L.D. 990)

Bill "An Act To Clarify the Purchase of Military Time Served under the Maine State Retirement System"

(S.P. 333) (L.D. 992)

Came from the Senate, **REFERRED** to the Committee on **LABOR** and ordered printed.

REFERRED to the Committee on **LABOR** in concurrence.

Bill "An Act To Amend the Laws Governing the Qualification of Candidates"

(S.P. 321) (L.D. 980)

Bill "An Act To Ensure Segregation of Spoiled Ballots"

(S.P. 322) (L.D. 981)

Came from the Senate, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

Bill "An Act To Modify the Criteria for Approval of Aquaculture Leases"

(S.P. 345) (L.D. 1001)

Bill "An Act To Protect the Public from Floodwater Contamination in Shellfish"

(S.P. 347) (L.D. 1003)

Came from the Senate, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

Bill "An Act To Provide a Preference for State Residents in the Awarding of Government Contracts"

(S.P. 313) (L.D. 972)

Bill "An Act To Amend the Laws Governing Registers of Deeds"

(S.P. 325) (L.D. 984)

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

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

Bill "An Act To Improve the Business Equipment Tax Reimbursement Program"

(S.P. 316) (L.D. 975)

Bill "An Act To Adjust Qualifications for the So-called 'Circuit Breaker Program'"

(S.P. 318) (L.D. 977)

Bill "An Act To Phase Out the Tax on Business Equipment"

(S.P. 324) (L.D. 983)

Bill "An Act Allowing Municipalities To Retain a Percentage of Any Increase in the Sales and Use Tax"

(S.P. 340) (L.D. 996)

Bill "An Act Allowing Municipalities To Create Property Tax Circuit Breaker Programs"

(S.P. 341) (L.D. 997)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** in concurrence.

Bill "An Act To Establish a Rotarian License Plate"

(S.P. 319) (L.D. 978)

Bill "An Act To Increase Penalties for Passing a Stopped School Bus"

(S.P. 329) (L.D. 988)

Bill "An Act Regarding Motor Vehicle Registration and Inspection Dates"

(S.P. 342) (L.D. 998)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

Bill "An Act To Amend the Charter of the Madawaska Water District"

(S.P. 308) (L.D. 967)

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

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

The following Joint Resolution: (S.P. 337)

JOINT RESOLUTION RECOGNIZING THE MAINE CHILDREN'S ALLIANCE

WHEREAS, the mission of the Maine Children's Alliance, an organization of concerned citizens, is to be "a strong and powerful voice to improve the lives of all Maine's children, youth and families"; and

WHEREAS, Maine KIDS COUNT is a project of the Maine Children's Alliance and is a part of the national KIDS COUNT network, a state-by-state effort funded by the Annie E. Casey Foundation to track the status of children across the United States; and

WHEREAS, the principal activity of the Maine KIDS COUNT project is the publication of the annual Maine KIDS COUNT Data Book, which includes the most reliable and recent data to measure the social, economic, physical and educational well-being of children in Maine; and

WHEREAS, the 2003 Maine KIDS COUNT Data Book is the latest edition to be released, which highlights positive indicators, trends and areas of concern in an effort to enrich local and state discussions to secure better futures for all of Maine's children; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-first Legislature, now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to express our sincere appreciation to the Maine Children's Alliance and the work it has done for the betterment of Maine's children with the publication of the 2003 Maine KIDS COUNT Data Book; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Children's Alliance with our best wishes and appreciation.

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

READ and **ADOPTED** in concurrence.

Bill "An Act To Equalize Fuel Taxes on Vehicles Used for Personal Travel"

(S.P. 332) (L.D. 991)

Committee on **TAXATION** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

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

On motion of Representative DUNLAP of Old Town, the House adjourned at 12:28 p.m., until 10:00 a.m., Wednesday, February 26, 2003 in honor and lasting tribute to Pat Farnsworth, of Orono.