

MAINE STATE LEGISLATURE

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

Volume I

First Regular Session

December 6, 2006 - June 5, 2007

Pages 1-681

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
FIRST REGULAR SESSION
13th Legislative Day
Thursday, February 15, 2007

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

Prayer by Honorable Henry L. Joy, Crystal.

Pledge of Allegiance.

The Journal of Tuesday, February 13, 2007 was read and approved.

SENATE PAPERS

Bill "An Act To Promote Economic Growth through Entrepreneurship, the Creative Economy and Rural Economic Development"

(S.P. 207) (L.D. 670)

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

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

On motion of Representative SMITH of Monmouth, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act To Reform the Taxation of Malt Liquor and Wine"

(S.P. 202) (L.D. 610)

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

Came from the Senate, with the Bill and accompanying papers **INDEFINITELY POSTPONED**.

On motion of Representative CUMMINGS of Portland, the Bill and accompanying papers were **INDEFINITELY POSTPONED** in concurrence.

Non-Concurrent Matter

Bill "An Act To Increase Funding for the State's Immunization Program" (EMERGENCY)

(H.P. 441) (L.D. 574)

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in the House on February 6, 2007.

Came from the Senate **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

On motion of Representative PINGREE of North Haven, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

Non-Concurrent Matter

Bill "An Act To Protect Children from Lead Exposure by Requiring Sufficient Notice of Renovations"

(H.P. 433) (L.D. 555)

REFERRED to the Committee on **JUDICIARY** in the House on February 6, 2007.

Came from the Senate **REFERRED** to the Committee on **NATURAL RESOURCES** in **NON-CONCURRENCE**.

On motion of Representative PINGREE of North Haven, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

Non-Concurrent Matter

Bill "An Act To Fund the Purchase of Maine State Retirement System Time by Certain Veterans"

(H.P. 427) (L.D. 549)

REFERRED to the Committee on **LABOR** in the House on February 6, 2007.

Came from the Senate **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

On motion of Representative TUTTLE of Sanford, the House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Fund the Western Maine Career Centers" (EMERGENCY)

(H.P. 439) (L.D. 572)

REFERRED to the Committee on **LABOR** in the House on February 6, 2007.

Came from the Senate **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: (H.C. 74)

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

February 15, 2007

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk MacFarland:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative Hannah M. Pingree of North Haven to serve as Speaker Pro Tem to convene the House on Tuesday, February 27, 2007.

Sincerely,

S/Glenn Cummings

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 75)

STATE OF MAINE
123RD MAINE LEGISLATURE

January 16, 2007

Terrance J. MacTaggart, Chancellor

University of Maine System

P.O. Box 409

Bangor, ME 04402-0409

Dear Chancellor MacTaggart:

We are pleased to invite you to address a Joint Session of the 123rd Maine Legislature on Thursday, February 15, 2007 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 Community College System, will be addressing the Joint Convention.

We look forward to seeing you then.

Sincerely,
S/Beth G. Edmonds
President of the Senate
S/Glenn Cummings
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 76)

**MAINE'S PUBLIC UNIVERSITIES
UNIVERSITY OF MAINE SYSTEM
OFFICE OF THE CHANCELLOR
16 CENTRAL STREET
BANGOR, ME 04401-5106**

January 29, 2007
The Honorable Glenn Cummings
Speaker of the House
2 State House Station
Augusta, ME 04333

Dear Speaker Cummings:

Thank you for your invitation to address the 123rd Maine State Legislature on Thursday, February 15, 2007 at 11:00 a.m. I am honored to be invited and am pleased to accept the invitation.

As you know, Maine's public universities are essential and valuable contributors to Maine's economy and quality of life. I look forward to updating you and your colleagues on the state of the University of Maine System when the Legislature holds its Joint Session on the 15th.

Sincerely,
S/Terrence J. MacTaggart
Chancellor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 77)

**STATE OF MAINE
123RD MAINE LEGISLATURE**

January 16, 2007
John Fitzsimmons, President
Maine Community 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 123rd Maine Legislature on Thursday, February 15, 2007 concerning the State of the Maine Community 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 Terrance MacTaggart, Chancellor of the University of Maine System. You will address the Joint Convention directly following the Chancellor.

We look forward to seeing you then.

Sincerely,
S/Beth G. Edmonds
President of the Senate
S/Glenn Cummings
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 78)

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

January 19, 2007
The Honorable Beth G. Edmonds
President of the Senate
123rd Maine Legislature
3 State House Station
Augusta, ME 04333-0003
The Honorable Glenn Cummings
Speaker of the House
123rd Maine Legislature
2 State House Station
Augusta, ME 04333-0002

Dear President Edmonds and Speaker Cummings:

Thank you for your letter of January 16, 2007, inviting me to address a Joint Session of the 123rd Maine Legislature on Thursday, February 15th. On behalf of Maine's Community College trustees, 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 Community College System.

Thank you again for your invitation.

Sincerely yours,
S/John Fitzsimmons
President

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 79)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT**

February 13, 2007
Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

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

L.D. 30 Resolve, To Decrease Landfill Costs and Protect the Environment through a Beverage Container Reuse Program
We have also notified the sponsor and cosponsors of the Committee's action.

Sincerely,
S/Sen. Lynn Bromley
Senate Chair
S/Rep. Nancy E. Smith
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 80)

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON LABOR**

February 13, 2007
Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Labor has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 124 An Act To Allow the Recovery of Reasonable Attorney's Fees

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

Sincerely,
S/Sen. Ethan Strimling
Senate Chair
S/Rep. John L. Tuttle, Jr.
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 81)

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

February 13, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:
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 bill out "Ought Not to Pass":

L.D. 110 An Act To Require an Independent Audit of State Government Every 4 Years

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

Sincerely,
S/Sen. Elizabeth M. Schneider
Senate Chair
S/Rep. Christopher R. Barstow
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 82)

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

February 13, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:
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 bill out "Ought Not to Pass":

L.D. 31 An Act To Fund Alcohol and Tobacco Addiction Treatment Programs BY REQUEST

L.D. 302 An Act To Create an Alternative Fuel Vehicle Income Tax Credit and an Alternative Fuel Vehicle Rebate

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

Sincerely,

S/Sen. Joseph C. Perry
Senate Chair
S/Rep. John F. Piotti
House Chair

READ and ORDERED PLACED ON FILE.

Doctor of the day, Katherine Pope, M.D., Cumberland Foreside.

At this point, a message came from the Senate borne by Senator Mitchell of Kennebec of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 11:00 in the morning for the purpose of extending to the Honorable Terrance J. MacTaggart, Chancellor of the University of Maine System, and the Honorable John Fitzsimmons, President of the Maine Community 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 PINGREE of North Haven to convey this message to the Senate.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolution were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Establish a New Method of Determining the State Budget"

(H.P. 598) (L.D. 782)

Sponsored by Representative JOY of Crystal.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: ANNIS of Dover-Foxcroft, CEBRA of Naples, COTTA of China, HAYES of Buckfield, MILLETT of Waterford, RICHARDSON of Carmel, RICHARDSON of Greenville, VAUGHAN of Durham.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Clarify That Senior Lifetime Hunting Licenses Include the Right To Hunt Turkey"

(H.P. 599) (L.D. 783)

Sponsored by Representative MILLS of Farmington.
Cosponsored by Senator BRYANT of Oxford and Representatives: EBERLE of South Portland, LUNDEEN of Mars Hill, PINEAU of Jay, WATSON of Bath, WHEELER of Kittery, Senators: GOOLEY of Franklin, MILLS of Somerset.

JUDICIARY

Bill "An Act To Remove Clergy as Signatories on Marriage Licenses"

(H.P. 595) (L.D. 779)

Sponsored by Representative MARLEY of Portland.

MARINE RESOURCES

Bill "An Act To Enhance the Natural Resources Protection Laws"

(H.P. 600) (L.D. 784)

Sponsored by Representative SCHATZ of Blue Hill.

Cosponsored by Representatives: MILLER of Somerville, PILON of Saco, SOCTOMAH of the Passamaquoddy Tribe.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Promote Green Power Use at State Buildings"

(H.P. 601) (L.D. 785)

Sponsored by Representative PIOTTI of Unity.

Cosponsored by Senator BARTLETT of Cumberland and Representatives: BLISS of South Portland, HINCK of Portland.

TAXATION

Bill "An Act To Enhance Redevelopment of Mill Buildings"

(H.P. 596) (L.D. 780)

Sponsored by Representative BEAUDETTE of Biddeford.

Cosponsored by Senator COURTNEY of York and Representatives: AUSTIN of Gray, BEAULIEU of Auburn, CLEARY of Houlton, PRESCOTT of Topsham, RECTOR of Thomaston, SAMSON of Auburn, SILSBY of Augusta, SMITH of Monmouth.

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

(H.P. 602) (L.D. 786)

Sponsored by Representative PERCY of Phippsburg.

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

(H.P. 603) (L.D. 787)

Sponsored by Representative PERCY of Phippsburg.

Bill "An Act To Dedicate 20 Percent of the Sales Tax on Motor Vehicles to the Highway Fund"

(H.P. 604) (L.D. 788)

Sponsored by Representative THOMAS of Ripley.

Cosponsored by Senator DAMON of Hancock and Representatives: BROWNE of Vassalboro, CEBRA of Naples, CRAY of Palmyra, CURTIS of Madison, GIFFORD of Lincoln, MARLEY of Portland, TARDY of Newport, Senator: SHERMAN of Aroostook.

Bill "An Act To Decrease the Excise Tax Imposed on Motor Vehicles"

(H.P. 605) (L.D. 789)

Sponsored by Representative SIROIS of Turner.

Cosponsored by Senator STRIMLING of Cumberland and Representatives: KNIGHT of Livermore Falls, PATRICK of Rumford, PERCY of Phippsburg, PIOTTI of Unity.

TRANSPORTATION

Bill "An Act Making Unified Highway Fund and Other Funds Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009" (EMERGENCY)

(H.P. 597) (L.D. 781)

Sponsored by Representative MARLEY of Portland. (GOVERNOR'S BILL)

Cosponsored by Senator DAMON of Hancock.

Subsequently, Representative PINGREE of North Haven reported that she had delivered the message with which she was charged.

**Pursuant to Statute
Maine State Retirement System**

Representative TUTTLE for the **Maine State Retirement System** pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13 asks leave to report that the accompanying Bill "An Act To Establish the Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2008" (EMERGENCY)

(H.P. 594) (L.D. 776)

Be **REFERRED** to the Committee on **LABOR** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

ORDERS

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 16)

ORDERED, that Representative Stacey Allen Fitts of Pittsfield be excused February 8 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative David E. Richardson of Carmel be excused February 8 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Nancy E. Smith of Monmouth be excused January 25 and February 6 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Michael Thibodeau of Winterport be excused February 8 and February 13 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Douglas A. Thomas of Ripley be excused February 8 for personal reasons.

READ and **PASSED**.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Timothy Wilson, of Portland, for his work with Seeds of Peace, the international peace camp in Otisfield. Since 1993, Mr. Wilson has devoted his life to Seeds of Peace and to the cause of fostering peace and creating understanding among young people from centers of conflict and war-torn regions around the world. He has been instrumental in the success of the camp, first as the camp director and, more recently, as facilitator for Maine Seeds, an offshoot that seeks to foster reconciliation among local youths split by issues of cultural and national identity. Under Mr. Wilson's direction, Maine Seeds works to empower recent teenage immigrants from Somalia and other regions of conflict in Africa and Asia to develop skills for coexistence with their neighbors. We congratulate and extend our gratitude to Mr. Wilson for his important work with the youth of our world and recognize and offer our best wishes to him for his continued success;

(HLS 93)

Presented by Representative HINCK of Portland.
Cosponsored by Senator STRIMLING of Cumberland, Representative HASKELL of Portland, Senator BRANNIGAN of Cumberland, Representative MARLEY of Portland, Representative ADAMS of Portland, Representative RAND of Portland, Representative BRAUTIGAM of Falmouth, Speaker CUMMINGS of Portland, Representative HARLOW of Portland.

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

READ.

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

Representative **HINCK**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. No doubt some of you in the Chamber today know of, or know Timothy P. Wilson, Seeds of Peace Senior Advisor, Director of Meredith's International Camp and Director of Meredith's Center for Coexistence. Mr. Wilson agreed to be here today to go along with this, in the hope and expectation that his participation may assist in this work and give it a bit of a boost. Help in the important work of creating and understanding, friendship, tolerance, and sowing seeds for peaceful conflict resolution.

But first, just a couple of words about Mr. Wilson. Here is man who joined the Peace Corps in 1962, the year after it was created by President John F. Kennedy. His work in Thailand for the Peace Corps and subsequent work led to him being honored with the Peace Corps prestigious Franklin H. Williams Award. Soon after returning to the US, Timothy Wilson became Maine's first black coach. He was a football coach, and a successful football coach I might add, at Dexter High School and the University of Maine.

Soon thereafter, Timothy Wilson received a series of appointments. Three successive Maine Governors, Kenneth Curtis, James Longley, and Joseph Brennan, appointed Wilson to a series of important posts. He was Chair of the Human Rights Commission, State Ombudsman, and Director of the State Office of Community Services, Civil Emergency Preparedness, and Energy. Wilson also served as an Associate Commissioner for Mental Retardation and Corrections. He served as Associate Headmaster at the Hyde School in Bath, and Director of Admissions at Maine Central Institute in Pittsfield.

I am trying with this sentiment to mention every town in Maine through Mr. Timothy Wilson's background. Tim first worked for Seeds of Peace as Camp Director and now works as Facilitator of Maine Seeds, an off chute that works with local youths. His work with Maine Seeds alone has helped more than 200 children shun violence and become leaders in their communities. At Mr. Wilson's instigation, joined in the efforts by Senators Collins and Snowe and Governor Baldacci, this year's Maine Delegation at Seeds of Peace, will include young people from Washington County schools and the Passamaquoddy Nation. This will add to our group of Maine Seeds that have come from the Portland area, the Lewiston area, the Augusta area, and as far north as Milo.

So in addition to recognizing Mr. Wilson's efforts today, and the work of all other fine people that build and contribute to Seeds of Peace, I encourage legislators to give thought to what value we can add to these efforts. Tim will be here for a while today. I encourage those of you who have not met him to do so and discuss with him your ideas and his. I'm very pleased that he was able to come today and that we are honoring his work and the work of Seeds of Peace. Thank you very much.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

In Memory of:

the Honorable Vinton "Wink" True Ridley, of Shapleigh, former legislator. Mr. Ridley, a member of the Democratic Party, was a Maine State Representative for 10 years. He owned and operated V.T. Ridley Company, a custom machine shop, and in the late 1970s he opened the Shapleigh Corner Store. Over the years Mr. Ridley served the community as a selectman for the Town of Shapleigh, as a bail commissioner for the Maine Judicial System and as a State Representative. He also organized the Shapleigh Fire Department, served on the York County Budget Committee and was a member of the York County Sheriff's Department. Mr. Ridley was a member of the Springvale Masonic Lodge No. 190 AF & AM for over 50 years. Mr. Ridley will be sadly missed and long remembered by his family, his friends and the community that he served;

(HLS 100)

Presented by Representative TUTTLE of Sanford.

Cosponsored by Representative CAMPBELL of Newfield, Senator NASS of York, Senator MITCHELL of Kennebec, Senator MARTIN of Aroostook, Representative ADAMS of Portland, Representative CLARK of Millinocket, Senator HOBBS of York, Senator DIAMOND of Cumberland, Representative HASKELL of Portland, Senator BRANNIGAN of Cumberland, Representative PRIEST of Brunswick, Representative RAND of Portland, Representative CANAVAN of Waterville, Representative TREAT of Farmingdale, Representative MILLETT of Waterford, Speaker CUMMINGS of Portland.

On **OBJECTION** of Representative TUTTLE of Sanford, was **REMOVED** from the Special Sentiment Calendar.

READ.

Representative **TUTTLE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. It is with deep sadness and a great honor that I speak to you today in memory of Vinton "Wink" Ridley of Shapleigh. The reason why we called him "Wink" was because every time he talked to you he'd always wink at you. The last time I saw Wink was at York County Dialysis in Biddeford and his nickname for me, he always called me "Tuttsy", so he'd always ask for me. I went to high school with his sons and daughters. Also, his son-in-law, Roamie Pelletier from Fort Kent, he and I were wrestling captains at the University of Maine at Presque Isle and Roamie later went on to be a wrestling coach at West Point.

But Wink had a wonderful life. As it was mentioned, he was a State Representative for 10 years from the Shapleigh area. He was a Shapleigh Selectman. He was the one who pretty much founded and organized the Shapleigh Fire Department. He will be greatly missed and long remembered by all of us who knew him. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I can't say much more about Wink than Representative Tuttle has already said. I now sit in the seat that the Honorable Wink Ridley sat in many years ago and I am honored. I am going to miss Wink on Maple Sugar Sunday because his family had a farm in Shapleigh. We used to make it a point to sit beside a woodstove and chat about politics with Wink on Maple Sugar Sunday. It is very sad for me now to know that Wink won't be there to talk politics. Thank you Mr. Speaker.

Subsequently, the Sentiment was **ADOPTED** and sent for concurrence.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Provide for the Nonpartisan Election of County Commissioners" (H.P. 121) (L.D. 129)

Signed:

Senators:

SCHNEIDER of Penobscot
BRANNIGAN of Cumberland

Representatives:

BARSTOW of Gorham
BOLAND of Sanford
WEAVER of York
BEAUDETTE of Biddeford
SIROIS of Turner
CURTIS of Madison
JOY of Crystal
HAYES of Buckfield
COTTA of China

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

Signed:

Senator:

BENOIT of Sagadahoc

Representative:

SCHATZ of Blue Hill

READ.

On motion of Representative BARSTOW of Gorham, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

CONSENT CALENDAR

Second Day

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

(H.P. 262) (L.D. 327) Bill "An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2007" (EMERGENCY) (C. "A" H-5)

On motion of Representative MARLEY of Portland, was **REMOVED** from the Second Day Consent Calendar.

The Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and specially assigned for Tuesday, February 27, 2007.

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, February 13, 2007, 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 To Allow Schools in the State To Self-insure for Fire, Property and Theft Insurance"

(S.P. 219) (L.D. 682)

In Memory of:

Barbara Suzanne Holt, of Alfred, devoted community volunteer, political activist and champion of continued education. Mrs. Holt believed that each community member should participate in making improvements to the quality of life in the community, and her lifelong actions are a testament to her belief. She devoted nearly two decades of volunteer work to the United Way of York County. Mrs. Holt dedicated herself for many years to local and national political campaigns and organizations, including the White House Commission on Presidential Scholars, the National Foundation for Advancement in the Arts, Senator George Mitchell's Federal Appointment Committee, Victory '92 Campaign and her own campaign for the State Senate in Maine. She was a lifelong learner and firm believer in continued education with many degrees and certificates to her name. Mrs. Holt's passing is a great loss to the community of the State of Maine and she will be sadly missed and long remembered for her work and her example of humanitarianism;

(HLS 101)

Presented by Representative TUTTLE of Sanford.

Cosponsored by Representative BOLAND of Sanford, Representative CAMPBELL of Newfield, Senator COURTNEY of York, Representative ADAMS of Portland, Speaker CUMMINGS of Portland, Representative BABBIDGE of Kennebunk, Representative BEAUDETTE of Biddeford, Representative BEAUDOIN of Biddeford, Representative BURNS of Berwick, Representative CASAVANT of Biddeford, Representative CHASE of Wells, Representative CONNOR of Kennebunk, Representative CRESSEY of Cornish, Representative FARRINGTON of Gorham, Representative GOULD of South Berwick, Representative HILL of York, Representative HOGAN of Old Orchard Beach, Representative JACOBSEN of Waterboro, Representative LEWIN of Eliot, Representative MAREAN of Hollis, Representative MUSE of Fryeburg, Representative NASS of Acton, Representative PILON of Saco, Representative WEAVER of York, Representative WHEELER of Kittery, Senator BOWMAN of York, Senator DIAMOND of Cumberland, Senator HOBBS of York, Senator NASS of York, Senator SULLIVAN of York.

On **OBJECTION** of Representative TUTTLE of Sanford, was **REMOVED** from the Special Sentiment Calendar.

READ.

Representative **TUTTLE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Again, it is with great sadness that I speak to you today of the passing of Barbara Holt. Her husband, Jack, was a long time veterinarian in the area and he also passed right around Thanksgiving. So there has been much sadness in the whole family. As the Clerk had mentioned, Barbara was on the White House Commission on Presidential and Federal Appointments. She was on Senator George Mitchell's Federal Appointment Committee. Mrs. Holt's passing is a great loss to the community of the State of Maine and she will be sadly missed and long remembered for her work and for her lifetime assistance to all humanitarian causes. Thank you Mr. Speaker.

Subsequently, the Sentiment was **ADOPTED** and sent for concurrence.

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

- In Senate, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.
TABLED - February 13, 2007 (Till Later Today) by Representative BRAUTIGAM of Falmouth.
PENDING - **REFERENCE IN CONCURRENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**, in concurrence.

SENATE PAPERS

The following Joint Order: (S.P. 236)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 27, 2007, at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

Bill "An Act To Authorize a General Fund Bond Issue for Affordable Rental Housing"

(S.P. 237) (L.D. 777)

Bill "An Act To Provide Essential Library Resources to All Maine Communities"

(S.P. 242) (L.D. 793)

Bill "An Act To Enhance the Maine State Grant Program"

(S.P. 249) (L.D. 800)

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

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act To Strengthen Rural Community Investment"

(S.P. 239) (L.D. 790)

Bill "An Act To Provide Representation by a Mechanic or Installer on the Manufactured Housing Board"

(S.P. 243) (L.D. 794)

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 Enhance the Qualifications for a Concealed Firearms Permit"

(S.P. 238) (L.D. 778)

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 Ensure Equitable Geographic Representation on the State Board of Education"

(S.P. 240) (L.D. 791)

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 Concerning Postpartum Mental Health Education"

(S.P. 241) (L.D. 792)
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 Prohibit the Use of Motorized Watercraft on Lily Pond in Deer Isle"

(S.P. 248) (L.D. 799)

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 Conform State Law with Federal Law Regarding Bankruptcy Exemptions"

(S.P. 246) (L.D. 797)

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

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act To Create the Endangered or Threatened Marine Species Fund"

(S.P. 245) (L.D. 796)

Bill "An Act To Standardize Inshore Dragging Seasons for Scallops and Sea Cucumbers"

(S.P. 247) (L.D. 798)

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 Extend the Solar Energy Rebate Program"

(S.P. 244) (L.D. 795)

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.

Bill "An Act To Amend the Accord and Satisfaction Laws To Add Juveniles"

(S.P. 226) (L.D. 709)

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

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

Non-Concurrent Matter

Bill "An Act To Provide Funding for Transitional Employment Training Opportunities for Persons with Mental Illness"

(H.P. 506) (L.D. 657)

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in the House on February 8, 2007.

Came from the Senate **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

On motion of Representative BARSTOW of Gorham, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

Non-Concurrent Matter

Bill "An Act To Encourage Manufacturing by Expanding Pine Tree Development Zones"

(H.P. 540) (L.D. 719)

REFERRED to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** in the House on February 13, 2007.

Came from the Senate **REFERRED** to the Committee on **TAXATION** in **NON-CONCURRENCE**.

On motion of Representative PINGREE of North Haven, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

Non-Concurrent Matter

Bill "An Act To Repeal the Tax on Private Nonmedical Institutions"

(H.P. 534) (L.D. 703)

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in the House on February 13, 2007.

Came from the Senate **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in **NON-CONCURRENCE**.

On motion of Representative PINGREE of North Haven, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

Bill "An Act To Ensure That Pine Tree Development Zone Benefits Are Not Extended to Businesses That Compete with Existing Maine Businesses"

(S.P. 235) (L.D. 768)

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.

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 Beth Edmonds, in the Chair.

The Convention was called to order by the Chair.

On a motion by Senator MITCHELL of Kennebec, it was **ORDERED**, that a Committee be appointed to wait upon the Honorable Terrence J. MacTaggart, Chancellor of the University of Maine System, the Honorable John Fitzsimmons, President of the Maine Community 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 York, Sen. Bowman
The Sen. from Kennebec, Sen. Mitchell
The Sen. from Somerset, Sen. Mills
The Rep. from Bangor, Rep. Norton
The Rep. from Gorham, Rep. Farrington
The Rep. from Fairfield, Rep. Finch
The Rep. from Portland, Rep. Harlow
The Rep. from Lewiston, Rep. Makas
The Rep. from Chapman, Rep. Sutherland
The Rep. from Caribou, Rep. Edgecomb
The Rep. from Dennysville, Rep. McFadden
The Rep. from Fryeburg, Rep. Muse
The Rep. from Cumberland, Rep. Strang Burgess

Subsequently, Senator BOWMAN of York, for the Committee, reported that the Committee had delivered the message with it was charged and we are pleased to report that the Honorable Terrence J. MacTaggart, Chancellor of the University of Maine System, and the Honorable John Fitzsimmons, President of the Maine Community College System, will attend forthwith.

The Chair is pleased to welcome to the Convention the Honorable Terrence J. MacTaggart, Chancellor of the University of Maine System, The Honorable John Fitzsimmons, President of the Maine Community College System, the Campus Presidents, the Board of Trustees and the guests of the two systems.

The Chair recognized in the House Gallery representing the University of Maine System, Board of Trustees, Margaret (Meg) Weston of Yarmouth, Marjorie (Marge) Medd of Norway, Terry Colby, Faculty Representative, from the University of Maine at Augusta, Brian Clark, Student Representative, graduate from the University of Southern Maine. Also, the Chair recognized in the Gallery representing the University of Maine System Presidents, Dr. Robert Kennedy, University of Maine, Josh Nadel-Provost, University of Maine at Augusta (for President Richard Randall who is unable to attend), Dr. Richard Cost, University of Maine at Fort Kent, Dr. Rich Pattenau, University of Maine at Southern Maine, Dr. Theo Kalikow, University of Maine at Farmington. Also, the Chair recognized in the House Gallery representing the Maine Community College System Board of Trustees, Dennis King of Freeport, Cynthia Phinney of New Sharon, Bridget Healy of Freeport, the Honorable Daniel E. Wathen of Augusta, Shepard Lee of Cape Elizabeth, Doris Belisle Bonneau of Lewiston. Also, the Chair recognized in the House Gallery representing the Maine Community College System Presidents, Dr. Scott Knapp of Central Maine Community College in Auburn, Dr. Joyce Hedlund of Eastern Maine Community College in Bangor, Dr. Barbara Woodlee of Kennebec Valley Community College in Fairfield, Mr. Timothy Crowley of Northern Maine Community College in Presque Isle, Dr. James Ortiz of Southern Maine Community College in South Portland, Dr. William Cassidy of Washington County Community College in Calais.

The Chair requested the Honorable Terrence J. MacTaggart, Chancellor of the University of Maine System, to please step forward and address the Joint Convention.

Chancellor **MacTAGGART**: President Edmonds, Speaker Cummings, Members of the 123rd Legislature, University System Trustees, Presidents, faculty, staff, friends, my colleague John Fitzsimmons, and most of all, our students. I thank you for the opportunity to share some of the achievements and some of the

aspirations of the University system on behalf of the people of Maine.

First, I'd like to thank the Board of Trustees for giving me the chance to come back to this job for a 12-month period. It is a real treat to work with people that I respect and like. So, I am in debt to the Trustees again. But maybe even more than that, I would like to thank Richard Pattenau, who is sitting up there and who in a few short months, is going to be the Chancellor. Next time he will be standing up here with a heart that is pulsing and sweaty palms and addressing this Legislature. You've got a winner there with Rich and we all are happy that he stepped up to the plate. Thank you Rich.

I would like to thank the Governor. He stepped up to the plate as well. I know he had to tighten purse strings in other areas of government in order to provide some modest increases for higher education. We appreciate his leadership on that and so many other things. But most of all, I would like to thank this Legislature for welcoming me back, both the people who I have had the pleasure of working with in the past, as well as some new friends and colleagues. Thank you.

My comments today have the working title of "Our Students Become Maine." I would like to describe a little bit about the student body and the University of Maine system, then go on to talk about two other topics. One is a really marvelous partnership between the community colleges, the schools and the State, and the University system, to create a more seamless network, to enable more of these able Maine students to go on and pursue higher education. And then I would like to describe how the Universities are working with businesses in the State, so that those able students have good jobs when they graduate from our colleges and universities. But first, a bit about the students.

Each September, we start the new academic year with about 34,000 students. That number grows to 45,000 if you take into account the next semester and people who enroll in summer. In other words, three out of four Mainers who are enrolled in public higher education are enrolled in one of the seven universities. About 90 percent of our students come from Maine. The vast majority stay in the state after they graduate.

Each year, about 5,000 students earn a college degree and when they walk across that graduation stage, they represent the reality that the university is the largest single contributor to the work force of Maine. Our students become Maine. When they graduate, they become our nurses and our teachers, our business leaders, our entrepreneurs, engineers, farmers and foresters, our software designers and inventors and judges, our novelists and poets, our painters and filmmakers. They serve in the military. They serve in the Legislature. They become our Governors, our congressmen, and occasionally United States senators, as well. Seventy-five members or so of this body attended or graduated from one of our institutions. Like you, our students become Maine.

So what are we doing to make sure that when those students finish their degree and walk across that stage, they are ready for good jobs that are available to them here in Maine and not heading south or elsewhere? I can answer that question with three words. Partnerships. Jobs. Value.

So first I will say a little bit more about that partnership that I mentioned earlier, between the schools and the community colleges. Then I'll talk about how University-based research is converting ideas in the laboratories of the University and to businesses and jobs here in Maine. Then finally, I'd like to report to you on what value we are providing to the taxpayers and the students and their families, what you're getting in return for the investment that you and your predecessors have made over the years.

First, on the partnerships. It happens as any of you who know us know to be true, that Commissioner Sue Gendron and President Fitzsimmons and I like each other. And that's a good thing because we have been challenged to work much more closely together than the people in these positions have in the past. The Governor has challenged us. Speaker Cummings has challenged us. But in particular, President Beth Edmonds challenged us to create a seamless network that allows our students to progress in a systematic way from the schools, either directly to the universities, or to the community colleges and eventually to the universities.

Now, I have to acknowledge that we were operating from a pretty good platform. One of my predecessors, Joe Westphal, Chancellor Joe Westphal, and the presidents represented here today made great progress on transferability of courses and indeed of whole programs, making sure they fit together, so a student could begin in one place and complete in another. But these legislative leaders and the Governor challenged us to go to the next level from the platform that already existed.

Let me give you one concrete example of how this partnership works. It's called "Early College." It enables juniors and seniors in high school who have the potential, who have the right stuff to succeed in college, but maybe aren't quite as confident about it as their teachers and advisors might be. One example of the success of this Early College is a student from Lewiston High School, a senior now, who is in the process of amassing 12 credits, Desiree Wuthenow. Desiree would you stand for a minute and receive recognition? When Desiree goes on to college, she'll be the first in her family to do so. It is one of the several things we have in common. Beyond that she has taken some tough courses in high school. Statistics, writing courses, and others. She has acquired that kind of ability and the confidence to know that she has the right stuff to do college work. She will be a credit to Lewiston High School. She will be a credit to Maine as well.

There is another dimension to the Early College experience, that in the interest of time I will just mention briefly, and that is Advanced Placement courses. Some of you have heard of those, some of you have taken them, some of your kids, nieces and nephews have. Essentially it means you can take a course in high school that will count for college credit. So when you get into college you can go faster, further than you might otherwise. There is also a wonderful program for students who don't live near one of the universities, and it is called "Academ-e", "e" standing for electronic. It is The University of Maine in particular and students can take courses over the Internet, via that.

A lot of good things come out of this partnership and come out of this array of Early College opportunities. High school students make better use of their junior and particularly their senior year. They get an early start on their college career so it won't take as long to graduate. Some of that anxiety that many of us felt when we were at that stage in our lives, about going on to college and a strange environment, often a bigger school. That has diminished remarkably as the students discover they can do the work and do it well. And it saves them and their families a lot of money. You can start college with half of a year, or even a year under your belt, through all of these arrays. You'll be paying tuition and fees and room and board and all of that, for perhaps one less year. That is a substantial savings right there. Then you can enter the world of work with a college degree that much sooner. So this Early College thing is just a marvelous, marvelous achievement, I think, that I am happy to report. I can't take much credit for it because my partners were the real leaders in this. So partnerships work. Working together we achieve more.

The second is jobs and the key idea there is this taking ideas from the laboratories of the universities and putting them out into the market place. In 1997, the Legislature funded a program called the Maine Economic Improvement Fund, MEIF. A little while ago you got a report on that, but I know you receive a lot of reports, so I'll just mention it here. Your idea in funding MEIF was to enable the universities to attract more money from the Federal Government, not for any kind of research, but research that had the potential to be commercialized. Ideas that could be developed by Maine businesses, hire Maine employees, and create wealth in the State of Maine. In fields that included high tech wood composites, sensors, biotechnology, agriculture, aquaculture, and forestry. All fields that we recognize as central to Maine.

Well, the faculty have done their work. You've invested about \$80 million since 1997, which is a chunk of money to be sure by our standards. Although I have to tell you that compared to our competing states, it is not that large. But we appreciate it and we put it to good use. The faculty have created an additional over \$300 million, actually \$305 million to be exact, of money largely from outside the state to engage in these research projects, \$80 million to \$305 million. And if we weren't getting it, some other state would be getting it to help their businesses and their industries to provide jobs.

Some other good things have come out of this. Among them, 717 new full-time jobs this year, based on the research, just in those federal grants, just at the universities and some of our associate partners. So successful, actually, have these faculties been at creating jobs that Maine is ranked second, second in the country in the growth rate of spin-off industries. Now the Research Triangle down in North Carolina has got more, Highway 128 has got a lot more, but the growth rate is on our side. That is pretty amazing in my opinion. A lot of people are responsible for this, people that you know people like Jake Ward, Deb Neuman, and Jim McConnon from The University of Maine, and Valarie Lamont, Rita Heimes, and Leonard Agneta at USM. Combining your resources, federal resources, brainpower at the university, labs and students to produce these results.

Let me give you one specific example. Members of the House will have at their desks, I believe, a small piece of laminate carved in the shape of the State of Maine. Senators, I believe, received it in their mailbox, if you had a chance to stop by there on your way down here. The technical name for that little object is a "modular ballistic protective system." It was developed with only one purpose in mind, to protect men and women from harm in battlefield situation. It works like this. If you would imagine a kind of tent, and next to the canvas tent or whatever material it is made out of, you had a panel of this material, like a piece of sheetrock in your home almost. You could march toward that tent, explosive devices, mortars, whatever type of explosive device you might imagine, and by in large, the troops inside that tent would be safe from harm. The hundreds of Maine men and women who are serving in Iraq and Afghanistan would have a much better chance of returning home, and returning home whole, if this were deployed throughout that region and other sources of turmoil and battle in the world today.

But there is more to this story than this little piece of laminate. It was created by a talented professor at the University of Maine, who took the money you provided. This is a partnership. Obviously it involves the university and the Legislature as well. If you hadn't invested, he wouldn't have been able to develop this. He got another \$6 million from the federal government, and if we can persuade the Pentagon to procure this, there will be businesses in Maine that will manufacture this. There will be scores of new people employed. There will be a stronger

economy for when those young Maine men and women come back from overseas.

I'm going to ask you to do that again in just a minute because it is my honor, and I am absolutely humbled by the achievements of this man and his colleagues and his students. It is my honor to ask Dr. Habib Dagher to stand up, the man who created this material. If we are able to invest more in Dr. Dagher and his faculty associates and his students, not only will we be saving more lives, but we'll be helping the economy of Maine, as well.

Third topic, value. In a way, I have been talking about value all along. People like Desiree Wuthenow. People like Habib Dagher. The value of Maine's public universities to the future of our state. My argument is simply that students in Maine deserve no less than the highest quality, the highest value that we can deliver to them. Now it is important that we think well of ourselves, but in this competitive world it is probably even more important that others think well of us. I am happy to tell you that Maine's universities ranked pretty high in many of the national ranking services.

For 10 years in a row, the University of Maine at Farmington is ranked as one of the nation's top public liberal arts colleges in the country in *U.S. News and World Report*. That same magazine ranks the University of Maine at Machias as the fourth-best comprehensive college in the northeast. *The Princeton Review* labels the University of Maine at Fort Kent and the University of Southern Maine, as among the top colleges in the northeast. A widely respected music industry magazine called *Downbeat* sees the University of Maine at Augusta's jazz program as one of the 50 best in the country. There is national recognition for the social work program at the University of Maine at Presque Isle. And, of course, the University of Maine is on its way to becoming one of the top public research universities in the country, with internationally renowned programs in engineering, business, natural sciences, and many other areas. If you read the *New York Times*, if you listen to National or Maine Public Radio, or watch 60 Minutes, you know that our faculty are acquiring national renowned as well.

But since the theme of these comments is on students, I'd like you to recognize a student who has achieved great things too, Kelly Dorgan. Kelly lives in Bristol, Maine, and is a graduate student at the University of Maine working on her Ph.D. in oceanography and is listed as one of the rising stars in *Popular Science* magazine, under the title of "Brilliant 10". She is listed as one of the ten most brilliant rising starts in science in the United States. Kelly, would you stand please.

We all take pride in the achievements of students like Kelly and the 45,000 other students who work hard and do well in the University of Maine system. But there are some practical benefits to Maine as well, as we raise the level of quality and the reputation for quality at our universities. In particular, two good things happened. The first, more Maine students are going to stay in Maine instead of heading for the border to go someplace else. Now, all those students who think I want to see larger horizons, I want to see some of the world, we respect and understand that. But there are others, I'm afraid, who say, "I think I can get a better education elsewhere." As we turn that around, that calculation will change and more students will say, "Why should I leave? I can get the education I need and training I need, right here."

But in addition to keeping more students here by raising the quality, we're going to bring more able students from away. You know the demographics as well as I do. If we don't do something, we're all getting older, this work force is going to age and we're not going to have the capacity to maintain the economy that Mainers need and deserve. If we can bring more

students from away, able students, have them fall in love with Maine as we have, we'll be better off. Here is an example of how that has actually worked.

Just 11 years ago the University of Connecticut, a good school, but not a great school, it wasn't exactly the go to school in Connecticut. And in fact, Connecticut even topped Maine in exporting talented students. It had a brain drain that was the worst in the country next to Alaska. Through investments from the Legislature, fundraising at the university, the University of Connecticut is now known as an academic powerhouse. And guess what? The brain drain has been cut in half, as bright Connecticut students say, "We ought to stay here and go to a university in our state." So it would work here just as well as it has worked in Connecticut. We can bring more able students to the state and we can keep more of our own talented students here.

I had a personal experience with this just a few months ago. I was speaking to a group of engineering students at the University of Maine. There were 30 in the class, 10 from away. I asked them all what they planned to do after they graduated. Every one of the 10 from away wanted to stay here in Maine, begin a career, raise a family and make it their home. So bring people from away is a very good thing for us to do and they pay nearly full boat on their tuition as well. So there is an economic advantage in the short run.

What does it take to build this reputation for excellence? It takes hard work and hard choices. It takes brilliant faculty members like Dr. Dagher. It takes hardworking students like Desiree and Kelly. We have to pay our faculty what they would get in the marketplace, what they would get if they worked in Connecticut or someplace else. We need to invest in our classrooms, in our laboratories. Eventually you'll be considering a bond request that would enable us to bring our labs and our libraries and our classrooms, up to snuff so that we have that kind of bedrock of quality that is so essential to this project.

In closing, you're probably happy to hear that, let me share some words that were given to me 11 years ago from one of your former colleagues, former state Senator Bennett Katz. I was sitting in the cafeteria and I had just come to Maine and I have a lot more to learn still, but I had a lot more to learn then. I asked Senator Katz what Maine people valued most, what was most important to them. He thought for a while, and then said, "Terry, we are concerned about our taxes, but we value our kids most."

In the end, it is all about Maine values and Maine's kids. It's about giving those kids, and given the average that is creeping up in colleges and universities, often their parents as well, a good future here in Maine. It is about getting them through some of the best high schools in the country. It is about getting them in and through some of the finest colleges and universities because those kids don't deserve anything less. It is about graduating them with first-rate degrees, which are the tools for successful careers and successful living. It is about creating a knowledge economy so that families can live and work in Maine. We can do it with the hard work of our faculty and with leaders like the presidents here today and Rich Pattenau. With your leadership and support, I know we can do it. Thank you very much.

The Chair would now request the Honorable John Fitzsimmons, President of the Maine Community College System, please step forward and address the Joint Convention.

President FITZSIMMONS: Before I begin my remarks, I would like to beg your indulgence for just a moment. This morning when I was out shoveling, I broke my glasses. It is as

lame as you think, imagine shoveling and breaking your glasses, but I did it. I'd like to put a special request into the Legislative Council that we submit a bill requiring all optometrists that they have to open before noon during the workweek. Please, please, please, please. I'm going to struggle a little bit, but it will work.

President Edmonds, Speaker Cummings, Honorable Members of the 123rd Maine Legislature, Trustees, colleagues, friends of higher education. It is my honor to speak to you this morning on behalf of the 13,000 students enrolled in our seven community colleges.

Before I begin my remarks, I would like to recognize Chancellor MacTaggart. As your tenure as Chancellor comes to a close this June and Rich Pattenau takes command, you know you have left the system in very capable hands. I also hope you know how appreciative we are for your leadership in helping to advance higher education in Maine. Thank you for your service to our universities and our state. Thank you.

I would also like to recognize and thank Governor Baldacci for supporting an increase to our base budget in his biennial budget request. That increase is critical in protecting our current operations.

This year marks the beginning of my eighteenth year as the President of the Maine Community College System. To put that into perspective, when I started in 1990, Representative Kaenrath of South Portland was 7 years old. Of course, on the other hand, Senator Martin was starting his 25th year in the Legislature. It has been quite a journey.

One thing that has not changed over those years is the pride I take every day in our seven colleges and in the students we serve. While our enrollment has grown every year for the past seventeen years, our success is still measured one student at a time.

Since our beginning in 1946, our mission has held true to provide Maine people with an affordable, high quality education that enables them to qualify for good paying careers. To provide programs that are responsive to the labor demands of Maine's employers; and to promote local, regional, and statewide economic development.

In 2003, we undertook the transformational challenge of transitioning our technical colleges into community colleges. This initiative was led by Governor Baldacci and received overwhelming endorsement by the 121st Maine Legislature, including many of you who are in this chamber today. Our employees embraced the challenge because they believed it was right for Maine and because it helped to help address these disturbing facts. In 2003, the median household income in Maine was 42nd in the nation. Jobs requiring an associate degree or higher were increasing by nearly twice the rate of jobs requiring only a high school diploma. Only 35% of Mainers held a college credential as compared to New England, our neighbors, at 44%. And while Maine's has one of the highest high school graduation rates in the nation, we're in the bottom third of states when it came to sending our graduates on to higher education.

Four years ago, Maine was deep in the midst of one of the greatest economic shifts in its history, a shift away from natural resource based industries and traditional manufacturing and towards a knowledge based economy. For many of Maine's hardworking citizens whose knowledge and skills had been gained in the woods, at sea, or in our mills, it was—and continues to be—a wrenching experience.

Many of us had believed for years that Maine needed to create a true community college system. In 2003, we were one of only three states in the nation that did not have community colleges. Nationally, 17% of high school graduates were enrolled in two-year colleges, as compared to 7% in Maine. Forty-four

percent of the nation's undergraduates were enrolled in two-year colleges, compared to Maine's 17%.

If Maine was to begin to address the significant educational gaps that existed between us and the rest of the nation, we needed a low-cost, affordable entry point into higher education, one that would provide students with two critically important options. First, a high quality occupational education that would give a student the skills needed for immediate entry into the workforce. And second, an affordable and convenient way to complete the first two years of college and then transfer on to our universities.

In the fall of 2003, we enrolled the first community college students. Four years later, here are the results. Enrollment has soared 47%. The number of students enrolling directly from high school has increased by 57%. The number of students transferring on to the University of Maine system has increased by 40%. Enrollment in our occupational programs, which represents about 65% of our student body, has increased by 16%. Ninety-five percent of our graduates are placed in jobs or continue their education, and of those who are placed in jobs, 95% are placed right here in Maine. We built it, and they came.

I hope you share my pride in these accomplishments. The source of that success can be directly attributed to the faculty, staff, administrators, and presidents of our seven colleges. They embraced our expanded mission, and they were willing to do everything they could, individually and collectively, to help our students achieve their dream of a college credential. These results were achieved with modest state support. Over the last four years, while our enrollment has grown by 47%, our state budget has increased by 10.4%. In 2002, state appropriations represented 53% of our total budget. Four years later, it had dropped to 46%.

How did we pull this off? My employees have worked harder, smarter and longer. They have been innovative. They have built partnerships with the private sector. They wrote and won grants. They expanded online education and they collaborated with our educational partners to share programs and services. We have done this in order to serve as many students as possible, and we have stretched our system thin. We have added 3,560 more students in the past four years and the number of full-time staff we employ has remained virtually unchanged. After all we have achieved, after all we have done to make the best use of limited resources, we have still only scratched the surface of student demand.

For nine months last year, the Governor's Community College Advisory Council researched employer need for our graduates, student demand for our programs, and the System's ability to respond. The Council included prominent Maine leaders like Leon Gorman, Chairman of the Board of L.L. Bean; Dana Connors, President of the Maine State Chamber; Ed Gorham, President of the Maine AFL-CIO; and other distinguished business, labor, and economic development leaders.

A few months ago, the Council issued its report. It found on the employment side that 55% of employers who responded to the Maine State Chamber of Commerce survey in 2006 were having a difficult time finding skilled workers. In fact, the analysis conducted on behalf of the Council found that annually Maine employers need 6,000 workers with the skills earned at the community college level, while only 2,000 students graduate from Maine's two-year colleges.

As for the student side, the Council found that demand is only going to grow. Adults are coming to us in order to upgrade their skills or retrain for new careers. There are 455,000 working age adults in Maine who do not have a college credential, and over a quarter of a million of them have expressed interest to go to

college. Each spring, 14,000 Maine students graduate from high school, and yet only 50% go on to higher education. Maine has an ambitious and absolutely necessary goal of increasing the state's college going rate to 70% by 2010. That alone would mean an additional 3,000 college students each year.

On the community college capacity side, the Advisory Council found that for many of our programs, demand exceeds capacity. There are waiting lists for respiratory therapy, lineworker technology, building construction, medical radiography, nursing, automotive, and culinary arts, just to name a few. This year alone, at Southern Maine Community College, they had to turn away 1,100 applicants for the college's health sciences programs and another 450 for its technical programs. And at York County Community College this fall, 140 people showed up for an information session about the college's new nursing program. The problem is we had only 16 slots. One hundred twenty-four people left realizing that their dream of becoming a nurse would be a dream deferred.

In summary, the Governor's Community College Advisory Council's findings were clear and simple. The influx of Mainers seeking admission to our community colleges will continue to grow. The need for our graduates to support the economy will continue to grow. But without additional investment our colleges will not be able to grow. Those findings led the Council to recommend more than doubling the capacity of Maine community colleges over the next decade. The immediate goal? To enable 4,000 more students to enroll over the next two years at a cost of \$4 million for every 1,000 students. The Council also recommended that our tuition stay affordable; that we reach out to under-served regions of the state; expand our economic development efforts, especially our Maine Quality Centers program; and expand our Early College for ME program to every public high school in the state.

I want to thank the members of the Advisory Council for their thoughtful review of Maine's economy and workforce needs. Their recommendations were unanimous and reflected their deep concern about Maine's ability to compete, and their belief in the power of our community colleges to enhance economic opportunity in our state.

Early in this legislative session, some of you heard a presentation by Laurie Lachance, President of the Maine Development Foundation. Laurie was asked by the Brookings Institute, as part of its examination of the Maine economy, to assess the success and challenges of the state's economic development initiatives over the past 30 years. It was an impressive list of initiatives. She then surveyed opinion leaders from all across Maine. And she asked them all the same question: What policies or programs have served Maine best and hold the greatest promise for Maine's future? I'm proud to say that leading the list of the top five initiatives was the creation of Maine's Community College System. But Laurie said something else that was just as important. She noted that Maine has created some very effective and promising economic development initiatives. Where we have fallen short, is we have failed to properly fund and support those programs over time. Consequently, the initiatives never achieved their full potential and we never reaped the full benefits.

Four years ago, the creation of the Maine Community College System set in motion a transformational change in our state. Today, our system is already at a crossroads, and the choice before us is clear. We can keep our community colleges at their current size, serving those fortunate enough to find a seat in one of our classrooms. Or we can make the commitment to expand the pipeline, which is, in all honesty, a lifeline for hard working

Maine people who need access to higher education in order to compete for good jobs at good wages.

This morning I have shared with you a great deal of data from policy reports and labor market trend analyses. On their own and taken together, they make a clear and convincing case for why Maine must invest in its workforce. But the numbers don't capture the human struggle or the desire of Maine people to improve themselves. Let me tell you about three students, who because of the challenges they have faced, are representative of thousands of Mainers and of their hopes for the future.

First, is Travis Clark. Travis is a young man from Parsonsfield, who says he was a mediocre student with no interest in attending college when he graduated from Sacopee Valley High School in 2003. He spent two years working as a laborer on construction jobs until some high school friends persuaded him to try a welding class at SMCC. Turns out Travis loves welding and has a real affinity for it. He'll graduate this May with honors from SMCC and plans to open his own welding business. Since Travis graduated from high school, about 30,000 other young people have finished high school and entered the workforce. In our current economy, many of them have found their options to be few and their chances for advancement to be limited.

Then there is Eric Adams. Eric grew up in Denmark, Maine, and graduated from Fryeburg Academy in 1993. For 13 years he worked as a lift operator and crew chief at a ski area. He woke up one day, found himself in his thirties with responsibilities for a small child, and he knew he had to take a different path. Eric enrolled at SMCC in Liberal Studies with a Communications Concentration. Eric discovered his love for writing. He will graduate from SMCC this May with a 3.9 GPA, and next fall he plans to enroll at the University of Maine to get his bachelor's degree in journalism. For every Eric, there are thousands of Maine people who are struggling to make ends meet. An estimated 52,000 people in Maine are holding down two jobs in order to survive; and another 140,000 live in poverty. They don't have the skills or the credentials to compete for something more.

Finally, there is Laura Manson of Skowhegan who was laid off in 1999 from Dexter Shoe after 14 years. She enrolled at EMCC in the Business Management program. By the time she graduated in 2001, she was a member of the All Maine Academic Team and was selected as EMCC's Student of the Year. At the time, she hoped to enroll at Husson College and become a teacher. I'm proud to tell you that she followed her dream. Today, she is a teacher in the Bingham school system and is enrolled in a Master's degree program at the University of Maine. Laura is not alone. In the years since she lost her job at Dexter Shoe, another 25,000 Maine people have seen their jobs disappear due to mass layoffs.

At the end of the day, supporting the expansion of the community colleges is not about statistics. It's about Travis and Eric and Laura. It's about Maine people. Our neighbors, our friends, our family members, who find themselves standing on the wrong side of the educational divide, a divide that is growing wider and deeper by the day. It's about their hopes, their dreams, and their desire to achieve economic security in this great state, a place they and their families call home.

As you begin your deliberations on the critical investments needed to position Maine for the future, you will hear the voices of lobbyists and advocates and interest groups. But I'll tell you who you will not hear from, it has been the people I have been talking about this morning. You won't hear from them because they are too busy holding things together. You must be their voice. You must be their advocates. When you fight for them,

you fight for the best of Maine, the bedrock of Maine, and for Maine's future. Thank you very much.

Chancellor MacTaggart 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.

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

On motion of Representative MAKAS of Lewiston, the House adjourned at 12:06 p.m., until 10:00 a.m., Tuesday, February 27, 2007 pursuant to the Joint Order (S.P. 236) and in honor and lasting tribute to James McMahon, of Auburn, the Honorable Vinton "Wink" True Ridley, of Shapleigh and Barbara Suzanne Holt, of Alfred.