

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Seventeenth Legislature
OF THE
State Of Maine

VOLUME II

FIRST REGULAR SESSION

House of Representatives
May 24, 1995 to June 30, 1995

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

At this time, the Sergeant-At-Arms escorted the Governor of the State, the Honorable Angus S. King; the Executive Director of the Bath/Brunswick Chamber of Commerce, Wanda Plummer; Rear Admiral Harry Rich, U.S.N., Retired, who is Chairman of the Brunswick Naval Air Station Task Force; and members of the Greater Bath/Brunswick Legislative Area Delegation to the front of the Chamber.

SENATOR HARRIMAN: Good morning, Governor King, Mr. Speaker and Honorable Colleagues: Thank you for taking the time out of your intense and hectic schedule to listen to me. I do, however, bring positive, refreshing news. I have the honor of representing Senate District #23, in the Maine Senate, which has among its many unique characteristics, two are most note worthy.

First and foremost, it is the home of the Governor of the State of Maine and his wife Mary and second it is the home of Brunswick Naval Air Station, which is the heart and soul of Brunswick's regional economy and as you may know, when the most recent effort by the Base Area Closing Commission got underway, many of Maine's communities were concerned about the future, not only of Brunswick, but of Portsmouth as well. You'll be happy to know that the local community, the Governor's Office, and our Congressional Delegations worked diligently to prove that Brunswick Naval Air Station was worthy of staying open, but along the way, the community in the Brunswick area came to us and asked us for some help and many of my colleagues here, sitting in front, and many of you helped sponsor L.D. 2, and in that legislative document there was \$50,000 of funding that came from the legislature to help the Brunswick area prepare for the opportunity to correct errors, to be in front of the Base Closure Commission, to make sure that the case for Brunswick was made loud and clear and fairly.

That was back in December and today I am very honored and very pleased to tell you on behalf of all of my colleagues, in the Brunswick area delegation, that not only has Brunswick Naval Air Station remained open, but the money that you appropriated has been spent frugally and wisely and indeed it's now my pleasure to introduce Retired Rear Admiral Harry Rich, who would like to return a check to us.

Also with us is Wanda Plummer, who is the Executive Director of the Brunswick Bath Area Regional Chamber of Commerce.

WANDA PLUMMER: This is a real honor for me. I worked in this building for almost thirteen years and this is the first time that I have had the great pleasure to share the rostrum with the Speaker of the House and the Governor. Thank you all from the bottom of our hearts. This was a battle well fought and I believe in large part won because of the great unity of spirit evident at the local, the state and federal level, so without having anything more to say except thank you, I am pleased to return to the State of Maine \$41,000 out of the \$50,000 that was appropriated to the Brunswick Naval Air Station Task Force. Thank you.

GOVERNOR KING: I just want to accept the check on behalf of Sam Sharpiro. Do you think we can find any use for it in the next 24 hours? I don't think it will rest in the checkbook very long. I just want to

say that we are working hard on a lot of different issues, but Maine won a real victory last Friday and it is one that is going to mean a lot to the state in the future, not only was Brunswick saved, but Brunswick, as you may know, has apparently gained a new VP squadron which will give us more economic activity in that region, but also the Portsmouth Naval Ship Yard was saved in Kittery, a tremendous boost for the southern Maine economy and I want to acknowledge here before all of you, what was really an incredible team effort involving all the agencies of state government, the legislative delegations, the Governor's Office of both states, New Hampshire and Maine and particularly the Congressional Delegations of both states. Everyone in this room should be immensely proud of the work done by the Congressional Delegation and I can not let this opportunity go by without mentioning Bill Cohen, Senator Cohen who really lead the fight on behalf of both states. He made, what I consider, the most effective presentation in a public proceeding that I have ever heard in Boston to the Base Closure Commission, on behalf of the Kittery facility. The state was very, very fortunate to have a person of his stature and ability in that position. It was a great day for Maine on Friday and one that I think we can take some real pride in because the thing that kept these bases open was the skill and dedication of the people that work there. That was really what sold the Navy and in turn what sold the Commission and I also want the record to show that we people from Brunswick are frugal and we don't spend any more of the public's money than we have to and I will be delighted to deliver this check to Sam Sharpiro this afternoon. Thank you very much.

The Sergeant-At-Arms escorted the delegation from the House Chamber at this point.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

HOUSE DIVIDED REPORT - Majority (8) "Ought Not to Pass" - Minority (5) "Ought to Pass" as amended by Committee Amendment "A" (H-417) - Committee on Human Resources on Bill "An Act Regarding Recovery from Members of the Tobacco Industry of Medicaid and Maine Health Program Health Care Costs for Tobacco-related Illness, Disease or Disability" (H.P. 331) (L.D. 452) TABLED - June 19, 1995 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Motion of Representative FITZPATRICK of Durham to accept the Minority "Ought to Pass" as amended Report.

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

Representative TOWNSEND: Mr. Speaker, Men and Women of the House: I will not be brief but I will not be boring. We're finally addressing, having the opportunity to consider L.D. 452, also known as the full lobbyist employment act. I think it is single handedly responsible for injecting about \$100,000 into the Maine economy in the last few months.

What all the fuss is about is this. L.D. 452 is modeled on a piece of legislation passed in Florida last year and elsewhere since, which authorizes and this is an important point, authorizes, does not

require, but allows the state to seek to recover its expenses for the treatment of people with smoking related illness whose treatment was paid for by the Medicaid, Maine Health Program or State Employee Health Insurance Program. It is a new approach. It is not a radical approach. It's being done elsewhere in Florida, Mississippi, West Virginia, Minnesota among others, but it is a new approach, it differs from previous lawsuits against the tobacco industry in a very key way.

Prior to this point, litigation has been undertaken by smokers and consistently courts have ruled that smokers knew the risks when they took up smoking they disregarded the warning on the package and they must bear some responsibility for smoking. The difference in this case is that L.D. 452 and its companion, the law suits already are underway in other states, recognize that you and I and our constituents, the taxpayers of Maine, are bearing the burden of the costs of treating many, many smokers. Although none of us read the packet and disregarded the warning and assumed the risks, nevertheless we are bearing the burden. As I say, it is a new approach, it's a necessary approach because smoking is the most pressing public health issue of our time. Smoking kills annually more people, more Americans, than died in all of World War II. It kills annually more Americans than die from AIDS, alcohol, drug abuse, car accidents, murder, suicides and fires together. Four hundred and twenty thousand Americans die from tobacco each year.

Smoking is a particular problem in Maine, where we rank fourth in the nation for rate of smoking, sixth in the nation for rate of cancer, obviously, that's not a coincidence. It's a dreadful societal, fiscal problem, and it has an impact on all of us. Diseases caused by smoking, the list is as long as your arm, but I'll rattle off a few, cancers of the lung, mouth, larynx, esophagus, stomach, pancreas, cervix, kidney, urethra, bladder. We also have leukemia, stroke, heart attack, vascular disease, osteoporosis, the list goes on, pretty appalling and not surprising once you understand what's in cigarettes. There are traces so far discovered in cigarettes of 43 known carcinogens, known carcinogens, including cadmium, which is used to recharge batteries; butane, which is used in lighter fluid; polonium 210, a component of nuclear waste; arsenic, speaks for itself; hydrogen cyanide used in gas chamber executions; ammonia, found in toilet bowl cleaners; nicotine; cyanide; benzene; carbon monoxide. Those of you who thought RFG was unhealthy should have a look at cigarettes. The question that occurs to me, at this point, is why would anybody stick this stuff in their mouth? We all know the answer. There are two answers, really. The tobacco industry targets young people aggressively through ad campaigns, written ad campaigns, sale advertisements and heavy endorsement of sporting events. Consistently in these advertisements the message is that smoking is independent. It's rebellious. That is, you smoke you will be thin. You'll be stylish. You'll be sexy, happy, and above all else, you'll be cool, like Joe Camel.

Obviously this advertisement is effective, because across the country, the bulk of smokers begin smoking in their teens. In Maine this is particularly true, 91 percent of smokers in Maine begin smoking when they are teenagers. The second reason that people stick this substance in their mouth is obvious, it

doesn't take very many cigarettes to become addicted and once you're addicted it's a habit, which is very hard to give up.

Now there was a time when I thought that tobacco naturally contained nicotine, that they grew it, dried it, threw it in some paper and that was that, but in recent times, in the past year we have learned a great deal more about tobacco. Two weeks ago the New York Times got its hands on a study conducted by Phillip Morris over the course of fifteen years, which indicated that they have regularly studied the pharmaceutical logic aspects of nicotine, what it is about nicotine which makes it a drug and furthermore they had patterns. You were distributed, within the last few days, a number of the patents held by the tobacco industry, one of which I will briefly read from. The process is useful for transferring naturally occurring nicotine from tobacco having a generally high nicotine content to a nicotine deficient tobacco. They can move it from one kind of tobacco to another. They can make sure that the front of cigarettes have more nicotine than the last few puffs of cigarettes. The fact that tobacco is addictive is not an incidental occurrence, and furthermore, I just want to point out that this particular patents is held by Lowe's Theaters, which makes me wonder what's in the popcorn.

In Maine, as I said, a particular problem, smoking kills about 2,300 people per year in Maine and it costs us about 273 million dollars annually, so I have to concur with Commissioner Concannon, who said, "It's time to take the gloves off, it's time to fight this issue." I want to point out that two years ago in Maine we passed a policy called estate recovery, which under this policy if you're a Medicaid recipient, when you die the state seeks to recover its assets by making a claim on your estate. I see this law as very much consistent with that policy. As amended, it is pro effective only. It says that if you are going to manufacture cigarettes and sell them in the State of Maine from here on out you're going to have to take your share of the responsibility of the cost to the taxpayer. I want to point out that that particular ruling, that particular aspect of the bill has been ruled Constitutional in Florida. In spite of claims I expect you'll hear about constitutionality, there are already two rulings to say that this a constitutional concept.

You'll hear a lot about slippery slopes, nose under the tent and so forth. I just want to summarize by saying that tobacco is unique. It is the only product, which when used as intended is addictive. It is addictive because they want it to be addictive. They make it addictive and they sell it to children, with the result being, that you and I bear the expense of the health care costs for the many, many people in the State of Maine whose health treatment is covered by the Medicaid, Maine Health Program, and State Employees Insurance Program. I urge you to join with me in supporting the "Ought to Pass" Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bar Harbor, Representative Jones.

Representative JONES: Mr. Speaker, Ladies and Gentlemen of the House: I'm not particularly pleased to stand up today and proffer the argument that I'm about to, but the Constitution protects the black hats and it protects the white hats. I stood up here a couple of months ago and I argued that our move

toward some mobile home park that were seasonal, that were for migrant workers was unconstitutional, because it created a subclass. We're trying to point out one specific entity and say that we can treat you differently than everyone else. It's the same issue in this case. We're saying to the tobacco industry, the bill of rights does not affect you, the 14th amendment isn't going to protect you, 6-A of the Maine Constitution isn't going to protect you, because you have a black hat, you're bad people. I agree they are bad people. We should sue them right out of business, but we can't take this particular method and say we're going to single you out in Maine and say, "We can sue you, you don't have equal protection under the law."

Contrary to what you heard, the court in Florida did not say that this was constitutionally protected. They said that you could do this, but you had to treat all industries the same. Now if this bill said we could sue tobacco companies, people who made asbestos, any other of the black hats, everyone across the board could get sued, then it may be constitutional. It could only be that way. Now another problem with this bill is, I've learned in Judiciary this year and as an attorney, our courts are backloaded with cases. This bill would pull out one Superior Court judge full time, AG's full time, clerk's full time and what's that going to do? It's going to slow the civil docket down. It's going to preclude us from handling the huge amount of protection from abuse cases and protection from harassment cases. What I think we should do is bring this bill back at another time, after Florida has run its course in this law suit, so we have something to follow in court and know what all the rulings are going to be. Not what they are possibly going to be and make it a broad based program. Sue everyone, whoever is messing us up, sue them, that's fine, but we can't do it now because this is unconstitutional. I'd feel a little ideological spastic if I got up here today and said, "I want to protect the migrant workers, because they are the good guys, but I don't want to protect the tobacco company, because they are the bad guys." You have to treat everyone the same in this country. That's what the Bill of Rights is about. I urge you to support the "Ought Not to Pass." Thank you.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Marvin.

Representative MARVIN: Mr. Speaker, Ladies and Gentlemen of the House: This is bad public policy and I believe unconstitutional. Where are we going next, to Ben and Gerry's, because they put too much fat in their ice cream, or to BMW, because their cars go too fast, to Miller Breweries, because they cause cirrhosis of the liver. I don't think so. Rather, I think that we need to emphasize personal responsibility and I would like to read a quote to you from the Governor's Office. "L.D. 452 is not the proper tool for the job of discouraging the use of tobacco. This is an issue of personal responsibility for Maine citizens supported by the necessary education programs. L.D. 452 overreaches attempts to shift responsibility solely onto the tobacco companies, for the personal consumption of tobacco by Maine citizens, by means of changing the standard tort law for recovery of damages, statutes of limitations and apportionment of liability among tort seizures." The Governor's Counsel has advised that

the bill is seriously flawed, because it would impose strict liability upon parties who had no connection with the activity that led to the alleged damages at all, such as scientists or public relation firms that work for tobacco companies long after the person incurred the health damages. This approach is both bad public policy and quite likely unconstitutional as well. I strongly urge this body to vote L.D. 452 "Ought Not to Pass."

Representative MARVIN of Cape Elizabeth requested a roll call on the motion to accept the Minority "Ought to Pass" as amended Report.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of more than one-fifth of members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the Representative from Durham, Representative Fitzpatrick.

Representative FITZPATRICK: Mr. Speaker, Men and Women of the House: Let me try to update you on information related to the amendment, because I think some of the comments that have been made on the floor are more related to the original bill, which all of us would admit had a fairly significant flaw in it. It's simply been amended in the mean time and is much narrower in terms of its implications. What this amendment will do is it will allow the state health insurance and individuals to sue tobacco manufacturers for economic loss and for related losses for injury, illness, disease or disability due to exposure of tobacco and tobacco smoke from tobacco manufacturers doing business in the state after December 31st, 1995. In essence it narrows the scope, gives warning to the tobacco manufacturers.

This bill contains a single uniform remedy, for the recovery of economic losses, either by entities or individuals, who have sustained losses as a direct result of tobacco injury or disease. This bill was derived in part from legislation that had been submitted in Florida and Massachusetts and this amendment again applies only to future costs and future sales. Remember, please, and when listening to the testimony from the Representative from Portland that tobacco use is a major risk factor in heart disease, chronic bronchitis, emphysema and cancer and as you've heard, it kills over 2,200 Mainers annually. The cost to the Medicaid program, for caring for smoking related illnesses, is high and getting higher. States all over the country are looking at the tobacco industry to recoup some of the costs brought on by smoking related illnesses to their Medicaid programs. So if this bill is passed, it will allow the Commissioner of Human Services, through the AG's Office, to recoup some of our Medicaid costs for smoking related illnesses. I ask you to support the Majority "Ought to Pass" Report.

Representative JONES of Bar Harbor moved that the Bill and all accompanying papers be indefinitely postponed.

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

Representative BRENNAN: Mr. Speaker, Men and Women of the House: I urge you not to support the pending motion to indefinitely postpone this bill.

Yesterday, I had the opportunity to read the Portland Press Herald, actually, it was about 11:30 last night when I got home. There was a really interesting ad in the newspaper and it said how to talk to your kids about smoking, before someone else does and it goes through and talks about the importance of talking to your children about the dangers of smoking and points out that often times children, or people in adolescents, start to smoke early and that leads to smoking in adulthood. It says in the ad, in talking about smoking you might begin by reminding your child that studies have identified smoking as a risk factor for certain diseases and then it goes on to talk about as a parent you have a responsibility to talk to your children about this. It also says if you want further information about how to talk to your child about these particular issues and about the diseases that you write to R.J. Reynolds Tobacco Company, in Winston-Salem, North Carolina.

I found this ad to be incredibly ironic, that in the ad it specifically says that studies have shown that tobacco use and smoking relates to diseases. It encourages parents to talk to their children about the dangers of tobacco and then says for further information about this write to R.J. Reynolds Corporation. I also would like to point out a couple of people have mentioned about constitutional issues related to this bill and it's bad public policy. The distinction I would make here, that unlike a lot of other industries, the tobacco industry has made a conscious decision to develop a product that is addictive and it does have severe, immediate and clear consequences to health and that is a distinction between the alcohol industry and a number of other industries and that this industry has made a clear and conscious effort to develop a product that is addictive and dangerous to your health. Thank you.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Hartnett.

Representative HARTNETT: Mr. Speaker, Men and Women of the House: It is with some hesitancy I jump into this argument, but I have been sitting here reading H-417, which is the amendment to the L.D., which the Minority Report has put forth. I would like to draw your attention, if I could, to section 4, called liability. It says the tobacco manufacturer, whose products are distributed, marketed, or sold to consumers of the state after December 31, 1995, is strictly liable for recovery, under subsections 2, 3 or 9, this is important now, and may not assert against any such claims the defenses of comparative negligence, contributory fault, or assumption of the risk, in other words, we're not going to let you defend yourself. We're going to find you guilty. Nevertheless, trials will go on. I have heard from some people who are more knowledgeable on this subject, the cost of discovery, which is that part before the trial, could reach a half million dollars. Undoubtedly there are some severe social prices, monetary prices, that we pay for the treatment of tobacco related illnesses. This bill would seem to just add to them. Strict liability, which is what this bill creates, does exist in other areas, but usually we allow the defendant to defend themselves and not just assume that they are guilty.

I'm also concerned as a member of the Judiciary Committee, where we fight the shortage of court and justices in this state, by the way, Maine has the lowest number of judges per capita of any state in the country. This bill could so tie up our courts, start taking away entire judges just to deal with these cases and could so tie up the AG's Office that some of the other pressing needs that we have will be left unmet. I would urge you to support the current motion to indefinitely postpone.

Representative GOOLEY of Farmington requested a roll call on the motion to indefinitely postpone the Bill and all accompanying papers.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of more than one-fifth of members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

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

Representative TOWNSEND: Mr. Speaker, Men and Women of the House: I'll be brief. Tobacco is unique. It is the only product, which when used as intended, is addictive. It's addictive because they mean it to be addictive. They market it to children and it's costing you and your constituents a bundle. Please vote against indefinite postponement.

The SPEAKER: A roll call has been ordered. The pending question before the House is the motion to indefinitely postpone the bill and all accompanying papers. All those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 259

YEA - Ahearne, Aikman, Ault, Bailey, Barth, Benedikt, Bigl, Birney, Bouffard, Buck, Cameron, Campbell, Carleton, Chick, Clark, Clukey, Cross, Daggett, Damren, Davidson, DiPietro, Driscoll, Dunn, Farnum, Fisher, Gamache, Gerry, Gieringer, Gooley, Gould, Greenlaw, Guerrette, Hartnett, Hatch, Heino, Jacques, Jones, K.; Jones, S.; Joy, Joyce, Joyner, Kerr, Labrecque, Lane, Layton, Lemont, Libby JD; Libby JL; Lindahl, Look, Lovett, Lumbr, Luther, Madore, Marshall, Martin, Marvin, Mayo, Meres, Murphy, Nadeau, Nass, Nickerson, Peavey, Pendleton, Perkins, Pinkham, Plozman, Poirier, Pouliot, Povich, Reed, G.; Reed, W.; Rice, Ricker, Robichaud, Rosebush, Rotondi, Savage, Saxl, J.; Simoneau, Spear, Stedman, Stevens, Strout, Taylor, Tripp, True, Tufts, Underwood, Vigue, Waterhouse, Wheeler, Whitcomb, Winglass, Winsor.

NAY - Adams, Berry, Brennan, Bunker, Chartrand, Chase, Chizmar, Cloutier, Desmond, Dexter, Etnier, Fitzpatrick, Gates, Green, Heeschen, Hichborn, Johnson, Kilkelly, Lemaire, Lemke, McAlevey, McElroy, Mitchell EH; Morrison, O'Gara, O'Neal, Paul, Richardson, Rowe, Samson, Saxl, M.; Shiah, Sirois, Stone, Thompson, Townsend, Treat, Truman, Tuttle, Tyler, Volenik, Watson, Winn.

ABSENT - Donnelly, Dore, Joseph, Keane, Kneeland, Kontos, LaFountain, Mitchell JE; Ott, Poulin, Yackobitz, The Speaker.

Yes, 96; No, 43; Absent, 12; Excused, 0.

96 having voted in the affirmative and 43 voted in the negative, with 12 being absent, the Bill and all

accompanying papers were indefinitely postponed and sent up for concurrence.

Bill "An Act to Improve Highway Signing Information" (H.P. 691) (L.D. 942)
 - In House, passed to be engrossed as amended by Committee Amendment "A" (H-491).
 - In Senate, Bill and all accompanying papers indefinitely postponed in non-concurrence.
 TABLED - June 20, 1995 (Till Later Today) by Representative O'GARA of Westbrook.
 PENDING - Motion of same Representative to Adhere.
 On motion of Representative O'GARA of Westbrook, the House voted to Insist.

The Chair laid before the House the following item which was tabled earlier in today's session:
 Resolve, Urging Efforts to Enhance Opportunities for Businesses that Use Recycled Materials as Raw Materials (EMERGENCY) (H.P. 805) (L.D. 1122) (S. "A" S-344 to C. "A" H-550) which was tabled by Representative HICHBORN of Lagrange pending final passage.
 Subsequently, this being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 102 voted in favor of the same and 21 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

On motion of Representative JACQUES of Waterville, the House recessed until the sound of the bell.

(After Recess)

The House was called to order by the Speaker.

Under suspension of the rules, members were allowed to remove their jackets.

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

ORDERS

On motion of Representative JACQUES of Waterville, the following Joint Resolution: (H.P. 1143) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35)

JOINT RESOLUTION MEMORIALIZING CONGRESS TO ALLOW ALL STATES EAST OF THE 100TH MERIDIAN TO REGULATE THE EXPORT OF UNPROCESSED LOGS

WHEREAS, We, your Memorialists, the Members of the One Hundred and Seventeenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President and the members of Congress of the United States as follows:

WHEREAS, billions of board feet of unprocessed logs are exported annually from the United States to other nations; and

WHEREAS, it has been calculated these exports represent a substantial number of jobs lost from the domestic manufacturing economy; and

WHEREAS, unprocessed logs are being exported from Maine and other eastern states and it is projected that the volume of raw wood exports will continue to increase; and

WHEREAS, states west of the 100th meridian are authorized, under the Forest Resources Conservation and Shortage Relief Act of 1990, as amended, to regulate the export of unprocessed logs from state, county or municipal lands; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge the Congress of the United States to authorize states east of the 100th meridian to regulate the export of unprocessed logs from state, county and municipal lands, pursuant to authority provided under the Forest Resources Conservation and Shortage Relief Act of 1990, as amended, which now exists for states west of the 100th meridian; and be it further

RESOLVED: That We, your Memorialists, further urge the Congress of the United States to extend the ban that now exists on exports of unprocessed logs from federal lands west of the 100th meridian to federal lands east of the 100th meridian, also pursuant to authority under the Forest Resources Conservation and Shortage Relief Act of 1990, as amended; and be it further

RESOLVED: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States, the President of the Senate, the Speaker of the House of Representatives and to each member of the Maine Congressional Delegation.

Was read and adopted and sent up for concurrence.

ORDERS

On motion of Representative WINN of Glenburn, the following Joint Order (H.P. 1144)

ORDERED, the Senate concurring, that the Joint Standing Committee on Education and Cultural Affairs report out the Bill, "An Act to Implement Recommendations of the Committee to Study Organizational and Tax Issues in Public Schools," S.P. 321, L.D. 902, to the House.

Was read.

On motion of Representative JACQUES of Waterville, tabled pending passage and later today assigned.

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the First Day:

(H.P. 712) (L.D. 969) Bill "An Act to Ensure the Continuation of Current Hospice Services" Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (H-649)

On motion of Representative FITZPATRICK of Durham was removed from the First Day Consent Calendar.

The Report was read and accepted. The Bill read once. Committee Amendment "A" (H-649) was read by the Clerk.