

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fourteenth Legislature

OF THE

State Of Maine

VOLUME I

FIRST REGULAR SESSION

December 7, 1988 to May 10, 1989

ONE HUNDRED AND FOURTEENTH MAINE LEGISLATURE
FIRST REGULAR SESSION
39th Legislative Day
Wednesday, April 5, 1989

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

Prayer by Reverend Sally Leeman, Scarborough Methodist Church.

The Journal of Tuesday, April 4, 1989, was read and approved.

Quorum call was held.

PAPERS FROM THE SENATE

The following Communication:

Maine State Senate
Augusta, Maine 04333
April 4, 1989

The Honorable John L. Martin
Speaker of the House
114th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on State and Local Government, the Governor's nomination of Dennis P. Lemieux of Brunswick for reappointment to the Civil Services Appeals Board.

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

The following Communication:

Maine State Senate
Augusta, Maine 04333
April 4, 1989

The Honorable John L. Martin
Speaker of the House
114th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on State and Local Government, the Governor's nomination of Franklin C. Leavitt, Jr. of Topsham for appointment to the Civil Services Appeals Board.

Franklin C. Leavitt, Jr. is replacing Roderick Farnham.

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

The following Communication:

Maine State Senate
Augusta, Maine 04333
April 4, 1989

The Honorable John L. Martin
Speaker of the House
114th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on Energy and Natural Resources, the Governor's nomination of Owen R. Stevens of South Berwick for appointment to the Board of Environmental Protection.

Owen R. Stevens is replacing Nancy Masterton.

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

The following Communication:

Maine State Senate
Augusta, Maine 04333
April 4, 1989

The Honorable John L. Martin
Speaker of the House
114th Legislature
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed, upon the recommendation of the Joint Standing Committee on State and Local Government, the Governor's nomination of Waldemar G. Buschmann of Sidney for appointment to the Civil Services Appeals Board.

Waldemar G. Buschmann is replacing Ann Hill.

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate

Was read and ordered placed on file.

Bill "An Act to Expand Medicaid Eligibility to Children, Ages 5 to 8 Years, with Family Incomes Below 100% of Official Poverty Line" (S.P. 387) (L.D. 1032)

Bill "An Act Providing for Amendments to the Adaptive Equipment Loan Program" (EMERGENCY) (S.P. 390) (L.D. 1035)

Came from the Senate, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Were referred to the Committee on Appropriations and Financial Affairs in concurrence.

Bill "An Act to Fund and Implement Reclassifications and Collective Agreements with Maine Maritime Academy Employees Represented by the Maine State Employees Association" (S.P. 394) (L.D. 1039)

Came from the Senate, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

(The Committee on Reference of Bills had suggested reference to the Committee on Labor.)

Was referred to the Committee on Appropriations and Financial Affairs in concurrence.

Resolve, to Establish a Blue Ribbon Task Force to Promote Equity of Opportunity for Women in the Public School System (EMERGENCY) (S.P. 389) (L.D. 1034)

Came from the Senate, referred to the Committee on Education and Ordered Printed.

(The Committee on Reference of Bills had suggested reference to the Committee on State and Local Government.)

Was referred to the Committee on Education in concurrence.

Bill "An Act to Amend the Overboard Discharge Law" (S.P. 388) (L.D. 1033)

Came from the Senate, referred to the Committee on Energy and Natural Resources and Ordered Printed.

Was referred to the Committee on Energy and Natural Resources in concurrence.

Bill "An Act to Establish a Limit on Noneconomic Damages in Medical Liability Actions" (S.P. 393) (L.D. 1038)

Came from the Senate, referred to the Committee on Judiciary and Ordered Printed.

Was referred to the Committee on Judiciary in concurrence.

Bill "An Act to Protect the Integrity of the Civil Service System and to Set Standards for the Contracting of Service by the State" (S.P. 391) (L.D. 1036)

Came from the Senate, referred to the Committee on State and Local Government and Ordered Printed.

Was referred to the Committee on State and Local Government in concurrence.

Resolve, Authorizing the Director of Parks and Recreation to Convey the Interest of the State in Certain Parcels of Real Property in the Town of Lincolnville and the County of Penobscot (S.P. 386) (L.D. 1031)

Came from the Senate, referred to the Committee on State and Local Government and Ordered Printed.

On motion of Representative Joseph of Waterville, was referred to the Committee on Energy and Natural Resources in non-concurrence and sent up for concurrence.

Tabled and Assigned

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Terms of Members of the Senate from 2 to 4 Years (S.P. 392) (L.D. 1037)

Came from the Senate, referred to the Committee on State and Local Government and Ordered Printed.

On motion of Representative Gwadosky of Fairfield, tabled pending reference in concurrence and specially assigned for Thursday, April 6, 1989.

Unanimous Ought Not To Pass

Report of the Committee on Energy and Natural Resources reporting "Ought Not to Pass" on Bill "An Act to Manage Commercial and Industrial Growth on Significant Ground Water Aquifers" (S.P. 162) (L.D. 319)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

Unanimous Leave to Withdraw

Report of the Committee on Transportation reporting "Leave to Withdraw" on Bill "An Act Regarding Motor Vehicle Registration" (S.P. 222) (L.D. 538)

Report of the Committee on Business Legislation reporting "Leave to Withdraw" on Bill "An Act to Extend the Transition Period for Implementation of the New Real Estate System" (S.P. 147) (L.D. 267)

Report of the Committee on Business Legislation reporting "Leave to Withdraw" on Bill "An Act Concerning Crash Parts Used to Repair Damaged Motor Vehicles" (S.P. 217) (L.D. 533)

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

Ought to Pass as Amended

Report of the Committee on Utilities reporting "Ought to Pass" as Amended by Committee Amendment "A" (S-27) on Bill "An Act to Increase the Annual Public Utilities Commission Regulatory Fund Assessment, Establish a Consumer Assistance Specialist Position and Make Certain Other Changes" (EMERGENCY) (S.P. 143) (L.D. 263).

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-27) as amended by Senate Amendment "A" (S-32) thereto.

Report was read and accepted, the Bill read once. Committee Amendment "A" was read by the Clerk.

Senate Amendment "A" to Committee Amendment "A" was read by the Clerk and adopted.

Committee Amendment "A" as amended by Senate Amendment "A" thereto was adopted and the Bill assigned for second reading Thursday, April 6, 1989.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Appropriations and Financial Affairs

Bill "An Act to Amend the Budget to Fund a Position in the Department of Environmental Protection to Review Hydropower Applications" (H.P. 748) (L.D. 1052) (Presented by Representative McGOWAN of Canaan) (Cosponsored by Representative CARTER of Winslow, Representative JACQUES of Waterville and Representative MICHAUD of East Millinocket)

Bill "An Act to Repair the Chain of Ponds' Dam" (H.P. 755) (L.D. 1059) (Presented by Representative DEXTER of Kingfield) (Cosponsored by Representative McGOWAN of Canaan, Representative RIDLEY of Shapleigh and Representative BAILEY of Farmington)

Ordered Printed.
Sent up for Concurrence.

Education

Bill "An Act Relating to Capital Expenditures for School Buildings" (H.P. 749) (L.D. 1053) (Presented by Representative CONLEY of Portland) (Cosponsored by Representative OLIVER of Portland)

Ordered Printed.
Sent up for Concurrence.

Education

Bill "An Act Concerning Educational Enhancement" (H.P. 762) (L.D. 1066) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsored by Speaker MARTIN of Eagle Lake, Representative NORTON of Winthrop and Senator BRANNIGAN of Cumberland)

Ordered Printed.
Sent up for Concurrence.
By unanimous consent, ordered sent forthwith to the Senate.

Appropriations and Financial Affairs

Bill "An Act to Provide Financial Assistance to Expedite the Removal of Underground Oil Tanks" (H.P. 753) (L.D. 1057) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Representative GWADOSKY of Fairfield, Senator PEARSON of Penobscot and Representative CARTER of Winslow)

(The Committee on Energy and Natural Resources had been suggested.)

On motion of Representative Michaud of East Millinocket, was referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

Housing and Economic Development

Bill "An Act to Enhance the Economic Corridor Action Grant Program" (EMERGENCY) (H.P. 758) (L.D. 1062) (Presented by Representative CROWLEY of Stockton Springs) (Cosponsored by Representative BAILEY of Farmington)

Ordered Printed.

Sent up for Concurrence.

Human Resources

Bill "An Act to Restrict Smoking in Enclosed Shopping Malls" (H.P. 751) (L.D. 1055) (Presented by Representative MANNING of Portland) (Cosponsored by Representative BURKE of Vassalboro, Senator COLLINS of Aroostook and Senator TWITCHELL of Oxford)

Bill "An Act to Strengthen the Maine Radiation Control Program" (H.P. 756) (L.D. 1060) (Presented by Representative HOLT of Bath) (Cosponsored by Senator TITCOMB of Cumberland, Representative KILKELLY of Wiscasset and Senator HOLLOWAY of Lincoln)

Ordered Printed.

Sent up for Concurrence.

Indefinitely Postponed

Bill "An Act To Provide the Reasonable Costs of Wages Paid to Employees of Long-term Care Facilities and Nursing Homes" (EMERGENCY) (H.P. 761) (L.D. 1065) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Senator PERKINS of Hancock, Representative CARROLL of Gray and Representative LISNIK of Presque Isle)

(The Committee on Human Resources had been suggested.)

On motion of Representative Manning of Portland, L.D. 1065 was indefinitely postponed. Sent up for concurrence.

Legal Affairs

Bill "An Act to Revoke Drivers' Licenses of Individuals Convicted of Trafficking in Drugs" (H.P. 752) (L.D. 1056) (Presented by Representative HEPBURN of Skowhegan) (Cosponsored by Senator KANY of Kennebec, Representative PAUL of Sanford and Representative STEVENS of Sabattus)

(The Committee on Judiciary had been suggested.)

On motion of Representative Cote of Auburn, was referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

Judiciary

Bill "An Act to Increase the Penalties for Repeat Violations of the Prostitution Laws" (H.P. 757) (L.D. 1061) (Presented by Representative ADAMS of Portland) (Cosponsored by Representative PARADIS of Augusta and Senator HOBBS of York)

Bill "An Act to Provide Guidelines for Conducting Operating-under-the-influence Roadblocks on Public Ways within the State" (H.P. 759) (L.D. 1063) (Presented by Representative GOULD of Greenville) (Cosponsored by Representative TRACY of Rome and Representative NORTON of Winthrop)

Bill "An Act Concerning Jurisdiction over Contested Termination of Parental Rights Proceedings" (H.P. 760) (L.D. 1064) (Presented by Representative CONLEY of Portland)

Bill "An Act to Amend the Laws Relating to Sex Offenses" (H.P. 763) (L.D. 1067) (Presented by Representative PARADIS of Augusta) (Cosponsored by Senator HOLLOWAY of Lincoln, Representative FARNSWORTH of Hallowell and Representative HASTINGS of Fryeburg)

Ordered Printed.

Sent up for Concurrence.

State and Local Government

Resolve, to Create the Commission to Study the Feasibility of a Southern Maine Regional Jetport (H.P. 750) (L.D. 1054) (Presented by Representative CONLEY of Portland) (Cosponsored by Representative ANTHONY of South Portland, Senator BRANNIGAN of Cumberland and Senator ANDREWS of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

Ordered Printed.

Sent up for Concurrence.

Transportation

Bill "An Act Concerning Trailer Dealer Licensing" (H.P. 754) (L.D. 1058) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative MACOMBER of South Portland, Representative McPHERSON of Eliot and Representative MILLS of Bethel)

Ordered Printed.

Sent up for Concurrence.

ORDERS

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 56 and Joint Rule 34, the following items:

Recognizing:

John E. "Jack" Cunningham on the occasion of his retirement, a gentleman whose dedicated and tireless service as House Doorkeeper for the House of Representatives for 10 years and 12 years as a member of the Augusta City Council, including 6 months as Acting Mayor, exemplify the generous spirit of Maine and its citizens; (HLS 311) by Representative HICKEY of Augusta. (Cosponsors: Representative PARADIS of Augusta, Representative DAGGETT of Augusta, Senator BUSTIN of Kennebec)

On motion of Representative Hickey of Augusta, was removed from the Special Sentiment Calendar.

On further motion of the same Representative, tabled pending passage and later today assigned.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative ALLEN from the Committee on Business Legislation on Bill "An Act to Create a Fund to Assist Victims of Fraudulent Real Estate Transactions" (H.P. 313) (L.D. 427) reporting "Leave to Withdraw"

Representative STEVENS from the Committee on Business Legislation on Bill "An Act to Mandate Disclosure of Rustproofing of Motor Vehicles" (H.P. 247) (L.D. 359) reporting "Leave to Withdraw"

Representative MOHOLLAND from the Committee on Transportation on Resolve, to Require Pedestrian Barrier Fences on the Piscataqua River Bridge at the Maine-New Hampshire Border (H.P. 409) (L.D. 552) reporting "Leave to Withdraw"

Representative AULT from the Committee on Aging, Retirement and Veterans on Bill "An Act to Require That Any State Service of Retired Local District Employees Be Included as Part of the Local District Service for the Purpose of Computing Retirement Benefits" (H.P. 406) (L.D. 549) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 263) (L.D. 375) Bill "An Act to Provide that Medical Information in the Files of the Maine State Retirement System is not Public Information" Committee on Aging, Retirement and Veterans reporting "Ought to Pass" as amended by Committee Amendment "A" (H-42)

(H.P. 104) (L.D. 141) Bill "An Act to Provide Credit for Braille Courses" Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-44)

(S.P. 190) (L.D. 417) Bill "An Act to Amend the Medical Health Security Act to Include Podiatrists" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-26)

(H.P. 206) (L.D. 286) Resolve, to Study the Development of a Farmland Preservation Program for Maine (EMERGENCY) Committee on Agriculture reporting "Ought to Pass"

There being no objections, the above items were ordered to appear on the Consent Calendar of Thursday, April 6, 1989, under the listing of Second Day.

CONSENT CALENDAR

Second Day

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

(H.P. 445) (L.D. 610) Bill "An Act to Require the Use of Flashing Amber Lights on Vehicles During Sanding and Snow Removal Operations"

(H.P. 432) (L.D. 597) Bill "An Act Relating to the Dig-safe Law" (C. "A" H-37)

(H.P. 277) (L.D. 389) Bill "An Act to Require Drivers to Turn Off Auxiliary Lights" (C. "A" H-38)

(S.P. 166) (L.D. 323) Bill "An Act to Improve Ferry Service to Matinicus Isle" (C. "A" S-24)

(S.P. 128) (L.D. 213) Bill "An Act to Provide Lifetime License Plates to Margaret Chase Smith" (C. "A" S-25)

(H.P. 157) (L.D. 222) Bill "An Act Concerning Public Assistance Eligibility" (C. "A" H-39)

(H.P. 220) (L.D. 300) Bill "An Act to Clarify the Maine Used Car Information Laws" (C. "A" H-40)

(H.P. 296) (L.D. 408) Bill "An Act to Extend Reporting Deadlines of the Therapeutic Pharmaceutical Monitoring Panel" (EMERGENCY) (C. "A" H-41)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were Passed to be Engrossed as Amended in concurrence and the House Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

PASSED TO BE ENACTED
Emergency Measure

An Act to Save Medicaid Funds by Expanding the Ability of the Department of Human Services to Recover Funds from Prior Owners of Boarding and Nursing Homes (S.P. 87) (L.D. 89) (C. "A" S-21)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 136 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act to Amend Laws Related to the Bureau of Mental Retardation's Role in In-state Residential Treatment Centers (S.P. 191) (L.D. 418) (S. "A" S-22)

An Act to Authorize Issuance of Complimentary Hunting, Trapping and Fishing Licenses for Residents 70 Years of Age at Any Time During the Calendar Year in Which They Attain the Age of 70 (H.P. 288) (L.D. 400) (C. "A" H-20)

An Act to Prohibit the Use of Plastic Beverage Stirrers in State Facilities (H.P. 239) (L.D. 351) (H. "A" H-22 and C. "A" H-17)

An Act to Amend the Interpreter Service for the Hearing Impaired (S.P. 144) (L.D. 264)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

(At Ease)

The House was called to order by the Speaker.

ORDERS OF THE DAY
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.

The Chair laid before the House the first item of Unfinished Business:

Tabled and Assigned

HOUSE DIVIDED REPORT - Majority (9) "Ought to Pass" - Minority (4) "Ought Not to Pass" - Committee on State and Local Government on Bill "An Act to Return Certain Positions within the Department of Environmental Protection to Classified Service under the Civil Service Law" (H.P. 177) (L.D. 242)

TABLED - April 3, 1989 by Representative GWADOSKY of Fairfield.

PENDING - Acceptance of Either Report.

On motion of Representative Gwadosky of Fairfield, retabled pending acceptance of either report and specially assigned for Thursday, April 6, 1989.

The Chair laid before the House the second item of Unfinished Business:

Bill "An Act to Clarify Provisions of the Natural Resources Protection Act as They Relate to Aquaculture" (EMERGENCY) (H.P. 739) (L.D. 1022)

TABLED - April 4, 1989 (Till Later Today) by Representative MITCHELL of Freeport.

PENDING - Reference.

On motion of Representative Michaud of East Millinocket, was referred to the Committee on Marine

Resources, ordered printed and sent up for concurrence.

TABLED AND TODAY ASSIGNED

The Chair laid before the House the first tabled and today assigned matter:

SENATE REPORT - "Ought to Pass" as amended by Committee Amendment "A" (S-23) - Committee on Transportation on Bill "An Act to Make Minor Changes in the Motor Vehicle Laws" (S.P. 75) (L.D. 65)

TABLED - April 4, 1989 by Representative GWADOSKY of Fairfield.

PENDING - Acceptance of Committee Report.

On motion of Representative Gwadosky of Fairfield, retabled pending acceptance of Committee report and specially assigned for Thursday, April 6, 1989.

The Chair laid before the House the second tabled and today assigned matter:

Bill "An Act to Annex Township 4, Range 3 WELS to the Town of Island Falls" (H.P. 164) (L.D. 229)

- In House, Bill and Accompanying Papers Recommitted to the Committee on State and Local Government on March 30, 1989.

- In Senate, Majority "Ought Not to Pass" Report of the Committee on State and Local Government read and accepted in non-concurrence.

TABLED - April 4, 1989 by Representative GWADOSKY of Fairfield.

PENDING - Further Consideration.

The SPEAKER: The Chair recognizes the Representative from Island Falls, Representative Smith.

Representative SMITH: Mr. Speaker, I move that the House recede and would like to speak to my motion.

Yesterday morning when I came in and picked up my paper, the first headline that struck me was "Detective Mourned by 1800, 36 years old, 13 years service working with child abuse cases." A funny feeling came over me. I can't explain it -- I have a son who is 36 years old with 12 years service with the Maine State Police. He also works with child abuse cases as a detective.

The next headline was on Page 9 that caught my attention -- "Vote by the Maine Senate deals woe to the Island Falls Annexation." That was not a complete surprise but the words from my Senator, Senator Margaret Ludwig of Houlton really was. My attention has been focused on that since I read it. The quote, "It is a bad bill, a handful of landgrabbers who want this bill have no new evidence."

I cannot put in the Record what I felt at that time. I guess I am being called a landgrabber along with a few others. If this bill passed, then the people of Island Falls would decide by referendum the fate of this issue and we would know if there was only a handful or not. The new evidence, which I believe we have, was that the only person who lives in that township and states that as his residence has stated that he would not oppose the annexation at this time. Last year, he was the issue, that he and he alone should make the final decision. Now a new issue arises -- landgrabbing.

At the hearing, 11 people testified, three for the bill from the town of Island Falls including myself. One person, a young attorney spoke for this bill and without pay (for those who might believe otherwise and if someone knows he was paid, then I certainly would like to know about it). A lady from Island Falls representing the Planning Board spoke for the bill -- this also was a person speaking for

one of the cosponsors. There was a total of four that spoke for the bill.

Speaking against the bill was Senator Ludwig of Houlton, Grant Holmes, a resident of T4, Range 3, who now says he will not oppose it, Joanne Holmes of Massachusetts, John Taylor of Oakfield and two paid lobbyists for the big land companies. There was one state employee and I cannot understand why he opposed it because I understood that state employees only came to hearings to give information, not to testify against a bill.

I was at the work session, I saw the vote taken, I lost one but gained one. According to what was reported to the press, only one changed and that is not true. I do not now own or ever expect to own any land on either body of water. I have no interest in Vacationland Estates. Vacationland Estates was reported to be on the shore of one of the lakes. The resort is one-half mile away from the shoreline. They have held most of the town Republican Committee meetings there.

I wish to read to you a personal letter written by the Chairman of the Republican Committee: (This was addressed to Senator Margaret Ludwig dated February 10, 1988) "As Chairman of the Republican Committee, I am well aware that a basic Republican philosophy is to have local control. Your vote did not adhere to this philosophy."

The tax report lists no land is owned by residents of this state. No land, there are resident campowners. There are eight campowners with residence in Houlton. I believe in the future of the town and the lakes and I believe this is a good bill and we should not wait until it is broken before we fix it. I am not in the pocket of the big landowners nor do I need a lobbyist to tell me how to vote. Ownership of the land does not change, only the governing body.

There has been much said about the two Maine's -- well, there are two Maine's, one is the unorganized and one is the organized. The organized represents about 12 million acres and the unorganized 8 million.

Losing a bill is one thing but being called names is quite another.

Senator Ludwig of Houlton apparently does not want the choice of letting the voters of Island Falls decide this issue.

There will be no good sportsmanship award on this one. If there has been a land grab, it happened many years ago, not now. Thank you.

On motion of Representative Gwadosky of Fairfield, tabled pending the motion of Representative Smith of Island Falls to recede and specially assigned for Thursday, April 6, 1989.

The Chair laid before the House the third tabled and today assigned matter:

HOUSE DIVIDED REPORT - Majority (11) "Ought Not to Pass" - Minority (2) "Ought to Pass" as amended by Committee Amendment "A" (H-32) - Committee on Appropriations and Financial Affairs on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Allow the Governor to Veto Items Contained in Bills Appropriating Money and Retaining the Power in the Legislature to Override those Line Item Vetoes (H.P. 10) (L.D. 4)

TABLED - April 4, 1989 by Representative GWADOSKY of Fairfield.

PENDING - Acceptance of Either Report.

On motion of Representative Gwadosky of Fairfield, retabled pending acceptance of either report and specially assigned for Thursday, April 6, 1989.

The Chair laid before the House the fourth tabled and today assigned matter:

Bill "An Act to Expand the Types of Medication Included in the Elderly Low-cost Drug Program" (H.P. 229) (L.D. 313)

TABLED - April 4, 1989 by Representative GWADOSKY of Fairfield.

PENDING - Passage to be Engrossed.

On motion of Representative Gwadosky of Fairfield, retabled pending passage to be engrossed and specially assigned for Thursday, April 6, 1989.

Subsequently, the Order was passed and sent up for concurrence.

By unanimous consent was ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Representative Handy of Lewiston, Adjourned until Thursday, April 6, 1989, at nine o'clock in the morning, in memory of Maine State Police Detective, Giles R. Landry.

The Chair laid before the House the following matter: John E. "Jack" Cunningham on the occasion of his retirement, a gentleman whose dedicated and tireless service as House Doorkeeper for the House of Representatives for 10 years and 12 years as a member of the Augusta City Council, including 6 months as Acting Mayor, exemplify the generous spirit of Maine and its citizens; (HLS 311) by Representative HICKEY of Augusta. (Cosponsors: Representative PARADIS of Augusta, Representative DAGGETT of Augusta, Senator BUSTIN of Kennebec) which was tabled earlier in the day and later today assigned pending passage.

Was read.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Hickey.

Representative HICKEY: Mr. Speaker, Ladies and Gentlemen of the House: It is with a degree of sadness that I rise today to say "bon voyage" to a life-long friend and retiring member of the Legislative staff. Jack Cunningham is retiring after serving for ten years with dedication as our doorman. It is a difficult job and our honored guest always handled it very professionally.

Today's occasion adds another chapter to Jack's already interesting life which started in his younger days as an outstanding athlete in high school, prep school and the semi-pro circuit. He was also very active in politics and was elected to serve 12 years on the Augusta City Council. It was during this period that he also served as acting Mayor for six months to the City of Augusta. As a councilman, Jack worked untiringly to develop a playground in his neighborhood. Upon its dedication, the Mayor and City Council voted that it be named the Jack Cunningham Park and Playground.

Certainly Jack will be missed. I ask you to join with me in wishing him health and happiness in his closing years. (applause, the audience rising)

The SPEAKER: I am sure this is unofficial and Jack probably won't confirm this but I want everyone to know that he is 78 years old and he felt that now is the time for retirement. We wish him the best of luck in his retirement.

He lives close by and I know he will be back to visit us. We certainly thank him for the years that he has spent with us. For the ten years Jack has been here, I don't know how he was able to stand some of you going through that door so many times because some of you are up and down more than jumping jacks. Some of you he saw at least 100 times a day in the last week of the session. There is no question that he remembers some of you better than others and I am sure that he could have a list made of those that have been through the door as many times as you have.

So, I really thank him for the service that he has given to the legislature and to the House and in particular to the citizens of Maine. We wish you the best and God speed.