

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

**One Hundred And Sixteenth Legislature**

OF THE

**State Of Maine**

**VOLUME V**

**SECOND REGULAR SESSION**

**House of Representatives**  
January 5, 1994 to April 14, 1994

ONE HUNDRED AND SIXTEENTH MAINE LEGISLATURE  
SECOND REGULAR SESSION  
11th Legislative Day  
Thursday, February 3, 1994

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

Rules were suspended to allow attendance of guests in the House Chamber.

Prayer by Reverend Thomas Bentum, Fairfield United Methodist Church.

National Anthem by the Lawrence High School Band, Fairfield.

The Journal of Tuesday, February 1, 1994 was read and approved.

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**SENATE PAPERS**

The following Communication:

Maine State Senate  
Augusta, Maine 04333

February 1, 1994

The Honorable John L. Martin  
Speaker of the House  
116th Legislature  
Augusta, Maine 04333

Dear Speaker Martin:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed the following:

Upon the recommendation of the Joint Standing Committee on Energy and Natural Resources:

Norman A. Dean of Madison for reappointment to the Board of Environmental Protection.

Ronald J. Mallett of Old Town for reappointment to the Board of Environmental Protection.

Betty Lou Mitchell of Etna for appointment to the Board of Environmental Protection.

Betty Lou Mitchell is replacing Margaret Roy.

Sincerely,

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

Was read and ordered placed on file.

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RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Contractual Obligation for Members of the Maine State Retirement System (S.P. 653) (L.D. 1822)

Came from the Senate, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

Was referred to the Committee on Aging, Retirement and Veterans in concurrence.

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Bill "An Act to Provide Access to Postsecondary Education in York County" (S.P. 657) (L.D. 1826)

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

Was referred to the Committee on Education in concurrence.

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Resolve, to Create Regional Funds for Self-employment (S.P. 656) (L.D. 1825)

Came from the Senate, referred to the Committee on Housing and Economic Development and Ordered Printed.

Was referred to the Committee on Housing and Economic Development in concurrence.

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Resolve, Directing the Department of Transportation to Erect Signs Indicating the Bath, Brunswick and Topsham Recreational Area (S.P. 654) (L.D. 1823)

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

Was referred to the Committee on Transportation in concurrence.

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**Ought to Pass**

Report of the Committee on Education reporting "Ought to Pass" on Bill "An Act to Enhance and Improve the Special Education Complaint Management Process" (S.P. 578) (L.D. 1622)

Came from the Senate, with the report read and accepted and the Bill Passed to be Engrossed as amended by Senate Amendment "A" (S-386).

Report was read and accepted. The Bill read once. Senate Amendment "A" (S-386) read by the Clerk and adopted and the Bill assigned for second reading Tuesday, February 8, 1994.

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**COMMUNICATIONS**

The following Communication: (S.P. 650)

116TH MAINE LEGISLATURE

January 27, 1994

Senator Gerard P. Conley, Jr.

Rep. Constance D. Cote  
Chairpersons  
Joint Standing Committee on Judiciary  
116th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Roland A. Cole of Wells for reappointment as a Justice of the Maine Superior Court.

Pursuant to Const., Article V, Part 1, Section 8, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble  
President of the Senate

S/John L. Martin  
Speaker of the House

Came from the Senate, Read and Referred to the Committee on **Judiciary**.

Was Read and Referred to the Committee on **Judiciary** in concurrence.

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The following Communication: (S.P. 651)

116TH MAINE LEGISLATURE

January 27, 1994

Senator Gerard P. Conley, Jr.  
Rep. Constance D. Cote  
Chairpersons  
Joint Standing Committee on Judiciary  
116th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated David G. Roberts of Cumberland for reappointment as Associate Justice of the Maine Supreme Judicial Court.

Pursuant to Const., Article V, Part I, Section 8, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble  
President of the Senate

S/John L. Martin  
Speaker of the House

Came from the Senate, Read and Referred to the Committee on **Judiciary**.

Was Read and Referred to the Committee on **Judiciary** in concurrence.

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The following Communication: (S.P. 652)

116TH MAINE LEGISLATURE

January 27, 1994

Senator Gerard P. Conley, Jr.  
Rep. Constance D. Cote  
Chairpersons  
Joint Standing Committee on Judiciary  
116th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated James P. Archibald of Houlton for reappointment as Active Retired Justice of the Maine Supreme Judicial Court.

Pursuant to Title 4, MRSA Section 6, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble  
President of the Senate

S/John L. Martin  
Speaker of the House

Came from the Senate, Read and Referred to the Committee on **Judiciary**.

Was Read and Referred to the Committee on **Judiciary** in concurrence.

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The following Communication: (S.P. 658)

116TH MAINE LEGISLATURE

January 7, 1994

Senator James R. Handy  
Rep. Richard P. Ruhlin  
Chairpersons  
Joint Standing Committee on Labor  
116th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated George W. Lambertson of Readfield, Wayne W. Whitney of Brunswick and Gwendolyn Gatcomb of Winthrop for reappointment to the Maine Labor Relations Board.

Pursuant to Title 26, MRSA Section 968, these nominations will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Dennis L. Dutremble  
President of the Senate

S/John L. Martin  
Speaker of the House

Came from the Senate, Read and Referred to the Committee on Labor.

Was Read and Referred to the Committee on Labor in concurrence.

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

The following Bills and Resolve 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:

**Education**

Resolve, to Conduct a Study on Improving Access to the Maine Technical College System (H.P. 1357) (L.D. 1832) (Presented by Representative SIMONDS of Cape Elizabeth) (Cosponsored by Senator AMERO of Cumberland and Representatives: LEMKE of Westbrook, NADEAU of Saco, OLIVER of Portland, Senator: McCORMICK of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

**Labor**

Bill "An Act to Reinstitute Stipends for Professional Staff at State Mental Health Institutions" (H.P. 1358) (L.D. 1833) (Presented by Representative MORRISON of Bangor) (Cosponsored by Senator BALDACCI of Penobscot and Representatives: ADAMS of Portland, BRUNO of Raymond, CARROLL of Gray, CATHCART of Orono, FAIRCLOTH of Bangor, FITZPATRICK of Durham, GEAN of Alfred, GWADOSKY of Fairfield, MARTIN of Eagle Lake, NORTON of Winthrop, PARADIS of Augusta, SAXL of Bangor, SIMONDS of Cape Elizabeth, SULLIVAN of Bangor, WALKER of Blue Hill, Senators: BUSTIN of Kennebec, PARADIS of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

**Taxation**

Bill "An Act Regarding Real Estate Transfer Tax" (H.P. 1359) (L.D. 1834) (Presented by Representative SIMONDS of Cape Elizabeth) (Cosponsored by Representatives: COLES of Harpswell, NADEAU of Saco, SPEAR of Nobleboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

**ORDERS**

On motion of Representative GEAN of Alfred, the following Joint Resolution: (H.P. 1356) (Cosponsored by Senator TITCOMB of Cumberland and Representative: MARTIN of Eagle Lake, Senator: DUTREMBLE of York)

**JOINT RESOLUTION RECOGNIZING THE BICENTENNIAL OF THE TOWN OF ALFRED**

WHEREAS, within the splendor of York County lies the picturesque Town of Alfred; and

WHEREAS, the first permanent settlements to this area were made about 1770 and eventually incorporated as the Town of Alfred in 1794, the name honoring Alfred the Great, England's Saxon King of the 9th century; and

WHEREAS, history indicates that the Town of Alfred has the oldest organized government in the nation; and

WHEREAS, Alfred became a shire town after 1803 and its courthouse contains the oldest continuous court records in the nation, dating back to 1635; and

WHEREAS, Alfred continues to flourish as a community to this day and its residents reflect the longstanding attributes of honesty, stability, perseverance and helpfulness that are so characteristic of the citizens of the State; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Sixteenth Legislature, now assembled in the Second Regular Session, take this occasion to recognize the bicentennial anniversary year of the Town of Alfred and to extend best wishes for continued success; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the citizens and officials of this proud community in honor of the occasion.

Was read and adopted and sent up for concurrence.

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

On motion of Representative HICHBORN of LaGrange, the following Order:

ORDERED, that Representative Virginia Constantine of Bar Harbor be excused January 27 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Charles H. Heino of Boothbay be excused January 27 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Richard Kneeland of Easton be excused January 27 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Edward L. Pineau of Jay be excused January 18 for personal reasons; January 25 and 26 for health reasons; and February 2 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Debra D. Plowman of Hampden be excused January 18 and 19 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas E. Poulin of Oakland be excused January 5 to 18 and 26 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Paul R. Young of Limestone be excused February 1 for personal reasons.

Was read and passed.

**REPORTS OF COMMITTEES**

**Ought to Pass as Amended**

Representative STROUT from the Committee on **Transportation** on Bill "An Act to Allow Nonresidents to Possess Antique License Plates" (H.P. 1177) (L.D. 1568) reporting "**Ought to Pass**" as amended by Committee Amendment "A" (H-716)

Report was read and accepted. The bill read once. Committee Amendment "A" (H-716) was read by the Clerk and adopted and the bill assigned for second reading Tuesday, February 8, 1994.

**CONSENT CALENDAR**

**Second Day**

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

(H.P. 1198) (L.D. 1606) Bill "An Act to Amend the Charter of the Portland Water District" (EMERGENCY) (C. "A" H-715)

No objections having been noted at the end of the Second Legislative Day, the House Paper was Passed to be Engrossed as Amended and sent up for concurrence.

At this time Dana Childs, a former Speaker of the Maine House of Representatives, was escorted to the Rostrum.

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

**COMMUNICATIONS**

The following Communication:

**COMMITTEE TO STUDY THE RETIREMENT SYSTEM**

MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333

February 1, 1994

The Honorable Dennis L. Dutremble  
The Honorable John L. Martin  
Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Dutremble and Speaker Martin:

The Committee to Study the Retirement System has completed its work and is submitting its final report to the Governor and to the Joint Standing Committee on Aging, Retirement and Veterans pursuant to Public Law 1993, Chapter 410, Part SSS. A copy of our report is also being provided to each member of the Legislature. The Committee's suggested legislation has been submitted to the Revisor's Office.

Sincerely,

S/Robert A. G. Monks, Chair

Was read and with accompanying report ordered placed on file.

**SENATE PAPER**

The following Joint Order: (S.P. 666)

Ordered, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 8, 1994, at ten o'clock in the morning.

Came from the Senate, read and passed.

Was read and passed in concurrence.

Pursuant to House Rule 1, SPEAKER MARTIN addressed the House as follows:

The Chair would like to make a few comments, if you don't mind, based on a comment that appeared in the Sunday paper. It was an accident, and I want to relate it to you because it tells us something perhaps about a lot of things about why and how we do things at times.

I was asked a question by the reporter if I intended to give a "barn burning" speech. It all began by saying, "What are you going to say on Thursday?" I said, "I'm not telling anyone what I am going to say on Thursday." The reporter said, "A barn burning speech?" I said, "Well, yes, probably a barn burning speech." You all saw the headlines, it is going to be a barn burning speech and for all of you who have come, I felt guilty and decided that I had to give you one. So, if you want to blame someone, blame the press. (applause)

I hope you will allow me a few minutes to reflect on some thoughts that I have put together, to talk about 30 years of my legislative career.

I come from a town called Eagle Lake. Eagle Lake is a town of 942 people, four stores, a nursing home,

a home for the mentally retarded and a fairly large Catholic Church. It is a town of one road, it is a road that leads to the most beautiful lake in Maine, in case you don't know that.

Eagle Lake is not a town of things. It is a town of people. It is not a wealthy town but it is a town that is blessed with a spirit of community that burns deep within the people who call it home.

Much has been written about what John Martin has done for Eagle Lake, but let me tell you, what I have done for the people of Eagle Lake cannot compare to what they have done for themselves.

It is a community of strong values and those values are not just talked about, they are acted upon.

The pride of Eagle Lake is the church and its center. I've visited plenty of these facilities over the years, but I've never seen or been to one with as much warmth and vitality.

The money for the building did not come from the state budget. It came from the pockets of the people of Eagle Lake and Winterville — and believe me, we're not talking about deep pockets. The money didn't come easily, but it didn't come grudgingly either. The citizens of Eagle Lake and Winterville believe in the dignity of people and people in our town are not afraid to stand up for what they believe in.

My parents were fairly old, as some of you know, by the time I was born. My father was 53, my mother 48. It was World War II, and I had three brothers who were serving in the military at the time — Alaska, France and the Philippines.

When I think of my youth, I remember my father working in the woods and I can remember vividly, much more vividly perhaps than I ought to, running around horses and a hovel in Brownville Junction at the age of 5. My mother worked as a cook. My parents did not have money, but they had great aspirations for me, my brothers and sisters. We were taught at an early age that education was the key to success.

It is a value that spans generations in my family — from my grandfather who chose, in order to educate his children, to build an additional home for them in another community close to a convent so that the children could at least receive an 8th grade education, the best possible education that could be given at the time, to my aunts and uncles on my father's side, eight in that family who served as teachers, principals or superintendents. That was in the late 1800's.

We have done much during the last 20 years in the legislature to reduce disparity between the so-called "two Maines" but we should not forget that there was a time when families from Aroostook County, particularly Acadian and French families, felt isolated and detached from the rest of the state.

For us, education was, and continues to be, a most cherished opportunity. It was our chance to connect with the rest of Maine. It was our step up. Perhaps sadly, for most of Aroostook County kids it represents a step out — away from the county — to where there are more jobs — to where there are better opportunities to raise a family.

I was one of the few people in my high school graduating class to go back to Aroostook County. Just to illustrate the point, when I began high school, we were close to 200 students. When I graduated, we were 121. Of the 121, eight of us came back to the St. John Valley. Most of the others are in Connecticut.

So in 1964 when I ran, education was my motivating force. Frankly, it was my passion. What else did I know? I was 23 years old, I loved school, I liked it and I certainly was here to try to change it.

I believed what my parents taught me. I knew that education was the only way for our people to move up. It was the only way for us to change the way things were in Aroostook County, that all of our children did not have to move away.

The future of the people I represent depends on education. That's why I have worked so hard to expand educational opportunities in Aroostook County and throughout Maine.

You know, we sit around today and grumble about the inequities of the education funding formula. It is a luxurious argument. Not long ago, equity in education was a foreign concept. Wealthy kids got good educations; poor kids got poor educations. I represented the poor kids. That's why I have consistently advocated for a school funding formula that guaranteed the same educational opportunities for the children of Portage and Ashland as it does for the children of Yarmouth and Falmouth. That's why I have fought so hard to improve Maine's technical college system.

Perhaps you can understand my passionate, if not angry, response to the suggestion made by the Longley Commission that the University of Maine at Fort Kent and Presque Isle and Machias be diminished into two-year schools. Imagine what that would have meant to the citizens and people of Aroostook County and Washington County and what it would have meant to our future. Imagine what it meant to us. Just last year, the Legislature was again asked to consider the elimination of the University of Maine at Fort Kent as a cost saving measure. Imagine the cost to the people of Aroostook County if that bill had passed.

Some said that I acted harshly and selfishly to the idea. If they do, they just don't understand where I come from.

As time went on, my feelings about accessibility to education began to expand to other issues and to other basics of American life.

I began to wonder why the people of Aroostook County did not have equal access to human services, environmental protection, mental health services and to justice.

I can't tell you the number of times in my career that someone has said to me, "John, northern Maine has mental health services right in the City of Bangor. My fellow legislators, Bangor is 200 miles and a five hour drive from Fort Kent.

People would say, "John, people in Aroostook County can go to court right in Houlton." Houlton is 130 miles away from Allagash — a long way to travel for justice.

When I came to the Legislature, I was startled by how much people had that our people didn't have. I saw money — real money — and for the first time, I saw power — real power, or what I perceived to be real power. I was profoundly motivated by this great inequity and I began to study, to read, to observe, to learn. I was the youngest member of the 102nd Legislature. I was from the county. I was a Democrat, I was of French Acadian descent.

To be a player in Augusta, I knew that I had to learn the system — I had to learn the rules — I had to learn how battles were fought and how they were won. From where I started, it wasn't enough to know

the rules as well as everyone, I needed to know them better.

Dana Childs was the Speaker in my first year. He was a good Speaker and I learned a great deal from him.

I was fortunate to share a one-way, six hour ride from Aroostook County to Augusta with people like House Majority Leader, Emilien Levesque, Judiciary Chairman, Elmer Violette, Senate Majority Leader, Floyd Harding, and Chairman of Inland Fisheries and Game, Glen Manuel. I spent the whole time, if you can imagine, asking questions about the issues and the process. It got so they would do anything to avoid getting in the car with me. I would ask Floyd Harding if he was riding home for the weekend and he would say, "No, I'm walking or I'm staying here." I'd say, "Wait for me." Floyd got to a point where he wanted to pass a bill, which by the way is still law and which I fought then and lost, that says that attorneys don't have to pay to become Notary Publics, they get it free. Floyd made me see the fault of my ways because he just figured that he would kill every bill in the Senate that I sent over there.

After awhile, I discovered where those persons stayed in Augusta and after dinner every night with the same crowd, we would come back to the State House, and review the next day's calendar, issue by issue. One person among you knows that well because she was then the Secretary to the Speaker, the Representative from Rumford, Representative Erwin.

When Republicans regained control of the House and Dave Kennedy was elected, but really re-elected, he had served two years prior to Dana, I continued to learn. Speaker Kennedy was a very gracious man and he and I engaged in countless hours of discussions and debates about legislative rules and procedure. However, I knew better than to challenge him on the floor, the debate always went on in the Speaker's Office.

I say that because I want to prove to you that I was not born a parliamentarian, I worked at it. I worked at it because I knew that I had to because the Maine State Legislature was a much different place 30 years ago, the reins of power, as I perceived them, were not held by the people of Maine as they are today. They were held by the paper companies, the railroads, the utilities and bills were drafted by the lobbyists, amendments were handed directly from lobbyists to legislators during debate and notes came in from the hallway directing legislators how to vote on critical issues. That's before the day of the glass and that is before my banning them from the back of the House. There was no hiding it, it wasn't even seen as being wrong, it was just the way things were done. They directed the issues and, very often, dictated the results. The votes may have been taken here, but the decisions were made at the Augusta House.

I am not saying that the industries were evil, certainly not, even though if you read some of my earlier speeches you might think so, they were our livelihood. I am not saying that lobbyists were evil, they were simply doing the job that the legislature allowed them to do before we had staff. For those of you who may not remember the day we passed that in this body by one vote, to have non-partisan, professional staff, by one vote, that was the margin of victory. Some of you may know the person who was hired, John Doyle. I have to say the Republican because there were two John Doyles. He

became the first Director of the Legislative staff on a temporary basis.

I am not saying either that the legislators of 30 years ago lacked integrity, they simply served in a different time and under different rules.

When I came here, some of us thought it was time to change those rules. As all of us have learned over the last few years, change does not come easy, it comes hard for all of us. We fought hard for those changes only 20 some odd years ago. Some of you don't realize the debate over sending the printing to bid. I want you all to know that we are now paying half, roughly half, of what it was costing us for printing in the 1970's when I became Speaker. It was not unusual to pay a million dollars to the Kennebec Journal without bid for the printing done for the Maine Legislature. Now the printing bill is somewhere around \$600,000, you can check the dollars and cents yourself if you want to.

The state kept the money in banks — non-interest bearing accounts — directed purely on the basis of who was the best political friend to the President (at the time).

So, it was through that struggle that I began to get a better feeling of what my mission ought to be in government and perhaps in my life. I discovered who I was and where I came from had prepared me, not only to advocate for the people of Aroostook County but for the people all over Maine — who like the people of my county had been denied a voice by the people who made the rules.

Ironic as it may seem, and perhaps influenced by youthful indiscretion, the lessons I learned growing up in Eagle Lake had prepared me to become Speaker of the Maine House of Representatives.

I ran for Speaker because I believe that the young and strong in our society have a moral obligation to provide comfort and dignity to the old and frail. I ran because I believe all Maine children deserve equal educational opportunities, regardless of whether their parents are rich or poor, and that education in Maine should not be aimed at national averages, but at national excellence. I ran because I believe that people with disabilities deserve equal opportunity and because I believe that men and women who go to work in the morning healthy, and return home seriously injured, should not be cast aside like broken pieces of machinery and because I believe that clean air and clean water are essential. I ran because I believe that people who work forty hours a week should be able to put a roof over their head and food on the table and because I believe that the legislature — the people's branch of government — must be a co-equal branch of government.

Those are the reasons I ran for Speaker of the Maine House of Representatives in 1975. In the nineteen years that I have had the great honor to preside over this body, we have progressed so far. We have accomplished so much.

As you know, it seems that the further along we travel, the harder our journey becomes. That, perhaps, is I believe as it should be because for every small measure of power we wrestled away from the ruling corporate interest and placed in the hands of Maine people, we were expanding a democracy. Democracy is not easy, democracy is hard. It is the most difficult form of government on the face of the earth today. The more democracy we earn, the more our responsibilities grow and the harder our journey becomes.



So, if our burden as legislators has grown heavier over the years, and who among us would argue that it has not, it is a good thing in the end for the people of Maine.

I am the first to admit that my leadership skills were honed at a time when a young Democrat from Aroostook County, a French Acadian, Catholic legislator was not invited to the bargaining table because we had to fight and claw and push and shove to get there.

And my friends, I know that my leadership skills have not always been appropriate for every occasion. I know at times that I have been a wise leader, an aggressive leader and perhaps (and some of you I am sure will agree) an impatient leader. But, in my heart, I know that I have tried to be the best leader that I could be.

Let me say to you that leadership requires risks, it requires you to make decisions, decisions that may be unpopular, decisions at times that may just be wrong. But all of the years that I have served here, my decisions have always been based on what was perceived at the time to be in the best interest of the people I represent and in the best interest for the people of Maine.

Before I conclude, I want to say a few things about the legislative staff because whether we accept it or not, they are the life blood of this institution. The fine individuals who have worked here since I have been here have been some of the most overworked and underpaid people that I have known. Sometimes the people in this institution are the last ones to appreciate them so now I thank the members of all the staff offices, the partisan staffs, those who have worked in my office, the chamber staff, the clerk's staff and the staff who cleans this building. I want to pay special tribute to a person who served as my secretary for better than 13 years, Phyllis Stafford, who passed away some five years ago.

Let me tell you that many people have been with me, and certainly my family is among them, whether they are here or not here. I want each one of you to know that I am proud of my tenure as a member of the House of Representatives, I am proud of the things we have accomplished together as Republicans and Democrats and as people who care about Maine and the people who live here.

We have not always agreed (heaven forbid) on how to make Maine a better place to live, to work or to raise a family, but it is my hope that we all share the same goals, to make our state the best place to call home.

I want you all to know that I will remember my tenure as Speaker of the Maine House of Representatives — not in terms of legislative accomplishments or political battles, there are many and some of which I have forgotten and that's probably just as well, but rather I will remember the people and the friendships and the efforts we made to make a positive difference in the lives of Maine people.

I have experienced what very few Americans will ever experience, I participated in democracy each and every day for the past 30 years. I am forever grateful to the people of Aroostook County and to the members of the House, past and present, for providing me with this opportunity.

When I leave this chamber to take on new challenges and pursue other interests, I hope the

political rhetoric about John Martin will subside. And, when it does, I hope that you and the people of Maine will look back on my tenure here and say John Martin made a difference, hopefully a positive difference.

Some of you have said, and I have heard it, that I have been married to the Maine Legislature. Well, I have no marriage license to prove that but I have many loves and many interests — my family, my friends, students, my books and yes, even the law. But I must tell you, I do love this legislature and I do love the State of Maine. Thank you very much. (prolonged applause, the audience rising)

At this point, the Speaker recognized the Representative from Van Buren, Representative Martin, and she was added to the quorum call of the Second Regular Session.

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

Representative JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: It is a whole new world from down here. I now see things that I have never seen before.

Mr. Speaker, Learned Colleagues, Members of the Honorable Senate and Invited Guests: I have a duty here today, a duty that I am most happy to do. Now I am going to look at the members of the House.

We have a presentation to make to the Speaker today and I have got to tell you that I start off by saying how pleased I am that I could serve in this corner before he left. Having served with him these last 15 years, trying to get in this corner for almost 15 years and finally having it come to fruition and being able to serve as a Floor Leader with Speaker Martin at the rostrum and, short as it has been, it is still probably one of the high points of my legislative career.

To get on to business, I doubt if there is anyone in this body or anywhere in this state that would argue that Speaker Martin has done more to shape this institution, the people's body, than any other person in history. His fingerprints are everywhere, and I say that with the utmost respect. As a new elected Representative in 1978, I was very concerned that I would not be able to get a committee of my choice. When I received a call from the Speaker, I said "I would like Fisheries and Wildlife." He said, "What is your second choice?" I said, "Fisheries and Wildlife." He said, "What is your third choice?" I said, "Fisheries and Wildlife." He said, "I get the message." I was very lucky, I got my first choice.

I would like to thank the Speaker for all of us for offering of himself. If you chose to take advantage, he was always there to teach you how to be a better legislator. I have learned many, many things from Speaker Martin, some I can talk about and some I cannot, but I have to tell you that he has always been there for all of us and any of us, should you choose to take advantage of his experience and his abilities.

When I came here, I was always proud of my Franco-American heritage, but I never understood what true pride in your background was until I got tied up

with John Martin. I want to tell you, he insists that you all have that pride in your background, regardless of what it is, but I was especially proud of the fact that he was of my nationality and my background. He has been an institution and an idol and someone that we have strived to emulate in the Franco-American community because for so long we were told that we couldn't do the things that he has done. He has proven that that is not true.

So today Mr. Speaker, we would like to make a presentation to you of something that you have held most dear, that many of us have felt the wrath of, it has been the symbol of the power of speakership, you have wielded it thousands of times. When it was on our side, we loved you; when it was against us, we hated you, but we always forgave you because we knew why you were doing it and that was to do the people's business. Our Majority Whip and myself are most pleased today, and we would ask the Sergeant-at-Arms, Mike Cote, to come forward to present you with the gavel that I believe you have wielded so fairly. There is no question in anybody's mind that you have set standards that future Speaker's will certainly have to live by and be judged by. I apologize to my fellow House members who do not understand French but I would be remiss if I did not finish by saying, "Monsieur Le Pre367sident, vous avez fait une bonneit, some of you may recognize your initials on there. (applause) (the Speaker was presented the 56th gavel)

The SPEAKER: For those of you who do not understand French, it was a combination if you didn't quite figure it out. There is a word, (regardless of where you are in Maine and if you happen to be of Franco descent in any way, shape or form) all of us have learned not to use, the word "travail." We use "job", which is an Anglo way of saying job and that was basically "a good job" but the word job is a non-existent word in the French dictionary but it is one that is used by every one of us. Every time that I used that word at home, my mother would get most upset. Someone (I suspect the former Clerk) gave them the number of gavels that I have broken as Speaker and on it is written, "the 56th gavel." (applause) Thank you very much.

The Chair recognizes the Representative from Augusta, Representative Paradis.

Representative PARADIS: Mr. Speaker, Ladies and Gentlemen of the House and Distinguished Guests of this Body: I have the other half of this equation (the gavel block) to present to you on behalf of the House this morning.

Let me reminisce for a moment. All of us who have heard that gavel pound on this gavel block have heard that sound, that fury of yours, emanate through not only this chamber but through the hallways all over this building and a lot of homes across this state have heard that sound.

A few weeks ago in your office, in a moment of reflection, I heard you say to me, "My staff tells me that I am always harder on my friends than I am on my enemies." I would like to think that I must be a good friend since I remember how hard you can be, never mean and always with class.

I remember being a senior in college and sitting in the gallery watching you preside over the House and recognizing (and you had only been here a couple of days, it was January of 1975) that a young

Franco-American could be the presiding officer in this state, that that office did not have a sign any longer that said, "No Frenchmen need apply."

A couple of years later, I remember you asking me to run for the House, that I ought to consider that seriously. I suspect that you must have asked us a few times to run for re-election, that you needed us in Augusta here in this chamber. I can remember, along with a couple of others and the gentleman to my right in 1986, saying, I hope you continue to serve and stay on as the Speaker of our body. You are our leader and we need you here and don't run for Governor, you are much more powerful as Speaker.

The French have a word for today, it is not "Au-revoir", it is "Bonne chance" John.

The SPEAKER: I know I need to describe this. Let me reminisce for just a minute. The House Chambers were renovated in 1965. The person responsible for those renovations was then Speaker, Dana Childs. This was installed (the gavel block) at that time. This, of course, is the block upon which the mallet hits, that's what I broke. It is now one of marble that sits here and someone managed to put it away and keep it (the former Clerk, Ed Pert — he didn't throw anything away, he's almost as bad as I am) and so thank you very much. You may want to take a look at there. (applause)

The Chair recognized Speaker-Elect Dan A. Gwadosky of Fairfield.

The Sergeant-at-Arms escorted the Speaker-Elect to the Rostrum.

Thereupon, Joseph W. Mayo, Clerk of the House, administered to the Speaker-Elect, DAN A. GWADOSKY of Fairfield and he subscribed to the oath of office to qualify him to enter upon the discharge of his official duties as Speaker of the House.

The Sergeant-at-Arms escorted Representative MARTIN of Eagle Lake to seat 143.

At this point, Speaker Gwadosky introduced his family.

Pursuant to House Rule 1, SPEAKER GWADOSKY addressed the House as follows:

Ladies and Gentlemen of the House and Honored Guests: Those of you who are members of this body know the difference in having a supportive family to enable us to serve in this great institution.

My neighbor tells me a story that you can all relate to. He didn't get home until three hours after supper but he reminded me of the incident that happened at his dinner table with his wife and his daughter. His daughter was wondering why it was that her father always came home with a briefcase full of papers and was always working at home. The wife said to the little girl, "Daddy is so busy that he simply

needs to bring work home, he can't get it all done at work." The little girl said, "Why can't they put him in a slower group?" I think there are many days when I think we would all like to be in a slower group. A few people who do not serve and have not had the good fortune to serve in this capacity would find it hard to understand the time constraints, the financial loss, the invasion of privacy, all those things, but you do it because it means so much to you and because you want to make a difference. You are to be commended for those efforts.

One year ago, a new president told us we should view change as our friend. Today you have witnessed an enormous change in this institution. It is incumbent upon us to recognize the accomplishments of the past while greeting a new direction for the future.

I want all of you to know that I accept this responsibility with humility and a clear sense of purpose for our common mission, for promoting mutual respect, and for enhancing the well-being of all Maine people.

I am truly honored to stand at this rostrum. To those who have stood here before me, I will heed your wisdom and strive to emulate your accomplishments. To those of you who will stand here in the future, perhaps some of you here today, I will endeavor to maintain an institution worthy of your service.

We have an important responsibility to the people we represent, and we have a responsibility to one another to view this task with respect for the process and a determination to succeed. Our collective resolve should always be greater than our individual differences, and our concern for this state should always be reflected in our ultimate objectives.

As elected officials, we need to be cognizant of how the public views our actions and this institution. Unfortunately, discontent with government is widespread in our country and in this state. Recent history has given them the Iran-Contra affair, bounced checks, and a post office scandal at the federal level; here in Maine, budget crises, the state government shutdown, and repercussions from other political events have contributed to their frustration.

Term limits recently passed here in Maine by a wide margin. While I remain unconvinced that term limits will solve or address in any significant way the problems facing our state, the voters of Maine spoke loudly on the issue, and we must respect the message they were sending.

We need to shake things up here in Augusta. Change should not be construed as merely a message of hope from public officials; it is an element of necessity for all of us. And it must be viewed as a catalyst for making this institution more responsive to the needs of Maine people.

In the coming weeks and months, I will embody my vision of change by focusing on three clear, simple objectives: **JOBS**, **REFORM**, and **COOPERATION**.

**JOBS**, because that is the number one concern of all Maine people;

**REFORM**, because we are entering a new era in Maine politics and in this body; and,

**COOPERATION**, because without it, we will not be able to fulfill our common purpose.

## **JOBS**

While our constituents ask us to represent their concerns on a variety of issues, from environmental protection, to maintaining adequate roads, to running the state in a sound and responsible manner, there is no other issue, I believe, for which we should have greater concern than the creation and existence of high quality, good-paying, rewarding jobs.

From what we read in the papers and see on the evening news, there's no doubt that the country is experiencing an economic renewal. There's no doubt that consumers are spending more. And there's no doubt that all of the important national economic indicators are showing signs of improvement. We must bring the national economic recovery home to Maine, and to do that, we need to create jobs.

We also need to recognize that our traditional economic base is changing. As noted in the State Planning Office's forthcoming report on Maine's economic future, Maine ranks fourth in the nation in its dependence on defense-related spending. Defense spending is on the decline, and our reliance on it for good-paying jobs spells misfortune for thousands of Maine workers. Our challenge is to convert that misfortune into opportunities. The same report also states that by the year 2005, manufacturing is expected to account for only 12.5% of our employment base, down from 50% a half a century ago.

If we are to be in a position to address these changes in our economy, and if Maine is to be a successful player in the expanding global marketplace, the Governor and the Legislature must agree on a vision for Maine's economic future. Vision is not just a buzz word for politicians and campaigns, it is the vital process of understanding how we encourage and achieve a more prosperous future for Maine people.

I am enthusiastic about Maine's future. I see tremendous potential and opportunities ahead. All we need to do is work together to craft our vision and focus our collective will on seizing these opportunities and fulfilling our potential.

Specifically, I support several proposals that will help Maine attract new businesses, sell its products abroad, train Maine people to take advantage of the opportunities Maine companies are offering, and reduce the cost of doing business in this state. A year ago, Maine was ranked last in research and development in the nation. This year we are not much better.

\* Maine must make significant investments in science and technology. By coordinating the resources and efforts of the Technical College System, the University of Maine System and the Science and Technology Commission, we will be able to support the research and development needs of Maine businesses and the Maine economy.

\* We need to bolster our efforts in assisting Maine businesses develop trade around the world. Our world trade activities should be consolidated into a new Maine World Trade Corporation by converting the Maine World Trade Association into a public-private corporation responsible for

expanding markets for Maine firms and assisting these firms in international marketing.

\* Maine must make available the skilled workforce that a modern business community needs and adopt a proactive policy that encourages the development of jobs for which there is proven demand and opportunities. While Maine companies produce approximately 6,000 new high-tech jobs each year, our technical colleges graduate only 1400 students each year with the skills to fill these positions. The capacities of our technical colleges need to be expanded in order to close this gap between job opportunities and skilled Maine workers.

\* We need to help Maine businesses remain competitive by reducing the cost of doing business in the state. This can be achieved by reducing the cost of energy for manufacturing and heavy industrial users. I also endorse further efforts to simplify environmental permitting by enhancing the predictability of the process.

\* We also need to increase accessibility to capital for Maine businesses. By forging closer ties between the Finance Authority of Maine, the Small Business Development Centers, and economic development agencies, both capital accessibility and opportunities for business can be substantially improved.

I spoke earlier of the need to adopt a vision for this state and its future economic opportunities. But that is only half of the equation. People who succeed in this world also have a vision for themselves; they have goals, and they work hard to attain them. But I am concerned that far too many of our children emerge from high school lacking a vision for themselves and their future. Without such a vision, young adults enter the job force without direction and the knowledge to achieve success and fulfill their potential.

We need to instill in our children, at the youngest age possible, the concept of vision for their future and inform them of the type of opportunities available and the means by which to achieve them. By Junior High, students should be exposed to the myriad of jobs and professional opportunities available to them, and they should learn about the types of specialized training and study. I support the Governor's efforts to expand the Youth Apprenticeship Program, which provides high school students with basic technical skills and prepares them for our technical college training programs.

As I think back on my childhood and growing up in a small community in central Maine, I can remember my parents telling me that if I worked hard and applied myself, I could be anything I wanted to be. Standing here before you today, I know they were right.

But if I am honest with you, and with myself, I'm not sure we are doing as good a job today in delivering that message to our children. Our focus, understandably, tends to be on what's wrong with Maine as opposed to what's right with Maine. Somewhere along the line, our children stopped getting the message that their future held limitless possibilities. Rather, today, they hear over and over again about jobs being lost, declining

industries, skyrocketing tuition rates, and, of course, the fact that their government no longer works because politicians spend too much fighting and too little time doing.

Like every parent, I want to see the hopes and dreams of my children become reality. As the 92nd Speaker of the Maine House of Representatives, I want to do everything I can to help them make their dreams come true. And I am convinced that everyone in this room wants the same thing. Together, we want to do our part to make Maine work again.

## REFORM

Reform is the second item on my agenda. Change must take place in the legislative arena to reflect both the effects of term limits and the need to transform the current image of this institution.

We need to recognize that the reputation and credibility of the Legislature have been seriously undermined in the last several years, and the myth of institutional failure has been elevated to an article of faith among the press and the public. Part of our efforts must be to draw the press and the public into our decision-making process. Their involvement and understanding of the choices before us will not only help us learn what they feel is important, it will also help us address the problem of our institution's credibility.

Reform should come to the Legislature in three areas: citizen education, empowering individual legislators, and empowering the committee process.

We need to continue to open up the legislative process and strengthen the Legislature's line of communication with the media and the public. Educating the public on important issues facing them and this institution should be as much a part of the legislative process as debating a bill on the House floor. We can accomplish this by:

- \* anticipating topics of public concern coming before the Legislature and instituting a system to communicate these to the public;

- \* expanding the use of educational tools such as the "Citizens Budget Balancing Guide;"

- \* holding public hearings in towns and cities throughout the state so that our constituents know that we are dealing with issues day in and day out that affect their lives;

- \* conducting bi-partisan leadership conferences to focus attention on the legislative process, policy issues, and areas of compromise, rather than partisan differences or conflict; and,

- \* working with our young people by developing and encouraging meaningful school curricula on state government and the legislative process, and by expanding our involvement in successful educational programs such as Boys and Girls State and the Model State Legislature.

We all need to increase our personal responsibility, to make a commitment to expect as much of ourselves as our leaders in improving the image and effectiveness of this institution. Also, because of term limits, leadership will change on a fairly regular basis. For these reasons, each of

you, on both sides of the aisle, must have greater input in how this institution operates and how we approach the difficult issues before us.

In order to fulfill our common objective of empowering individual legislators, we need to:

- \* continue to expand the budget process so that policy committees are fully involved in setting funding priorities;

- \* consider reforms from the Legislature's Total Quality Management Committee, a committee made up of legislators, legislative employees, a committee that has been analyzing this evolutionary budget process for the last six months, a committee that has flow-charted it, has fish-boned diagrammed it to understand the interrelationships, a committee that will be providing in the weeks and months ahead the findings and recommendations for each of you to consider, to provide feedback so we can begin to put the framework together for the next biennial budget this Fall as to how we will proceed in a meaningful fashion. We need to implement a mechanism that from day one, the many talented members of this House and Senate will be able to get the necessary training skills and conflict resolution, the problem solving, the team building and learning how to run a meeting with the bases of civility.

- \* enhance legislators' abilities to become leaders, both in committee and in House leadership positions, through more formalized training and leadership opportunities;

Empowering committees will also be necessary as we strive to respond to a changing environment, both within and outside of these walls. Committees should be given more freedom and autonomy to respond to and address the issues before them. For those of you who have been here any period of time know that this process is driven by the number of bills that we allow in, by the number of bills that need to be drafted in final form, by the archaic cloture deadlines we established because of the number of bills that we have to consider, by the reality that every single bill has to have a public hearing. I believe we can improve, we work hard and we get the job done, but often I think we confuse activities with objectives. I believe we can change the process and I believe we should empower committees to have the ability to do this by:

- \* allowing committees to work in a bi-partisan fashion to draft legislation without having to ask for approval from the Legislative Council, so that time and energy can be saved when several bills dealing with the same subject are offered or when members of a committee feel emergency legislation is required; and,

- \* establishing a bi-partisan group of legislators to work throughout this coming summer to review how we conduct our business and develop suggestions on how we can improve our operations and accommodate the changes inherent in this new political era.

#### COOPERATION

The last item on my agenda is cooperation. Much has been said about the partisan differences and acrimony of the last several years. While I believe that difficult economic times always create greater tension within a body such as ours, we have fallen in the public's esteem, and we need to address this problem with renewed vigor and resolve.

As I said in my remarks to you last week, one of my initial priorities is to extend a hand to my Republican colleagues. We must work together, free of partisan posturing, to address and resolve collectively the problems before us. I accept and welcome our philosophical differences, but I urge all of you to be part of a new atmosphere of cooperation, affiliation, and shared responsibilities.

We need to reestablish a sense of trust between each other and a feeling of trustworthiness in our deliberative process. With that trust, there will be more effective communication and the ability to move mountains, I believe. The level of trust we share should be as great as the element of trust that has been placed upon us by the people we represent.

I would like to share with you a letter written years ago by a woman to her boyfriend who had gone off to the Vietnam war. It signifies the meaning of communication, trust, and cooperation in any relationship. She wrote:

Do you remember the time you let me borrow your car, and I spilled an ice cream sundae on the front seat? I thought you would drop me, but you didn't.

Do you remember the time I made you take me to the beach, and you said it would rain, and it did? I thought you'd say that I told you so, but you didn't.

Do you remember the time I flirted with other boys to make you jealous, and you were? I thought you would leave me, but you didn't.

Do you remember the time I asked you to a formal dance, but didn't tell you it was formal, and you showed up in blue jeans? I thought you would yell at me, but you didn't.

Yes, there were lots of things you didn't do.

But you did love me, cared for me, and protected me.

There were so many things I wanted to say to you when you returned from Vietnam. But you didn't.

It's too late for that young man and young woman, but you and I have another chance. Most of us spend our lifetime worrying about past moments, worrying about things we wish we had said or things we should have done.

We are here only for a moment, and then we are gone. While we are here, we must do what we can to protect the past and secure the future. Elective public service is something we move into and out of. It is an uncertain and challenging time in a person's life when trust and confidence are placed, and when honesty, integrity, foresight, and energy are demanded, and must be given.

Maine citizens have entrusted in us their care to deliberate on legislation and pass state budgets with intelligence and common sense, but without the partisanship of the past. They want a government free of incidents that corrode the credibility of the institution and erode their confidence in what we do.

But what I believe the people of Maine want most is for us to create economic opportunities for them and their families. They simply want the chance to use their inherent talents and potential to the greatest extent possible in jobs that offer a decent income, a secure future, and a dignified way of life.

That is our challenge. That is where we will accomplish the greatest and most meaningful change for the people of this state.

That is the role of government, as I see it, and it must be our mission in Augusta from this time forward.

Join with me as we enter a new age in Maine politics and establish a new direction for the Maine House of Representatives. We will make great strides together, and we will build a proud tradition for the future. Thank you. (applause, the audience rising)

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At this point, pursuant to House Rule 1, the Chair announced the following changes in Standing Committees of the House:

Representative JACQUES of Waterville is appointed to the Committee on Rules and Business of the House to fill the vacancy created when Representative GWADOSKY of Fairfield was sworn in as Speaker of the House, becoming the ex officio member of the Committee.

Representative POULIOT of Lewiston is elevated to Chair of the House Committee on Elections. Representative CARLETON of Wells is appointed to the House Committee on Elections, replacing Representative JACQUES of Waterville. Representative BRUNO of Raymond is appointed to the House Committee on Elections, replacing Representative MORRISON of Bangor.

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On motion of Representative Hichborn of LaGrange, adjourned at 12:05 p.m., pursuant to Joint Order (S.P. 666).