

# MAINE STATE LEGISLATURE

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**House Legislative Record**  
of the  
**One Hundred and Eighteenth Legislature**  
of the  
**State of Maine**

**Volume II**

**First Special Session**

May 16, 1997 - June 20, 1997

**Second Regular Session**

January 7, 1998 - March 18, 1998

ONE HUNDRED AND EIGHTEENTH LEGISLATURE  
SECOND REGULAR SESSION  
18th Legislative Day  
Thursday, February 19, 1998

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

Prayer by Jon Dillinger, Minister for the Church of Christ, Kittery.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

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**SENATE PAPERS**

The following Joint Order: (S.P. 825)

ORDERED, the House concurring, that the Joint Standing Committee on Criminal Justice report out a bill regarding the bail code to the Senate.

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

**READ** and **PASSED** in concurrence.

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**Non-Concurrent Matter**

Bill "An Act to Open a Discount State Liquor Store in Calais"  
(H.P. 277) (L.D. 341)

**BILL** was **SUBSTITUTED** for the Unanimous **Refer** to the Committee on **LEGAL AND VETERANS AFFAIRS** Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENTS "D" (H-778) AND "E" (H-779)** in the House on January 28, 1998.

Came from the Senate with the Unanimous **Refer** to the Committee on **LEGAL AND VETERANS AFFAIRS** Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** **READ** and **ACCEPTED** and the **BILL** and accompanying papers **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in **NON-CONCURRENCE**.

On motion of Representative KERR of Old Orchard Beach the House voted to **RECEDE**.

On further motion of the same Representative the Bill was **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in non-concurrence and sent up for concurrence.

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The following item was taken up out of order by unanimous consent:

**SENATE PAPERS**

The following Joint Order: (S.P. 827)

ORDERED, the House concurring, that when the House and Senate Adjourn they do so until Monday, February 23, 1998, at 10:00 o'clock in the morning.

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

**READ** and **PASSED** in concurrence.

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**COMMUNICATIONS**

The Following Communication: (H.C. 376)

**STATE OF MAINE**  
**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**  
**COMMITTEE ON TAXATION**

February 11, 1998

Honorable Elizabeth H. Mitchell  
Speaker of the House

2 State House Station  
Augusta, Maine 04333-0002  
Dear Madam Speaker:

Enclosed please find a Majority and Minority report of the Joint Standing Committee on Taxation. The reports consist of recommendations made by the committee pursuant to P.L. 1997, c. 24, Part E and c. 560, Part A whereby we were required to recommend to the Legislature a method or methods of providing tax relief to the citizens of Maine. The committee worked diligently on its task but was ultimately unable to reach consensus on specific recommendations.

We look forward to whatever legislation is developed as a result of these recommendations, along with the ensuing discussion and debate of the ideas they embody.

Sincerely,  
S/Richard P. Ruhlin  
Senate Chair  
S/Verdi L. Tripp  
House Chair

**READ** and with accompanying papers **ORDERED PLACED ON FILE**.

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The Following Communication: (H.C. 377)

**STATE OF MAINE**  
**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**  
**COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT**

February 11, 1998

The Honorable Mark W. Lawrence  
President of the Senate

The Honorable Elizabeth H. Mitchell  
Speaker of the House of Representatives  
118th Legislature

State House  
Augusta, ME 04333-0003

Dear Mr. President and Madam Speaker:

Pursuant to Title 3 Maine Revised Statutes, Chapter 35, we are pleased to submit the findings and recommendations of the Joint Standing Committee on Business and Economic Development from the review and evaluation of the Department of Economic and Community Development under the State Governmental Evaluation Act. In its review, the committee found that the Department is operating within its statutory authority. However, the committee does make several recommendations for statutory and administrative changes that are outlined in the report.

Sincerely,  
S/Senator John T. Jenkins  
Senate Chair  
S/Representative Marc J. Vigue  
House Chair

**READ** and with accompanying papers **ORDERED PLACED ON FILE**.

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The Following Communication: (H.C. 378)

**STATE OF MAINE**  
**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**  
**COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT**

February 11, 1998

The Honorable Mark W. Lawrence  
President of the Senate

The Honorable Elizabeth H. Mitchell  
Speaker of the House of Representatives

118th Legislature  
State House  
Augusta, ME 04333-0003

Dear Mr. President and Madam Speaker:

Pursuant to Title 3 Maine Revised Statutes, Chapter 35, we are pleased to submit the findings and recommendations of the Joint Standing Committee on Business and Economic Development from the review and evaluation of the Maine Development Foundation under the State Governmental Evaluation Act. In its review, the committee found that the Department is operating within its statutory authority. However, the committee does make several recommendations for statutory and administrative changes that are outlined in the report.

Sincerely,

S/Senator John T. Jenkins

Senate Chair

S/Representative Marc J. Vigue

House Chair

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 379)

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333**

February 17, 1998

The Honorable Mark W. Lawrence, President  
Maine State Senate

The Honorable Elizabeth H. Mitchell, Speaker  
Maine House of Representatives

State House

Augusta, ME 04333

Dear President Lawrence and Speaker Mitchell:

Pursuant to PL 1997, chapter 560, part E, the Task Force on Improving Access to Prescription Drugs for the Elderly is pleased to submit its final report including recommended legislation. Copies of the report have been transmitted to the Legislative Council and the Joint Standing Committee on Health and Human Services in accordance with the law. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Sen. Chellie Pingree, Chair

Task Force on Improving Access to

Prescription Drugs for the Elderly

**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

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**PETITIONS, BILLS AND RESOLVES REQUIRING  
REFERENCE**

The following Bill was received and upon the recommendation of the Committee on Reference of Bills was **REFERRED** to the following Committee, ordered printed and sent up for Concurrence:

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**BANKING AND INSURANCE**

Bill "An Act to Revise and Update the Charter of the Maine Employers' Mutual Insurance Company in Furtherance of its Mission"

(H.P. 1593) (L.D. 2222)

Presented by Representative CARLETON of Wells.  
(GOVERNOR'S BILL)

Cosponsored by Senator LaFOUNTAIN of York and Representatives: BRUNO of Raymond, DAVIDSON of Brunswick, HATCH of Skowhegan, MAYO of Bath, SAXL of Bangor, STANLEY of Medway, Senator: NUTTING of Androscoggin.

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**Pursuant to Resolve**

**Joint Standing Committee on Natural Resources**

Representative ROWE for the **Joint Standing Committee on Natural Resources** pursuant to Resolve 1997, chapter 57 asks leave to report that the accompanying Bill "An Act to Reduce Air Pollution from Motor Vehicles and to Meet Requirements of the Federal Clean Air Act"

(H.P. 1594) (L.D. 2223)

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

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

Sent up for concurrence.

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**ORDERS**

On motion of Representative HATCH of Skowhegan, the following House Order: (H.O. 38)

**ORDERED**, that Representative Donald P. Berry, Sr. of Belmont be excused February 9 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Joseph G. Carleton, Jr., of Wells be excused February 10 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Joseph D. Driscoll of Calais be excused February 4 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Roger D. Frechette of Biddeford be excused February 10 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Kenneth T. Gagnon of Waterville be excused February 9, February 10, February 11 and February 12 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Bonnie Green of Monmouth be excused February 11 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Pamela Henderson Hatch of Skowhegan be excused February 2 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Jeffery G. Joyner of Hollis be excused February 4 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Thomas J. Kane of Saco be excused January 28 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Priscilla Lane of Enfield be excused February 17 and February 18 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative David A. Lindahl of Northport be excused February 18 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Donna M. Loring of the Penobscot Nation be excused February 2, February 3 and February 4 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Norman R. Paul of Sanford be excused February 12 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Roland B. Samson of Jay be excused February 3, February 4, February 9, February 10 and February 11 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative James G. Skoglund of St. George be excused February 12 for health reasons.

AND BE IT FURTHER ORDERED, that Representative John H. Underwood of Mechanic Falls be excused February 2, February 9, February 10 and February 11 for health reasons.

**READ and PASSED.**

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**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Donald Berthiaume, of Kennebunkport, a recipient of the prestigious Milken National Educator Award. Mr. Berthiaume has taught at Biddeford High School for 24 years and is the head of the Maine Science Teachers Association. He is also a state representative to the National Association of Biology Teachers and a member of the State's Biotechnology Task Force. We extend our congratulations to Mr. Berthiaume on his receiving this honor and express our appreciation for his dedication to the education of our youth;

(SLS 334)

Roy Crawford, of Monmouth, upon his receiving the prestigious Milken National Educator Award. Mr. Crawford has been the Principal of Monmouth Academy for the past nine years. We congratulate him on his achievement and express our appreciation for his enthusiasm and his outstanding leadership of the Monmouth school community;

(HLS 866)

Presented by Representative GREEN of Monmouth.  
Cosponsored by Senator TREAT of Kennebec.

Suzanne Olson, recipient of the prestigious Milken Family Foundation National Educator Award. She has been an administrator at the Hall-Dale Middle School for the past 5 years. We congratulate her on this achievement and express our appreciation for her enthusiasm and her devotion to the education of our youth;

(HLS 877)

Presented by Representative WATSON of Farmingdale.  
Cosponsored by Representative COWGER of Hallowell, Senator TREAT of Kennebec.

Linda Tukey, recipient of the prestigious Milken Family Foundation National Educator Award. She has been a family and consumer science instructor at Jay High School for 6 years. We congratulate her on this achievement and express our appreciation for her enthusiasm and her devotion to the education of our youth;

(HLS 1119)

Presented by Representative SAMSON of Jay.  
Cosponsored by Senator BENOIT of Franklin

On **OBJECTION** of Representative WATSON of Farmingdale, the preceding four sentiments were **REMOVED** from the Special Sentiment Calendar.

The Senate Legislative Sentiment was **READ** and **PASSED** in concurrence and the House Legislative Sentiments were **READ**.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Watson.

Representative WATSON: Madam Speaker, Men and Women of the House. I had not planned to speak today because that honor was to have been Representative Richards, House co-chair of the Joint Standing Committee on Education and Cultural Affairs. Unfortunately, Representative Richard was not able to be here today. I have the privilege of addressing you on this most important and inspiring occasion. Today, we are honoring four Maine educators who have received the prestigious 1997 Milken Educator Award. Recognition of these four educators gives all of us an opportunity to join together to celebrate their specific accomplishments as well as the many contributions made every day by public school educators throughout Maine and across the nation. The Milken Family Foundation National Educator Awards Program provides public recognition and financial rewards to elementary and secondary school teachers, principals and other educational professionals who are furthering excellence in education, including recipients announced in the fall of 1997. The program has recognized 1,170 outstanding educators over the years with unrestricted individual Milken Educator Awards of \$25,000. The criteria for selection of the educators includes exceptional education talent and promise, evidence of originality, dedication and capacity for leadership and self-direction, commitment to influencing policies that affect children, their families and their schools, outstanding ability to instill in students, character and self-confidence and commitment to professional development. We all have educators in our districts whose commitment to our young people is worthy of public recognition. While this is a most wonderful time to share in the celebration of these four very worthy educators, let's also use this opportunity to celebrate the teachers in all of our districts who serve our community and students so well. I am proud of the Maine recipients as a member of the Committee on Education and Cultural Affairs and as a citizen of Maine, but most of all as someone who strongly believes in the value and integrity of public education. I am proud of all of our teachers who work day in and day out to ensure their students are bright, lively, creative and fully engaged in the learning process. I think we should honor all teachers who truly make a difference in children's lives. Thank you Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Monmouth, Representative Green.

Representative GREEN: Madam Speaker, Men and Women of the House. I would like to tell you a little bit about Monmouth. Monmouth is very typical. It is almost an ordinary Maine town with an extraordinary school system. That doesn't happen by accident. We do have wonderful students, for the most part. We do have wonderful and supportive families, for the most part, just like most towns. What we have had in Monmouth schools, and I think what makes us so special, is consistent and enlightened leadership. Roy Crawford was born and raised in Western Pennsylvania. He moved to Maine in 1978 with his wife Carrie and small daughter Corey. He found Maine, in fact, they both found Maine so agreeable that not long after they arrived, their son Connor was born in Calais. Principal Crawford taught high school English. He was also a football coach and a track coach. He moved from Lincoln all the way down to York. Pretty much, they have covered the entire state. He was teaching English in York and then moved to Assistant Principal and Athletic Director. As a result of a retirement of a very well liked, loved principal, Mr. Crawford applied for the job. He stepped into a position that wasn't easy to step into, but he did it with grace and a plum. It is typical of Ray Crawford that when I asked him for some details to

speak to you today, he listed many accomplishments of the school and the students and kind of left himself out, but that is typical of Roy.

I would like to tell you a little bit about Monmouth Academy. We have consistently scored in the top 5 percent of the MEA scores since MEAs have been given. We were one of the first schools to schedule 80 minute block classes to accommodate more student centered learning. Our freshman class spends nine days camping and rafting each year to study earth science, ecology and their own State of Maine. We have established an aggressive policy of progressive discipline, which has reduced student behavior problems by 70 percent. Monmouth Academy has 220 students and 19 teachers. Sixty-five to 70 percent of our students continue their education beyond high school. We offer 26 extra and co-curricular activities for students. Our Speech Team has finished in the top five in the state for the past 20 years. Our Academic Decathlon Team has finished in the top five in the state since 1986, with the introduction of the Academic Decathlon and our team won the state challenge in 1987 and 1989. Our one act plays are consistently among the best in regional and state competitions. Our students hold state offices in the Future Business Leaders of America Organization. Over the past two years our athletic teams have won seven league championships, five western Maine championships and two state championships. Our girl's basketball team, today, increased their undefeated season to 20 games. Virtually every teacher in the system volunteers to teach extra elective classes beyond his or her given teaching schedule and is also a coach or advisor for something.

Speaking personally, Roy Crawford is just a great boss. I am proud and pleased and to have him here today.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Frechette.

Representative FRECHETTE: Madam Speaker, Ladies and Gentlemen of the House. Today I would like to congratulate all the 1997 Milken Educator Awards. I would like to speak about one in particular. One is an educator from my home town, Mr. Donald Berthiaume. I would just like to take a few minutes just to recognize the individual. I met Mr. Berthiaume my freshman year in high school. He was my freshman football coach. Unfortunately, I never had the chance to have him as one of my teachers. I can't think of anybody who is more deserving to receive this reward. To be selected as one of 150 educators nationwide is something remarkable. Unfortunately, there is too many teachers that go by and aren't recognized in their tenure as teachers. Fortunately, Mr. Berthiaume, with his hard work and dedication was selected as one of these recipients and it just goes to show that the people behind the scenes, the educators, are recognized in a small amount. A lot of times we forget who they are. I think Mr. Berthiaume has put in a lot of time and dedication. Speaking to students who have had him as a teacher, the ones that I know, at least, have had pleasure. They have said that his classes were very enjoyable, although they were very hard. It goes to show that a person's dedication to their livelihood, being an educator is very well serving and it serves a whole bunch of people.

I would just like to take a few minutes here to recognize him and I want to congratulate him. Thank you.

**PASSED** and sent up for concurrence.

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

## CONSENT CALENDAR

### First Day

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

(H.P. 562) (L.D. 753) Bill "An Act to Allow Police to Take Intoxicated Persons into Custody" Committee on **CRIMINAL JUSTICE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-798)**

(H.P. 1418) (L.D. 1982) Bill "An Act to Appropriate Funds to Build a Memorial and to Name a Highway in Burnham in Honor of Medal of Honor Recipient Corporal Clair Goodblood" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-799)**

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

(H.P. 1408) (L.D. 1972) Bill "An Act to Implement the Recommendations of the Interagency Committee on Outdoor Trash Burning" Committee on **NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-797)**

On motion of Representative ROWE of Portland, was **REMOVED** from the First Day Consent Calendar.

The Committee Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (H-797)** was **READ** by the Clerk.

On further motion of the same Representative, **TABLED** pending **ADOPTION** of **Committee Amendment "A" (H-797)** and specially assigned for Monday, February 23, 1998.

## CONSENT CALENDAR

### Second Day

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

(S.P. 770) (L.D. 2071) Bill "An Act Regarding Contract Procedures"

(S.P. 736) (L.D. 2014) Bill "An Act Concerning Elver Fishing" (C. "A" S-454)

(H.P. 1427) (L.D. 1991) Bill "An Act Regarding the Role of the State Planning Office and the Land and Water Resources Council"

(H.P. 1471) (L.D. 2062) Bill "An Act to Provide for the 1998 and 1999 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)

(H.P. 1373) (L.D. 1922) Bill "An Act to Expand the Uses of the Economic Opportunity Fund" (EMERGENCY) (C. "A" H-795)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were **PASSED TO BE ENGROSSED** or **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.

## ENACTORS

### Emergency Measure

An Act Relating to the Maine School Administrative District 49 Arts and Technology Center

(H.P. 1451) (L.D. 2042)

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. 133 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Acts**

An Act Concerning Notices Given in Connection with Mortgage Foreclosures

(H.P. 1376) (L.D. 1929)  
(C. "A" H-787)

An Act to Encourage the Use of Environmental Fines for Environmental Benefits

(H.P. 1391) (L.D. 1944)  
(C. "A" H-786)

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.

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

**SENATE PAPERS**

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$16,000,000 to Construct Water Pollution Control Facilities; to Close and Clean Up Municipal Solid Waste Landfills; to Clean Up Tire Stockpiles; to Investigate, Abate, Clean Up and Mitigate Hazardous Substance Discharges; to Mitigate Storm Water Pollution through a Comprehensive Watershed Protection Program; and to Make Drinking Water System Improvements"

(S.P. 826) (L.D. 2224)

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

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

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**SENATE PAPERS**

The following Joint Resolution: (S.P. 830)

**JOINT RESOLUTION RECOGNIZING THE 200TH ANNIVERSARY OF THE TOWN OF OTISFIELD**

WHEREAS, the beautiful country town of Otisfield was first granted to the founders in 1777 in reward for services in campaigns against Canada in 1690, named for proprietors and early patriots James and Samuel Otis and incorporated in 1798; and

WHEREAS, parts of the original territory of Otisfield were incorporated into the towns of Casco, Harrison, Naples, Oxford and Poland, and when the Town of Otisfield was incorporated it became the State's 115th town; and

WHEREAS, the Town of Otisfield seceded from Cumberland County in 1978 to join Oxford County, bringing the town closer to its county seat and neighboring towns in the same school administrative district; and

WHEREAS, the Town of Otisfield, with its lakes, ponds, woods and hills, is a lovely and pleasant home to many summer residents and native townspeople alike; and

WHEREAS, the Town of Otisfield reflects the best of all that small towns in this State have to offer with its history of one-room schoolhouses, saw mills and grist mills, tanneries and self-

sufficient farms where the present is so closely linked to the past; and now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Eighteenth Legislature, now assembled in the Second Regular Session, take this occasion to recognize the Bicentennial of the incorporation of the Town of Otisfield, to commend its inhabitants and town officials for the success that they have achieved for 2 centuries and to extend our sincere hopes and best wishes for continued achievement for the future; and be it further

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

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

**READ.**

The **SPEAKER:** The Chair recognizes the Representative from Poland, Representative Snowe-Mello.

Representative **SNOWE-MELLO:** Madam Speaker, Men and Women of the House. I would like to read this to everyone. I noticed it coming on my desk and I thought it would be a shame to pass it by. I would like to read this to you.

WHEREAS, the beautiful country town of Otisfield was first granted to the founders in 1777 in reward for services in campaigns against Canada in 1690, named for proprietors and early patriots James and Samuel Otis and incorporated in 1798; and

WHEREAS, parts of the original territory of Otisfield were incorporated into the towns of Casco, Harrison, Naples, Oxford and Poland, and when the Town of Otisfield was incorporated it became the State's 115th town; and

WHEREAS, the Town of Otisfield seceded from Cumberland County in 1978 to join Oxford County, bringing the town closer to its county seat and neighboring towns in the same school administrative district; and

WHEREAS, the Town of Otisfield, with its lakes, ponds, woods and hills, is a lovely and pleasant home to many summer residents and native townspeople alike; and

WHEREAS, the Town of Otisfield reflects the best of all that small towns in this State have to offer with its history of one-room schoolhouses, saw mills and grist mills, tanneries and self-sufficient farms where the present is so closely linked to the past; and now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Eighteenth Legislature, now assembled in the Second Regular Session, take this occasion to recognize the Bicentennial of the incorporation of the Town of Otisfield, to commend its inhabitants and town officials for the success that they have achieved for 2 centuries and to extend our sincere hopes and best wishes for continued achievement for the future; and be it further

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

Thank you.

**ADOPTED** in concurrence.

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The **SPEAKER:** The Chair recognizes the Representative from Topsham, Representative Tripp who wishes to speak on the record.

Representative **TRIPP:** Madam Speaker, Men and Women of the House. Please bear with me for a moment with my voice. I am sorry, but I am in the fourth day of trying to get away from whatever it is that is out there getting us all. I have sort of a semi-sad duty today to note the passing, not underground, but

the passing to Rhode Island of, who I feel is one of the best analysts that we have in this building. His name is Kevin Madigan. He is standing behind me and he will be introduced in a second. He served on the Taxation Committee for over 10 years. When I came on board in 1995, I didn't have a clue about anything that had to do with Title 36 attached. Sometimes I wonder if I have one now, but it is quite a thick book. If it hadn't been for Kevin kind of taking my hand and taking me along through the codes and trying to make me understand the tax policy and politics that don't always mix, but you still have to try to do the best you can for the people of the State of Maine to do tax policy. He said to us today that creating tax policy is a slow process. I am sure it is, but we are moving slowly in that direction.

He will be leaving us for a similar position in Rhode Island. I understand that there are more opportunities to advance and I am sure that he will advance very quickly in Rhode Island. In Taxation today, we gave him a brief case so that he could either take his papers with him from Maine to Rhode Island or bring us back some of their surplus so we can add it to ours. It was something that we wanted to let him have. I would invite any of our taxation people that would like to say anything at this time or anyone else who served with Kevin to give him our best. Thank you.

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The SPEAKER: The Chair recognizes the Representative from Nobleboro, Representative Spear who wishes to speak on the record.

Representative SPEAR: Madam Speaker, Ladies and Gentlemen of the House. As I left the room today, I told Kevin that of all my committees, I have served with him the longest. It has been five or six years that I have been on the Taxation Committee and we have enjoyed a lot of times together. We have been through a lot together. In fact, I don't know anybody in this House that has discussed tree growth over the years any more than Kevin and I have. It didn't matter what the issue was, Kevin was always here. I come in during the summertime or whenever I come in and Kevin has always been there to get an answer for us. Kevin knows the answers and sometimes we don't always agree and sometimes I think he would like to be a legislator just to get his point out there sometimes. It has really been fun with him. We surely will miss his style, but we do wish him the best of luck. I personally do. Thank you Kevin.

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The SPEAKER: The Chair recognizes the Representative from Portland, Representative Rowe who wishes to speak on the record.

Representative ROWE: Madam Speaker, Men and Women of the House. I agree with the comments that have been made. I think you can tell by a number of us getting up that we have a special affection for Kevin. He is a true professional. I have only been on the committee, well, this is my first term, but I have worked with him prior to this and every time that I have worked with him, I have had nothing but the greatest respect for the advise he has given and the help that he has given me. He is a

key resource to the committee and even those of you who are not on the committee that have tax issues, I know you have gone to Kevin and he has given you assistance over the years. He is dedicated, intelligent and patient. I was going to make a list of things that he is not and at the top would be bashful. He is not bashful, but to give you his opinion, more often than not, I think it is right. Tax policy is very complicated. I think one gift that Kevin has is to make a complicated topic understandable. He does that. He has a special gift for that. His is going to Rhode Island to serve in a similar capacity in the Rhode Island Senate. There they have Senate Committees and House Committees. It will truly be Rhode Island's gain and Maine's loss. I know you join me in wishing him well. Thank you.

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The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Buck who wishes to speak on the record.

Representative BUCK: Madam Speaker, Men and Women of the House. I also would like to stand as a member of the Taxation Committee to congratulate Kevin on his move. He has been, I think, an outstanding analyst and certainly is an expert in terms of Maine tax law. He does, however, have one deficiency. That can be corrected as soon as he buys a textbook on supply side economics.

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The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Gagnon who wishes to speak on the record.

Representative GAGNON: Madam Speaker, Men and Women of the House. I share the comments of everyone who has spoken, but I just wanted to comment on Representative Buck's comment. I think that Kevin hasn't found that section and I think he has thought that section is often in the fiction section of the library.

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The SPEAKER: The Chair recognizes the Representative from Holden, Representative Campbell.

Representative CAMPBELL: Madam Speaker, Men and Women of the House. The institution at this point is making a transition. We have seen the residue of our term limits as it began two years ago or two terms ago. This term we will see a tremendous turn in the number of legislators who have been serving here for many, many years. I know the institution is going to begin to rely on people like Kevin and the nonpartisan staff to continue to elevate our institution and regain the confidence of the public. Kevin, we truly are going to miss you and I hope you send more people just like yourself to replace you. Thank you.

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On motion of Representative POULIN of Oakland, the House adjourned at 4:05 p.m., until 10:00 a.m., Monday, February 23, 1998 pursuant to the Joint Order (S.P. 827).