

# MAINE STATE LEGISLATURE

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**Legislative Record**  
**House of Representatives**  
**One Hundred and Nineteenth Legislature**  
**State of Maine**

**Volume I**

**First Regular Session**

December 2, 1998 – May 12, 1999

ONE HUNDRED AND NINETEENTH LEGISLATURE  
FIRST REGULAR SESSION  
17th Legislative Day  
Tuesday, February 23, 1999

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

Prayer by Maine Air National Guard Chaplain, Major Richard M. Dickinson, Winterport.

Colors presented by Maine Air National Guard.

National Anthem by Maine Army National Guard Staff Sgt. Patricia Buchanan, Carmel.

Pledge of Allegiance.

Doctor of the day, John Burton, M.D., Falmouth.

The Journal of Thursday, February 18, 1999 was read and approved.

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

**SPECIAL SENTIMENT CALENDAR**

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

**In Memory of:**

Charlotte E. Carrie, of Randolph, a longtime legislative employee who served the State of Maine and the Maine State Legislature by contributing her knowledge of the legislative process to countless Legislators, members of the public and colleagues on the legislative staff. Mrs. Carrie was very active in her community and was a member of St. Joseph's Catholic Church in Gardiner. She will be remembered by many for her soothing smile and great sense of humor;

(HLS 72)

Presented by Representative MURPHY of Kennebunk. Cosponsored by Senator BENNETT of Oxford, Senator TREAT of Kennebec, Representative O'BRIEN of Augusta, Representative JOY of Crystal, Representative MURPHY of Berwick, Representative COLWELL of Gardiner, Representative COWGER of Hallowell, Representative MADORE of Augusta.

On **OBJECTION** of Representative MURPHY of Kennebunk, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Murphy.

Representative **MURPHY**: Mr. Speaker, Men and Women of the House. Charlotte Carrie died during the closing days of 1998. Though not elected a Representative or an elected Senator, was a member of the Legislature. Are not partisan and nonpartisan staff very much a part of this institution? Her career started in 1968 in the Clerk's Office. She went on to work in Legislative Information Office, eventually becoming its director. In 1986, we were able to hire Charlotte as a Legislative Aide in the House Republican Office. She had a monumental impact on our moral. Her laughter would float down from our second floor office. There were times that she just couldn't stop giggling. She was valued for her political insight. We would always stop and listen when she said, "Do you think" and then an insight that came from almost 20 years of service to the Legislature. She was one of the founders of our chowder marching society. We felt that too often legislators didn't have the chance to get together. Tuesday evening, all through the session, she and other staff members in her house would cook up gallons of

chowder, make huge bowls of salad and then every Wednesday we were in session, member of our caucus would go and have chowder in our office. They sat on the floors, the stairs, the desks, even on top of file cabinets. Soon, the lobbyists were in our office. Soon, the democratic caucus was in our office. We would serve chowder to over 200 people every Wednesday. It had to come to a stop because the state office cafeteria began to complain. On Wednesday, the place was empty. We also began to blow every fuse in this building as well as the State Office Building.

On a more personal note, many of you are just starting your legislative careers. You know that this process, Legislature and politics, is all consuming. You know that your families pay a price. In 1986, when Charlotte Carrie came into our office, we had just elected a Republican governor. As the floor leader, I would be here all week. The governor requested traveling with him on the weekend to events, political events as well as civic. I was just beginning never to see my family and I had two young children at home. It was a terrible time because politics can be addictive, just like any other addiction. What really hurt was my family was starting to get comfortable with my never being home. They had just adapted and went forward. They had their own responsibilities. Charlotte saw the terror that was occurring within me.

The many hats she wore was part-time travel agent. She says, "I will have a surprise for you tomorrow. I will find a solution to this." She came back. She had talked to the Speaker at that time, found out what was a very quiet week in February early March. She came back with a package to go to the Bahamas. It was a price that couldn't be resisted. To this day, I think that Charlotte put some of her own money into that package. My wife and I had gone to the Bahamas and rediscovered each other. I got my head on right and decided not to run again. I had the opportunity in that eight years absence to watch my son, who was eight years old, to go to every basketball game, school function and baseball game. It became a habit that when we would leave that baseball game or that basketball game my wife and I would say, "Thank you Charlotte." She helped bring that family back together and discover its priorities.

Today, Charlotte Carrie's sons are here in the balcony. I would like to thank them on behalf of my family. Thank you for Charlotte E. Carrie.

The SPEAKER: The Chair recognizes the Representative from Crystal, Representative Joy.

Representative **JOY**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise to pay tribute to Charlotte Carrie. I first met her many, many years ago because her families roots were in the little Town of Sherman, as were mine. Lots of activities take place in those small towns and families grow up and the families get intertwined in their activities and they carry on so that you have friends for life. I was not in Augusta during the time that Charlotte was active in working in the offices here in the State House. I do know that she kept us abreast of what was going on because she always returned back to her roots to Sherman on Labor Day when they had the Old Home Days. I had the good fortune of working with one of her sisters. Since coming to Augusta, I have had the privilege of renting an apartment from her and now from her son.

Charlotte was a person who was always busy. She was never to busy to help out somebody that needed a helping hand. I think that is a tribute that will last long after those of us who are here now will be gone. It is a tribute and an honor that her

children can carry on as they lead their lives from this day forth. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Mr. Speaker, Men and Women of the House. I just want to add my own words of sympathy for the family. As you may be aware, I was Speaker during most of the time that she was here. As a matter of fact, I am one of those responsible, in part, for hiring her as the Director of the Information Office. Of course, she left nonpartisan work and went to work for the corner office, as we used to say in those days. The one thing that Charlotte never forgot and was always willing, was to help. It didn't matter whether someone happened to be a member of the Republican party or Democratic party, if someone went to her, she was more than willing to help and to assist and to work with them in doing whatever it is she wanted. Of course, she would always try to get it to a point where it looked a little bit more Republican than Democrat. We understood that and we appreciated that. In terms of the person who was willing to help, you couldn't have found a better person in the State House, so there is no question that I want to add my words on behalf of those people who served during the time she was here.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Murphy.

Representative **MURPHY**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, served here with Charlotte Carrie. Charlotte and I became quite good friends, not only here in the Legislature, but on the outside. I remember quite vividly the trip we took to Washington one weekend. We sat up in the Minority Office and decided we would like to take a trip to Washington just for a weekend. We left here on a Friday and flew out of Portland and flew back late Sunday night. We walked from the Capitol to the Washington Monument and back and everything in between. I have to say that Charlotte was probably one of the most fun people I ever took a trip with. I just enjoyed every minute with her. I, too, want to add my words of sympathy to her family because I realize what a great loss they have. She was a great person.

**ADOPTED** and sent for concurrence.

### SENATE PAPERS

The following Joint Order: (S.P. 403)

ORDERED, the House concurring, that the Commission to Assess the Health Care Delivery System for the Elderly is established as follows.

1. Commission established. The Commission to Assess the Health Care Delivery System for the Elderly, referred to in this order as the "commission," is established.

2. Commission membership. The commission consists of 9 members appointed as follows:

- A. One member appointed by the State Tax Assessor;
- B. One member representing the Bureau of Elder and Adult Services appointed by the Commissioner of Human Services;
- C. One member appointed by the Maine Association of Retirees;
- D. The Senate Chair of the Joint Standing Committee on Health and Human Services;
- E. One member of the Senate who sits on the Joint Standing Committee on Banking and Insurance appointed by the President of the Senate;

F. One member of the Senate appointed by the President of the Senate;

G. The House Chair of the Joint Standing Committee on Health and Human Services;

H. One member of the House of Representatives who sits on the Joint Standing Committee on Banking and Insurance, appointed by the Speaker of the House; and

I. One member of the House of Representatives appointed by the Speaker of the House.

3. Chairs. The first Senate member named is the Senate chair and the first House member named is the House chair.

4. Appointments. Appointments of members to the commission must be made no later than 30 days after the effective date of this order. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. Within 15 days after appointment of all members, the Chair of the Legislative Council shall call and convene the first meeting of the commission no later than July 1, 1999.

5. Duties. The commission shall hold public meetings, gather information, create working groups and request necessary data from public and private entities in order to:

A. Review all programs related to health care for the elderly to determine the adequacy of existing procedures, forms and processing time and to explore alternatives to increase the efficiency of the administration of the programs; and

B. Review eligibility requirements and income guidelines for programs related to health care for the elderly to determine whether the requirements and guidelines adequately address the elderly population in need and whether the denial of services or benefits unfairly affect the quality of life of the applicant.

6. Staff assistance. The commission may request assistance from the Department of Human Services.

7. Expenses. Those members of the commission who are Legislators are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the commission. Other members of the commission who are not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings of the commission.

8. Report. By January 15, 2000, the commission shall submit a report of its findings to the Joint Standing Committee on Health and Human Services along with any implementing legislation. The Joint Standing Committee on Health and Human Services may report out legislation during the Second Regular Session of the 119th Legislature concerning the findings and recommendations of the commission.

Came from the Senate, **READ** and **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

**READ** and **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act to Amend the Laws Regarding Farmstead Cheese"

(S.P. 465) (L.D. 1404)

Came from the Senate, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

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Bill "An Act to Increase Reimbursement for Hands-on Care to Nursing Home Residents" (EMERGENCY)  
(S.P. 469) (L.D. 1408)

Bill "An Act to Fund the Special Educational Adjustment"  
(S.P. 474) (L.D. 1412)

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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Bill "An Act to Clarify Discounts to Nonsmokers in Health Insurance Premium Rates"  
(S.P. 470) (L.D. 1409)

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

**REFERRED** to the Committee on **BANKING AND INSURANCE** in concurrence.

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Resolve, to Support Downtown Revitalization through the Location of State Facilities and Targeting Economic Development Funding  
(S.P. 476) (L.D. 1414)

Came from the Senate, **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and ordered printed.

**REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** in concurrence.

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Bill "An Act to Provide for Fair and Open Procedures for a Waiver of Department of Education Rules"  
(S.P. 461) (L.D. 1348)

Bill "An Act to Amend the Special Education Rules"  
(S.P. 475) (L.D. 1413)

Bill "An Act to Restore Funding for Continuing Education for Teachers"  
(S.P. 477) (L.D. 1415)

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

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

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Bill "An Act to Allow Military Personnel Home on Leave to Purchase a Hunting or Fishing License for \$10"  
(S.P. 464) (L.D. 1403)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

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Bill "An Act to Allow for a Citizen's Petition for a Grand Jury"  
(S.P. 466) (L.D. 1405)

Bill "An Act Regarding Counseling in Divorce and Separation"  
(S.P. 472) (L.D. 1411)

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

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

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Bill "An Act to Prevent Forgery, Alterations or Counterfeiting of Maine State Lottery Tickets"  
(S.P. 467) (L.D. 1406)

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

**REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in concurrence.

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Bill "An Act Clarifying the Tax Treatment of Prepaid Calling Arrangements"  
(S.P. 471) (L.D. 1410)

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

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

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Bill "An Act to Reduce the Cost to Ratepayers of Decommissioning and Nuclear Waste Storage at the Maine Yankee Nuclear Power Plant"  
(S.P. 468) (L.D. 1407)

Came from the Senate, **REFERRED** to the Committee on **UTILITIES AND ENERGY** and ordered printed.

**REFERRED** to the Committee on **UTILITIES AND ENERGY** in concurrence.

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#### **Non-Concurrent Matter**

Bill "An Act to Use Funds From the Sale of Utility Company Properties to Help Offset Ice Storm 1998 Expenses"  
(S.P. 325) (L.D. 979)

**REFERRED** to the Committee on **UTILITIES AND ENERGY** in the House February 11, 1999.

Came from the Senate with that Body having **ADHERED** to its former action whereby the Bill was **REFERRED** to the Committee on **TAXATION** in **NON-CONCURRENCE**.

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

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#### **COMMUNICATIONS**

The Following Communication: (H.C. 37)

**UNIVERSITY OF MAINE  
MARGARET CHASE SMITH CENTER FOR PUBLIC POLICY  
5715 COBURN HALL  
ORONO, MAINE 04469**

Joseph W. Mayo  
Clerk of the House of Representatives  
2 State House Station

Room 300  
Augusta, ME 04333  
February 10, 1999

Re: Maine State Government Internship Program 1998 Annual Report

Dear Clerk Mayo:

In accordance with 1967 Public Law, Chapter 493, Section 294, Item 8, I am enclosing copies of the 1998 State Government Internship Report for distribution to the members of the Maine House of Representatives.

Thank you for your assistance in making this Report available to the members of the House.

Yours truly,

S/Suzanne K. Hart

Research Associate

Director, State Government Internship Program

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

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The Following Communication: (H.C. 38)

**STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
16 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

February 23, 1999

The Honorable G. Steven Rowe

Speaker of the House

2 State House Station

Augusta, ME 04333-0002

Dear Speaker Rowe:

I am pleased to present to you and members of the 119th Legislature a copy of MDOT's Biennial Transportation Improvement Program (BTIP) for the FY 2000 - FY 2001 biennium. This document represents priority capital improvements associated with all modes of transportation and continues the principles established under Maine's Sensible Transportation Policy Act (STPA) and the Federal Transportation Efficiency Act (TEA-21). This program also reflects priorities established through a multi-tiered public involvement process in the development and updates of the 20-Year Statewide Improvement Program and Six-Year Plan.

The goals of this program are to:

- Maintain and improve Maine's highway system
- Continue an increased level of investment in aging state and local bridges
- Support and enhance the state's passenger transportation system
- Further expand freight transportation options for Maine business and industry
- Continue needed improvements at airports
- Promote safety for all modes of transportation
- Promote bicycle and pedestrian projects, and
- Continue activities that enhance the environment

Funding necessary to deliver this program is anticipated from federal, state and local sources, and represents a total investment of \$440 Million. The state share of this program is 25% and has been set forth under Governor King's Highway Fund Budget and bonding proposals.

This BTIP reflects a stronger state role with regard to capital projects inside urban compact areas and it represents a renewed commitment to rural economic development associated with the lifting of springtime postings on state roads.

We look forward to working with all interested parties on accomplishing the goals of this program.

Sincerely,

S/John G. Melrose

Commissioner

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

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The Following Communication: (S.P. 473)

**119TH MAINE LEGISLATURE**

February 17, 1999

Senator Neria Douglass

Representative Pamela Hatch

Chairpersons

Joint Standing Committee on Labor

119th Legislature

Augusta, Maine 04333

Dear Senator Douglass and Representative Hatch:

Please be advised that Governor Angus S. King, Jr. has nominated John B. Wlodkowski of Augusta for reappointment as Chairman of the Maine Unemployment Insurance Commission. Pursuant to Title 26, M.R.S.A., §1081, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Mark W. Lawrence

President of the Senate

S/G. Steven Rowe

Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **LABOR**.

**READ** and **REFERRED** to the Committee on **LABOR** in concurrence.

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

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

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**AGRICULTURE, CONSERVATION AND FORESTRY**

Resolve, to Authorize the Director of the Bureau of Parks and Lands to Exchange Land between the State and Pownal Relating to Bradbury Mountain State Park (EMERGENCY)

(H.P. 1045) (L.D. 1467)

Presented by Representative BULL of Freeport.

Cosponsored by Senator KONTOS of Cumberland.

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Bill "An Act to Promote Ethanol Production as Alternative Fuel"

(H.P. 1032) (L.D. 1454)

Presented by Representative KNEELAND of Easton.

Cosponsored by Senator KIEFFER of Aroostook and Representatives: BERRY of Belmont, DAIGLE of Arundel,

LOVETT of Scarborough, O'NEAL of Limestone, SHERMAN of Hodgdon, WHEELER of Bridgewater, Senators: MICHAUD of Penobscot, PARADIS of Aroostook.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested.

On motion of Representative PIEH of Bremen, the Bill was **REFERRED** to the Committee on **NATURAL RESOURCES**, ordered printed and sent for concurrence.

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**APPROPRIATIONS AND FINANCIAL AFFAIRS**

Bill "An Act to Establish a Fund to Promote Acadian Cultural Tourism for St. Croix Island"

(H.P. 1029) (L.D. 1451)

Presented by Representative SHOREY of Calais.

Cosponsored by Senator CASSIDY of Washington and Representatives: BAGLEY of Machias, DUGAY of Cherryfield, GILLIS of Danforth, GOODWIN of Pembroke, SIROIS of Caribou, SOCTOMAH of the Passamaquoddy Tribe, Senators: BENNETT of Oxford, MICHAUD of Penobscot.

Bill "An Act to Improve the Efficiency of State Government by Increasing Flexibility in Staffing Patterns"

(H.P. 1039) (L.D. 1461)

Presented by Representative BRAGDON of Bangor.

Cosponsored by Senator MITCHELL of Penobscot and Representatives: FULLER of Manchester, KANE of Saco, KNEELAND of Easton, LOVETT of Scarborough, WINSOR of Norway.

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**BANKING AND INSURANCE**

Bill "An Act to Make Minor Corrections to the Laws Governing Consumer Credit and Collection"

(H.P. 1023) (L.D. 1434)

Presented by Representative O'NEIL of Saco.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act to Clarify Reimbursement for Cognitive Services"

(H.P. 1050) (L.D. 1472)

Presented by Representative DUNLAP of Old Town.

Cosponsored by Senator MURRAY of Penobscot.

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**BUSINESS AND ECONOMIC DEVELOPMENT**

Bill "An Act to Transfer the Regulatory Responsibilities of the Arborist Examining Board to the Department of Agriculture, Food and Rural Resources"

(H.P. 1025) (L.D. 1436)

Presented by Representative O'NEAL of Limestone.

Cosponsored by Senator KONTOS of Cumberland and Representatives: BOLDUC of Auburn, BOWLES of Sanford, CLOUGH of Scarborough, MENDROS of Lewiston, SHOREY of Calais, TRIPP of Topsham, USHER of Westbrook, Senator: MacKINNON of York.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act to Reorganize the Real Estate Appraisers Law"

(H.P. 1026) (L.D. 1437)

Presented by Representative O'NEAL of Limestone.

Cosponsored by Senator KONTOS of Cumberland and Representatives: BOLDUC of Auburn, BOWLES of Sanford, CLOUGH of Scarborough, MENDROS of Lewiston, SHOREY of Calais, TRIPP of Topsham, USHER of Westbrook, Senator: MacKINNON of York.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Bill "An Act to Amend Agency Disclosure within the Real Estate Brokerage Laws"

(H.P. 1028) (L.D. 1450)

Presented by Representative CIANCHETTE of South Portland.

Cosponsored by Representatives: MARVIN of Cape Elizabeth, NASS of Acton, USHER of Westbrook, Senator: HARRIMAN of Cumberland.

Bill "An Act to Include Fraudulent Billing by Attorneys under the Unfair Trade Practices Act"

(H.P. 1055) (L.D. 1486)

Presented by Representative WATERHOUSE of Bridgton.

Cosponsored by Representative: BUCK of Yarmouth.

Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative O'NEAL of Limestone, **TABLED** pending **REFERENCE** and later today assigned.

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**CRIMINAL JUSTICE**

Resolve, to Enhance Fire Protection Services throughout the State

(H.P. 1017) (L.D. 1428)

Presented by Representative McALEVEY of Waterboro.

Cosponsored by Representative DUPLESSIE of Westbrook, Senator O'GARA of Cumberland and Representatives: CHIZMAR of Lisbon, COLLINS of Wells, MUSE of South Portland, O'BRIEN of Augusta, SHERMAN of Hodgdon, TOBIN of Dexter, USHER of Westbrook, Senator: MacKINNON of York.

Bill "An Act to Repeal the Requirement That a Person Have a Permit to Carry a Concealed Weapon"

(H.P. 1022) (L.D. 1433)

Presented by Representative TRACY of Rome.

Cosponsored by Representative: MACK of Standish.

Bill "An Act to Amend the Maine Emergency Medical Services Act of 1982"

(H.P. 1051) (L.D. 1473)

Presented by Representative McALEVEY of Waterboro.

Cosponsored by Senator CAREY of Kennebec and Representatives: BULL of Freeport, DUPLESSIE of Westbrook, MacDOUGALL of North Berwick, PIEH of Bremen, STANWOOD of Southwest Harbor, Senator: PARADIS of Aroostook.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act to Establish Air Quality Standards for Rental Units Leased by Schools"

(H.P. 1037) (L.D. 1459)

Presented by Representative WATSON of Farmingdale.

Cosponsored by Senator TREAT of Kennebec and Representatives: COLWELL of Gardiner, COWGER of Hallowell, GREEN of Monmouth, JABAR of Waterville, McKEE of Wayne, POWERS of Rockport, SHIAH of Bowdoinham, Senator: PENDLETON of Cumberland.

Bill "An Act to Eliminate the Licensing Requirements for Certain School Administrators"

(H.P. 1046) (L.D. 1468)

Presented by Representative MACK of Standish.

Cosponsored by Representatives: ANDREWS of York, BRAGDON of Bangor, CHIZMAR of Lisbon, DAIGLE of Arundel, GOODWIN of Pembroke, MUSE of South Portland, PERKINS of Penobscot, Senator: FERGUSON of Oxford.

Resolve, to Establish the Task Force to Study the Simplification of the School Funding Formula

(H.P. 1048) (L.D. 1470)

Presented by Representative CLOUGH of Scarborough.

Cosponsored by Senator LIBBY of York and Representatives: BELANGER of Caribou, BUCK of Yarmouth, KNEELAND of Easton, LOVETT of Scarborough, MURPHY of Kennebunk, SNOWE-MELLO of Poland, STEDMAN of Hartland.

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#### HEALTH AND HUMAN SERVICES

Bill "An Act to Improve Care to Nursing Home Residents by Requiring Adequate Staff to Provide Hands-on Care" (EMERGENCY)

(H.P. 1021) (L.D. 1432)

Presented by Representative ETNIER of Harpswell.

Cosponsored by Senator BENNETT of Oxford and Representatives: DAVIDSON of Brunswick, HEIDRICH of Oxford, JOY of Crystal, LOVETT of Scarborough, Senator: PINGREE of Knox.

Resolve, Directing Cooperation between the Department of Human Services and the Passamaquoddy Tribe in Providing Human Services Programs

(H.P. 1027) (L.D. 1449)

Presented by Representative SOCTOMAH of the Passamaquoddy Tribe.

Cosponsored by Senator CASSIDY of Washington and Representatives: BAGLEY of Machias, BRAGDON of Bangor, GERRY of Auburn, GOODWIN of Pembroke, LORING of the Penobscot Nation, McDONOUGH of Portland, McKEE of Wayne.

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#### INLAND FISHERIES AND WILDLIFE

Bill "An Act to Promote Equitable and Professional Management of Moose"

(H.P. 1024) (L.D. 1435)

Presented by Representative USHER of Westbrook.

Cosponsored by Representatives: BOLDUC of Auburn, CLOUGH of Scarborough, GOOLEY of Farmington, LaVERDIERE of Wilton, LEMONT of Kittery, O'NEAL of Limestone, TRIPP of Topsham, WHEELER of Eliot.

Bill "An Act Regarding Qualifications to Enter the Moose Lottery"

(H.P. 1043) (L.D. 1465)

Presented by Representative BERRY of Belmont.

Cosponsored by Representatives: FOSTER of Gray, LOVETT of Scarborough, ROSEN of Bucksport, WATERHOUSE of Bridgton, WESTON of Montville.

Bill "An Act to Increase Hunting Opportunities in the State"

(H.P. 1047) (L.D. 1469)

Presented by Representative MATTHEWS of Winslow.

Cosponsored by Representatives: CLARK of Millinocket, DUPLESSIE of Westbrook, STANLEY of Medway, USHER of Westbrook.

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#### JUDICIARY

Bill "An Act to Amend the Laws Regarding Domestic Violence Incidence Reports"

(H.P. 1016) (L.D. 1427)

Presented by Representative MUSE of South Portland.

Bill "An Act to Allow Sharing of Information for Child Protective Investigations"

(H.P. 1038) (L.D. 1460)

Presented by Representative SCHNEIDER of Durham.

Cosponsored by Representatives: BRUNO of Raymond, BULL of Freeport, CHIZMAR of Lisbon, LOVETT of Scarborough, MADORE of Augusta, Senators: LONGLEY of Waldo, RAND of Cumberland.

Bill "An Act to Amend the Laws Governing Wrongful Death"

(H.P. 1049) (L.D. 1471)

Presented by Representative MACK of Standish. (BY REQUEST)

Bill "An Act to Bring Equity into Custodial Agreements"

(H.P. 1056) (L.D. 1487)

Presented by Representative STANWOOD of Southwest Harbor. Cosponsored by Representative: COLLINS of Wells.

Bill "An Act to Ensure Compliance with Court Orders Relating to Child Visitation"

(H.P. 1057) (L.D. 1488)

Presented by Representative STANWOOD of Southwest Harbor. Cosponsored by Representative: COLLINS of Wells.

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#### LABOR

Bill "An Act to Require the Department of Labor to Pay for Workers' Compensation Related Translation Services"

(H.P. 1041) (L.D. 1463)

Presented by Representative BRAGDON of Bangor.

Cosponsored by Senator MITCHELL of Penobscot and Representatives: GILLIS of Danforth, MENDROS of Lewiston, TREADWELL of Carmel.

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#### LEGAL AND VETERANS AFFAIRS

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require Signatures from All Counties on Direct Initiative Petitions

(H.P. 1020) (L.D. 1431)

Presented by Representative CAMPBELL of Holden.

Cosponsored by Representative: O'NEAL of Limestone.



Bill "An Act to Maintain Responsible Taste Testing"

(H.P. 1044) (L.D. 1466)

Presented by Representative POWERS of Rockport.  
Cosponsored by Senator DAGGETT of Kennebec and  
Representatives: BRENNAN of Portland, TUTTLE of Sanford,  
WHEELER of Eliot.

Bill "An Act to Propose Changes to the Maine Election  
Laws"

(H.P. 1061) (L.D. 1492)

Presented by Representative STANWOOD of Southwest Harbor.

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**MARINE RESOURCES**

Bill "An Act Regarding Aquaculture Leases in Salt Pond in  
Hancock County"

(H.P. 1054) (L.D. 1485)

Presented by Representative PERKINS of Penobscot.  
Cosponsored by Senator GOLDTHWAIT of Hancock.

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**NATURAL RESOURCES**

Bill "An Act Regarding the Spreading of Sludge"

(H.P. 1033) (L.D. 1455)

Presented by Representative JONES of Pittsfield.  
Cosponsored by Senator LIBBY of York and Representatives:  
CROSS of Dover-Foxcroft, LABRECQUE of Gorham, MARTIN  
of Eagle Lake, SULLIVAN of Biddeford, TOBIN of Dexter,  
Senator: LaFOUNTAIN of York.

Bill "An Act to Decrease Restrictions on the Sale of Land"

(H.P. 1035) (L.D. 1457)

Presented by Representative CLOUGH of Scarborough.  
Cosponsored by Senator KONTOS of Cumberland and  
Representatives: BUCK of Yarmouth, LABRECQUE of Gorham,  
MAYO of Bath, McKENNEY of Cumberland, MURPHY of  
Kennebunk, SNOWE-MELLO of Poland, TOBIN of Windham,  
WHEELER of Eliot.

Bill "An Act to Allow Cutting of Trees in the Shoreland Zone  
Under Certain Conditions"

(H.P. 1036) (L.D. 1458)

Presented by Representative FOSTER of Gray.  
Cosponsored by Senator FERGUSON of Oxford and  
Representatives: GAGNE of Buckfield, GILLIS of Danforth,  
GOOLEY of Farmington, HONEY of Boothbay, MacDOUGALL  
of North Berwick, PINKHAM of Lamoine, TRAHAN of  
Waldoboro.

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**TAXATION**

Bill "An Act to Encourage Jobs and Opportunities in  
Municipalities with Low Average Income and High Property  
Taxes"

(H.P. 1014) (L.D. 1425)

Presented by Representative MENDROS of Lewiston.  
Cosponsored by Representatives: BOUFFARD of Lewiston,  
BROOKS of Winterport, BRYANT of Dixfield, DESMOND of  
Mapleton, MAYO of Bath, SHOREY of Calais, Senator:  
PARADIS of Aroostook.

Bill "An Act to Reform the Property Tax Laws for Certain  
Exempt Properties"

(H.P. 1015) (L.D. 1426)

Presented by Representative MENDROS of Lewiston.  
Cosponsored by Senator DAVIS of Piscataquis and  
Representatives: BROOKS of Winterport, BUCK of Yarmouth,  
CAMERON of Rumford, COLLINS of Wells, DESMOND of  
Mapleton, FOSTER of Gray, JODREY of Bethel, MacDOUGALL  
of North Berwick.

Bill "An Act to Allocate the State Tax Windfall on the Sale  
of Generation-related Assets to the Reduction of Stranded Costs  
Otherwise Paid by Ratepayers"

(H.P. 1030) (L.D. 1452)

Presented by Representative O'NEAL of Limestone.  
Cosponsored by Representatives: AHEARNE of Madawaska,  
KNEELAND of Easton, SIROIS of Caribou, TRIPP of Topsham,  
USHER of Westbrook, WHEELER of Bridgewater, Senator:  
CAREY of Kennebec.

Bill "An Act to Expand the Homestead Exemption Program  
Based Upon the Level of Funds in a Homestead Tax Relief  
Fund"

(H.P. 1031) (L.D. 1453)

Presented by Representative GAGNON of Waterville.  
Cosponsored by Senator RUHLIN of Penobscot and  
Representatives: CHIZMAR of Lisbon, COLWELL of Gardiner,  
GREEN of Monmouth, MAILHOT of Lewiston, MAYO of Bath,  
McKEE of Wayne, Senators: DAGGETT of Kennebec, PINGREE  
of Knox.

Bill "An Act to Conform the Maine Tax Laws for 1998 With  
the United States Internal Revenue Code" (EMERGENCY)

(H.P. 1053) (L.D. 1484)

Presented by Representative GREEN of Monmouth.  
Cosponsored by Representatives: BUCK of Yarmouth,  
COLWELL of Gardiner, GAGNON of Waterville, LEMOINE of  
Old Orchard Beach, LEMONT of Kittery, MURPHY of Berwick,  
STANLEY of Medway.  
Submitted by the Department of Administrative and Financial  
Services pursuant to Joint Rule 204.

Bill "An Act to Repeal All State Inheritance Taxes"

(H.P. 1059) (L.D. 1490)

Presented by Representative WATERHOUSE of Bridgton.  
Cosponsored by Representative: MacDOUGALL of North  
Berwick.

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**TRANSPORTATION**

Bill "An Act to Add Members to the Maine Turnpike  
Authority"

(H.P. 1018) (L.D. 1429)

Presented by Representative LEMOINE of Old Orchard Beach.  
Cosponsored by Senator PENDLETON of Cumberland and  
Representatives: COLWELL of Gardiner, KANE of Saco,  
MAILHOT of Lewiston, McALEVEY of Waterboro, O'NEIL of  
Saco, SULLIVAN of Biddeford, Senators: LaFOUNTAIN of York,  
RAND of Cumberland.

Bill "An Act to Establish a Pilot Program to Allow Private  
Driving School Instructors to Conduct Driver Operation  
Examinations"

(H.P. 1040) (L.D. 1462)

Presented by Representative BRAGDON of Bangor.

Cosponsored by Senator MITCHELL of Penobscot and Representatives: CAMERON of Rumford, MENDROS of Lewiston, SANBORN of Alton, SAVAGE of Union.

Bill "An Act Regarding the Operation of a Motorized or Electric Bicycle on a Public Way"

(H.P. 1058) (L.D. 1489)

Presented by Representative STANWOOD of Southwest Harbor. Cosponsored by Representative: COLLINS of Wells.

Bill "An Act to Improve Access to Driver Education"

(H.P. 1060) (L.D. 1491)

Presented by Representative SHERMAN of Hodgdon. Cosponsored by Representatives: AHEARNE of Madawaska, BELANGER of Caribou, WHEELER of Bridgewater.

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### UTILITIES AND ENERGY

Bill "An Act to Ensure the Protection of Ratepayers' Interests in the New England Power Pool" (EMERGENCY)

(H.P. 1019) (L.D. 1430)

Presented by Representative USHER of Westbrook. Cosponsored by Representatives: LaVERDIERE of Wilton, O'NEAL of Limestone, SIROIS of Caribou, TRIPP of Topsham, WHEELER of Eliot.

Bill "An Act to Establish the Northern Maine Transmission Corporation"

(H.P. 1034) (L.D. 1456)

Presented by Representative O'NEAL of Limestone. Cosponsored by Representatives: AHEARNE of Madawaska, KNEELAND of Easton, LaVERDIERE of Wilton, SIROIS of Caribou, TRIPP of Topsham, USHER of Westbrook, WHEELER of Bridgewater, Senator: CAREY of Kennebec.

Bill "An Act to Amend the No Trespassing Zone Around the Water Intake Pipes of the Portland Water District"

(H.P. 1042) (L.D. 1464)

Presented by Representative CLOUGH of Scarborough. Cosponsored by Senator RAND of Cumberland and Representatives: BRENNAN of Portland, CIANCHETTE of South Portland, DAVIS of Falmouth, LABRECQUE of Gorham, USHER of Westbrook.

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### ORDERS

On motion of Representative TUTTLE of Sanford, the following Joint Order: (H.P. 1052) (Cosponsored by Senator FERGUSON of Oxford and Representatives: CHIZMAR of Lisbon, FISHER of Brewer, GAGNE of Buckfield, HEIDRICH of Oxford, LABRECQUE of Gorham, MAYO of Bath, MCKENNEY of Cumberland)

WHEREAS, the Legislature finds that it is important to examine the effects of the recent United States Department of Veterans Affairs health services reorganization on the Veterans Administration Medical Center at Togus; and

WHEREAS, it is vital to review the impact of recent United States Department of Veterans Affairs decisions on the quality and availability of the care of our veterans; now, therefore, be it

ORDERED, the Senate concurring, that there is established a Commission to Examine the Adequacy of Services, referred in this order as the "commission," at the Veterans Administration Medical Center; and be it further

ORDERED, that the commission consists of the members of the Joint Standing Committee on Legal and Veterans Affairs, one representative of each of Maine's 4 congressional offices and one representative of the Governor's office. The commission shall select a chair from among its members; and be it further

ORDERED, that the commission shall examine:

1. Services provided to veterans and the adequacy of those services to meet the needs of the veterans;
2. Funding provided to the medical center and the adequacy of those funds in providing necessary services to the veterans;
3. The possibility of the medical center being operated by partial receivership; and
4. Other issues the commission may determine relevant to the operation of the medical center; and be it further

ORDERED, that the commission shall present its findings to the Second Regular Session of the 119th Legislature by December 1, 1999. If the commission requires an extension of the reporting deadline, it may apply to the Legislative Council, which may grant the extension; and be it further

ORDERED, that the legislative members of the commission are entitled to receive the legislative per diem for their attendance at authorized meetings of the commission.

**READ and PASSED.**

Sent for concurrence.

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### REPORTS OF COMMITTEE

#### Change of Committee

Representative WHEELER from the Committee on **TRANSPORTATION** on Bill "An Act Regarding the Maintenance of Private Roads"

(H.P. 332) (L.D. 448)

Reporting that it be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT.**

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT.**

Sent for concurrence.

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### CONSENT CALENDAR

#### Second Day

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

(S.P. 60) (L.D. 130) Bill "An Act to Prevent Children from Acquiring Gunpowder"

(H.P. 161) (L.D. 223) Bill "An Act to Release Estate Tax Liens on Certain Real Estate"

(H.P. 544) (L.D. 765) Bill "An Act to Make Materiality a Jury Issue Relative to the Crime of Perjury"

(H.P. 545) (L.D. 766) Bill "An Act to Clarify the Criminal Code Relative to Strict Liability Crimes"

(H.P. 570) (L.D. 791) Bill "An Act to Clarify Sentencing Alternatives Involving Probation and Unconditional Discharge Under the Criminal Code"

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was **PASSED TO BE ENGROSSED** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** and sent for concurrence.

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, February 18, 1999, have preference in the Orders of the Day and continue with such preference until disposed of as provided by House Rule 502.

Bill "An Act to Establish Fair Funding for Independent and 3rd-Party Legislators"

(H.P. 991) (L.D. 1389)

(Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested)

**TABLED** - February 18, 1999 (Till Later Today) by Representative TOWNSEND of Portland.

**PENDING - REFERENCE.**

On motion of Representative SAXL of Portland, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Prohibit a Municipality from Being Penalized by the State for Lacking a Comprehensive Plan"

(H.P. 957) (L.D. 1355)

(Committee on **NATURAL RESOURCES** suggested)

**TABLED** - February 18, 1999 (Till Later Today) by Representative MARTIN of Eagle Lake.

**PENDING - REFERENCE.**

Subsequently, the Bill was **REFERRED** to the Committee on **NATURAL RESOURCES**, ordered printed and sent for concurrence.

Bill "An Act to Repeal the Law Requiring Retailers to Post Motor Vehicle Fuel Prices"

(H.P. 339) (L.D. 455)

**TABLED** - February 18, 1999 (Till Later Today) by Representative O'NEAL of Limestone.

**PENDING - PASSAGE TO BE ENGROSSED.**

On motion of Representative O'NEAL of Limestone, **TABLED** pending **PASSAGE TO BE ENGROSSED** and later today assigned.

Resolve, to Allow Lawsuit Against the State of Maine

(H.P. 448) (L.D. 611)

- In House, **REFERRED** to the Committee on **JUDICIARY** on January 26, 1999.

- In Senate, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** in **NON-CONCURRENCE.**

**TABLED** - February 18, 1999 (Till Later Today) by Representative TUTTLE of Sanford.

**PENDING - FURTHER CONSIDERATION.**

Subsequently, the House voted to **RECEDE AND CONCUR.**

Bill "An Act Providing for Regulation of the Uses of Surface Waters within or Affecting Passamaquoddy Territory"

(H.P. 898) (L.D. 1255)

(Committee on **INLAND FISHERIES AND WILDLIFE** suggested)

**TABLED** - February 18, 1999 (Till Later Today) by Representative DUNLAP of Old Town.

**PENDING - REFERENCE.**

On motion of Representative DUNLAP of Old Town, **TABLED** pending **REFERENCE** and later today assigned.

**JOINT ORDER** - Relative to establishing a Commission to Study the Statewide Redemption of Returnable Containers

(H.P. 921)

**TABLED** - February 18, 1999 (Till Later Today) by Representative AHEARNE of Madawaska.

**PENDING - PASSAGE.**

On motion of Representative AHEARNE of Madawaska, **TABLED** pending **PASSAGE** and later today assigned.

Bill "An Act to Amend the Maine Governmental Facilities Authority"

(H.P. 781) (L.D. 1104)

(Committee on **STATE AND LOCAL GOVERNMENT** suggested)

**TABLED** - February 18, 1999 (Till Later Today) by Representative AHEARNE of Madawaska.

**PENDING - REFERENCE.**

On motion of Representative AHEARNE of Madawaska, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Amend the Laws Authorizing the Renovation of the State Capitol Building and Other State Buildings"

(H.P. 823) (L.D. 1146)

(Committee on **STATE AND LOCAL GOVERNMENT** suggested)

**TABLED** - February 18, 1999 (Till Later Today) by Representative AHEARNE of Madawaska.

**PENDING - REFERENCE.**

On motion of Representative AHEARNE of Madawaska, **TABLED** pending **REFERENCE** and later today assigned.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

The **SPEAKER**: I just wanted to say a few words about Representative Al Gamache. I came in with Al in the 116<sup>th</sup>, along with many of you, so we have been here about seven years. I considered him a good friend, as well as a colleague. Al Gamache was, I think, a true gentleman. He was really beloved, probably one of the most beloved members of this body. He was the dean of the House, as you know, being the oldest member of this House. He was a person of unflinching courtesy toward other members and respect. He respected other members, I think like no one else in here. Behind all that dignity and honor was a wry sense of humor and I think we will miss that for sure. Al didn't speak on the floor of the House very often like many of us do, but when he did stand up and raise his microphone, his quiet presence commanded the attention of the members in this body. I can remember that when he spoke, people listened because he didn't speak very often. They listened carefully and his voice carried weight.

You will hear more about Al this afternoon, I am sure. He had a remarkable career of public service. He gave most of his

adult life to public service. As you know, he worked with Senator Hathaway for many years and had other public involvement prior to running for the House in 1992. I know I am going to miss him along with you. It is going to be tough. I visited Al last Monday for a period of time in his home. It was a week ago yesterday and talked with him for about 30 minutes. I will treasure that conversation for the rest of my life. He truly was a gentleman and I am going to miss him sadly.

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

Representative **SAXL**: Mr. Speaker, Men and Women of the House. Albert P. Gamache was a great friend of mine and a great friend to many of you in this chamber. He was a man that could dispel a cloudy day with a twinkle of his eye and occasionally with an irreverent remark. Most of all, Al was a great legislator and a great servant to the people of the State of Maine.

Some of you, as the Speaker has mentioned, know a little bit about Al's service to the State of Maine, as dean of the House, as Chair of the Committee of Leaves of Absence, of which he was enormously proud, of his great work on the Legal and Veterans Affairs Committee and his consistent friendship and unwavering commitment to doing the right thing. As the Speaker also said, he was also the Chief of Staff to Congressman and later Senator William Hathaway. As Hathaway's top aide, Al fought for many of the same causes that have attracted all us to public service. In addition to his work for Senator Hathaway, Al trained a generation of public servants that are familiar to many of us in this chamber. Among those who worked with Al was our current Chief Executive, Governor Angus King.

During a recent visit to Al's house, I sat with our Governor and with the Speaker of the House, and Al retold some war stories that he and his young aide had done together in service to our state. At one point, Al asked the Chief Executive if he knew why he was removed from driving Senator Hathaway on a day-to-day basis. Our Governor admitted that he didn't know why he was taken off the driving duty. Al told him with the mischievous twinkle in his eye that the Governor talked just a little bit too much to the Senator and didn't know quite enough about what was going on in the sporting pages and that the Senator never had a chance to relax after a political stomp. The Governor admitted that he had always been full of questions about public policy and that he wasn't up to the quiet reflective driving that the Senator needed and he laughed at Al's story.

Al had a lot of great experiences in the State of Maine. He was a man of honor, intellect, great distinction and I think he was what Jefferson had in mind when he talked about a citizen legislature. He cared deeply for his constituents and he enjoyed immensely the honor of service and always, always acted from his heart. I will miss Al very much. Mr. Speaker, I ask that when the House adjourns today, that it be done in lasting tribute to the memory of the honorable Albert P. Gamache.

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

Representative **TUTTLE**: Mr. Speaker, Men and Women of the House. These are always the most difficult times, I think,

being a member of the Legislature when a member of one of our own pass on leaving us behind. Representative Gamache, to me, was a great mentor to me personally being a chairman of the Legal and Veterans Committee. Al had served the longest time of any membership presently in the Legislature on that committee. I will always remember the elbow in the side. He was sitting next to me, when he wanted to get my attention. Lecturing me on the evils of gambling and excessive alcohol abuse on a number of occasions.

I always feel, Mr. Speaker, that for those of us who serve here for a number of years, that there will always be a part of us that remains, even after we go on. I am sure that that will be the case with my good friend, Al Gamache. Albert, rest in peace and God bless you.

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

Representative **PIEH**: Mr. Speaker, Ladies and Gentlemen of the House. As a freshman legislator I met Al early on and was blown away because he said to me he never campaigned and everyone else said to me that he always wins. Al said that if the people want me, they will elect me. He was very proud of the role of a legislator as a policy maker. He said that when he finishes over here in the House, then I am going to go over to the Senate. He didn't think about it ending. It is to his grace and goodness that he stayed in office and died with his boots on.

He was always clear about what he believed. He would offer me lots of good advice and I became very attached to him. I asked for that advice. I won't say that I always followed his advice, but it was always good. Al told me not long ago that in his tenure here, he put in one bill in the Legislature. That bill was to limit the number of bills a legislator could put in. He also said that it went down in flames.

He was against gambling. I had said, even against horse racing and he said it is all right in the privacy of your home or for friends to get together to play a bit of poker like us. He was all right with that. As Al died of cancer, he always kept the glint in his eye, right up to the last time I saw him. He retained his sense of humor. You didn't know when a quip would come out that would startle you. That was Al's way. He hoped to die at home and in his sleep and that is just what he did. The next time you pick up, *Strunk and White's Elements of Style* to refer to it as you prepare a testimony, think of Al. He kept that book with him. He was an avid reader. When I asked him if there was anything special he wanted, he said that we already have a Gamache Fund at the Lewiston Public Library. I encourage you, if you are thinking of donations, to consider giving a book to them or some money.

I adored him. I was attached to him and when he was sick last year, I kept daffodils on his desk everyday and was pleased when he came back. I will miss him a lot. He was a wonderful man.

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

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. I was Al Gamache's seat mate in the 117<sup>th</sup>. I sat in seat 86. Al sat in seat 87 and George Ricker sat

in seat 88. When I first walked in and saw Al sitting there, I had to step back, because he was the spitting image of my grandfather. I walked up and had a long talk with him about it and from that point on, I called him grandpa, every time I saw him. The Speaker is exactly right, both him and George Ricker were perfect gentlemen. They hardly ever spoke. I used to get a big kick out of it because some of us do speak a lot and I used to come running back into my chair to get up and do just that and George would be sitting there with Al and would say, "Oh, there he goes again." He was, I think, liked by everybody. I don't know anybody that ever said a bad word about Al. Everybody hit the nail on the head, he was a gentleman and he is going to be missed.

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The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Mr. Speaker, Men and Women of the House. I have to follow the last speaker primarily because of a couple of words that he said. He said that Al never said a bad word about anyone, however, for those of us who were involved with campaigning with him when he was working for then Congressman Hathaway and I was then working for Senator Muskie. Going through the various sections of this state, whenever we left a particular area that he thought would not be voting with the congressman, he would say, "Boy, those Republicans. I don't know what is wrong with them." You rarely ever heard much else. Nothing further than that would come. It was just too much for him to go any further even though you knew what he really wanted to say or at least you thought you knew what he really wanted to say.

I also remember then Angus King working as a staffer for then Congressman and subsequently for Senator Hathaway. Al always constantly reminding the Governor that he was really working for Hathaway and not the other way around. Appropriately, it was entirely true that at that time Angus was much more talkative than he is now, if you can believe that. In all fairness to Al, he always took it lightly. He always was able to make a joke out of it and to make everyone feel comfortable. In all the years that I knew him when he came to the Legislature, when he came here, I was here at the time in 1992, you could always tell when the two of them were coming in. George and Al together having probably traveled back and forth together and always kind to all of us even though we, perhaps, were not always in a position to feel as if we were going to be kind to anyone else that day. I think that, if nothing else, we remember Al's approach to dealing with problems and with one another as human beings, we would all be better off.

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

Representative **GAGNON**: Mr. Speaker, Men and Women of the House. I had the privilege of being one of Al's newer friends. Being his seat mate in the last Legislature and this time around. I went and visited Al when he was sworn into office down in his home in Lewiston when he was ill. I had a conversation with one of his relatives that was there, who told me it was very important to Al, although he knew he was dying, that he die in office. Public service was very important to him.

Even though I don't want to give away too many secrets between seat mates, I can tell you that there were a couple of

votes that I think epitomized Al. There was one situation where he wasn't voting with the rest of us around here and I leaned over to him and asked him why he was voting that way. On that occasion he said he had to stick with those Lewiston people. It was very important to him what his role was within the delegation. He was very proud of the delegation from Lewiston. Another time when he didn't vote with us, I asked him about it and he said it was because he gave his word early on in a particular issue and it was very important for him to keep his word, even though he might have been convinced that maybe a different vote might have been better. I can also tell everyone that on occasion he talked about all of you. By enlarge, I would say he was very proud of us and very proud of the work we did. I think he was a gentleman who brought a lot of honor to what we do. I certainly will miss him very much. Thank you Mr. Speaker.

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

Representative **POVICH**: Mr. Speaker, Men and Women of the House. I would like to briefly convey to this body my visit to Al Gamache whose apartment was as neat as a pin and had a commanding panoramic view and presided over Lisbon Street in Lewiston and he was absolutely giddy over a purchase of a radio that he bought as seen on TV. He was a little shy about it. He said, "Do you think I spent too much money for this radio?" I was too polite to agree that he might have spent over \$1,100 for a radio, but he had lots of gadgets in his home and wouldn't have a computer and I am honored to have known Albert P. Gamache. I would call him the mayor of Lisbon Street.

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

Representative **SHIAH**: Mr. Speaker, Ladies and Gentlemen of the House. I, too, have fond memories of Al Gamache and spending some wonderful time in his home on Lisbon Street and just discussing some of his wonderful times in Washington and the experiences he shared with me from his years down there. He took public service seriously, as we all do. He was a true gentleman. Al, wherever you are today, I say sine die.

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

Representative **COTE**: Mr. Speaker, Men and Women of the House. I have known Al Gamache for a very, very short time. When I first visited him in the nursing home, he was real peppy. When I walked in, the nurse was attending to him. I was about ready to excuse myself and he told me that no, you don't excuse yourself. You stay right here. You came to visit me and you stay. He said to the nurse, "I would like you to meet a good friend of mine. This is the next representative of Lewiston, District 87, Representative Cote, out of Lewiston." Lord knows, that man knew that I was going to pull this off. Don't ask me how, but he knew. We had a meeting one day with the Faith Works, it is a local mission that puts the unemployed to work and gives them a way to the future again. He and I had a

meeting with the director and we were the only two in our district that was able to attend. Everybody else in the other districts had other meetings, but Al and I stood together and as the director went to introduce me to him, he looked at him and said, "Mr. Director, you don't need to introduce me to him. I know him. He is going to be the next representative. That is Mr. Cote. That is my friend." Until this day, I have known Al Gamache ever since I was growing up. He was a big man of Lewiston. He was the big man of everybody. He was the big papa. The Lisbon Street area was his area. He watched over everybody who came in and out. Until this day, Al wherever you are, we are with you.

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The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Mendros.

Representative **MENDROS**: Mr. Speaker, Ladies and Gentlemen of the House. It is difficult to grow up in Lewiston, Maine and not know Al Gamache. He was an institution in our city. I was very excited and proud when I was elected in November that I would have the opportunity to serve with him. Although it was short, I am happy to have been able to and to have been in the same Legislature with Representative Gamache. It is a sad day for the City of Lewiston. We lost a

great champion and it is also a sad day for the State of Maine. He was a champion not just for Lewiston, but for the whole state.

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The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Bouffard.

Representative **BOUFFARD**: Mr. Speaker, Men and Women of the House. I ask that members of this body rise and join me in a moment of silent prayer in tribute to a fallen colleague, a great friend and the dean of the House, Representative Albert P. Gamache, Sr.

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Subsequently, the members of the Maine House of Representatives stood in a moment of silent prayer for Representative Albert P. Gamache, Sr.

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On motion of Representative BOUFFARD of Lewiston, the House adjourned at 5:09 p.m., until 10:00 a.m., Thursday, February 25, 1999 in honor and lasting tribute to Representative Albert P. Gamache, Sr., of Lewiston.