

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

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**CIVIL GOVERNMENT  
OF THE  
STATE OF MAINE  
FOR THE POLITICAL YEARS 2004 AND 2005**

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**CONSTITUTIONAL & OTHER OFFICERS**

Governor

John Elias Baldacci

Secretary of State

Matthew Dunlap

Attorney General

G. Steven Rowe

Treasurer of State

David G. Lemoine

State Auditor

Neria R. Douglass

## **EXECUTIVE BRANCH STATE DEPARTMENTS**

Governor

John Elias Baldacci

Administrative and Financial Services, Department of  
Commissioner..... Rebecca Wyke

Agriculture, Food and Rural Resources, Department of  
Commissioner..... Robert W. Spear

Conservation, Department of  
Commissioner..... Patrick McGowan

Corrections, Department of  
Commissioner..... Martin Magnusson

Defense, Veterans and Emergency Management,  
Department of  
Commissioner..... John W. Libby

Economic and Community Development, Department of  
Commissioner..... Jack Cashman

Education, Department of  
Commissioner..... Susan Gendron

Environmental Protection, Department of  
Commissioner..... Dawn Gallagher

Health and Human Services, Department of  
Commissioner..... John R. Nicholas

Inland Fisheries and Wildlife, Department of  
Commissioner..... R. Dan Martin

Labor, Department of  
Commissioner..... Laura Fortman

Marine Resources, Department of  
Commissioner..... George Lapointe

Professional and Financial Regulation, Department of  
Commissioner..... Christine A. Bruenn

Public Safety, Department of  
Commissioner..... Michael Cantara

Transportation, Department of  
Commissioner..... David Cole

### **EXECUTIVE DEPARTMENT**

Public Advocate..... Stephen G. Ward

State Planning Office  
Director ..... Martha Freeman

### **SELECTED BOARDS AND COMMISSIONS**

Maine Human Rights Commission  
Executive Director..... Patricia Ryan

Workers' Compensation Board  
Executive Director..... Paul Dionne

Public Utilities Commission  
Chair..... Kurt Adams

Bureau of Alcoholic Beverages and Lottery Operations  
Director ..... Dan Gwadosky

### **SELECTED INDEPENDENT AGENCIES**

Baxter State Park  
Director..... Irvin C. Caverly, Jr.

Maine State Housing Authority  
Director..... Dale McCormick

Maine Maritime Academy  
President..... Leonard Tyler

Maine Port Authority  
Executive Director..... Brian Nutter

Maine State Retirement System  
Executive Director..... Kay Evans

Maine Turnpike Authority  
Executive Director..... Paul Violette

Maine Municipal Bond Bank  
Chair..... Stephen R. Crockett

Finance Authority of Maine  
Director ..... John Witherspoon

**JUDICIAL BRANCH  
SUPREME JUDICIAL COURT**

Chief Justice

Leigh I. Saufley ..... Augusta

Associate Justices

Donald G. Alexander ..... Portland	Howard H. Dana, Jr. .... Portland
Susan W. Calkins..... Portland	Jon D. Levy ..... Portland
Robert W. Clifford..... Auburn	Paul L. Rudman..... Bangor

Active Retired Justices

James P. Archibald ..... Houlton	Samuel W. Collins, Jr. .... Rockland
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**SUPERIOR COURT**

Chief Justice

Thomas E. Humphrey ..... Portland

Justices

John R. Atwood ..... Augusta	E. Allen Hunter ..... Caribou
G. Arthur Brennan ..... Alfred	Joseph M. Jabar ..... Skowhegan
Roland A. Cole ..... Portland	Donald H. Marden..... Augusta
Robert E. Crowley ..... Portland	Andrew M. Mead ..... Bangor
Thomas E. Delahanty II..... Auburn	Nancy Mills..... Skowhegan
Paul A. Fritzsche..... Alfred	S. Kirk Studstrup ..... Augusta
Ellen A. Gorman ..... Auburn	Thomas D. Warren ..... Portland
Jeffrey L. Hjelm..... Bangor	

Active Retired Justices

Carl O. Bradford ..... Portland	Stephen L. Perkins ..... Portland
William S. Brodrick..... Portland	

## DISTRICT COURT

Vendean V. Vafiades (Chief Judge)..... Augusta  
John C. Nivison (Deputy Chief Judge)..... Waterville

### Resident Judges

William R. Anderson.....	Rockland	Charles C. LaVerdiere.....	Skowhegan
Roland Beaudoin.....	Portland	Rick E. Lawrence.....	Lewiston
John B. Beliveau.....	Lewiston	James E. MacMichael.....	Skowhegan
Jane S. Bradley.....	Portland	John D. McElwee.....	Rumford
Paul A. Cote, Jr. ....	Lewiston	Robert E. Mullen.....	Augusta
Ronald A. Daigle.....	Caribou	Ann M. Murray.....	Bangor
Wayne Douglas.....	Springvale	Robert E. Murray.....	Bangor
E. Paul Eggert.....	Portland	Bernard O'Mara.....	Presque Isle
Joseph H. Field.....	West Bath	Keith A. Powers.....	Portland
Christine Foster.....	Biddeford	John V. Romei.....	Machias
Rae Ann French.....	Augusta	Bernard C. Staples.....	Ellsworth
Peter J. Goranites.....	Portland	Kevin L. Stitham.....	Dover-Foxcroft
Jessie B. Gunther.....	Bangor	Michael N. Westcott.....	Wiscasset
Andrew M. Horton.....	Portland	Joyce A. Wheeler.....	York
Andre G. Janelle.....	Biddeford	Patricia G. Worth.....	Belfast
John David Kennedy.....	Springvale		

### Active Retired

Bernard M. Devine.....	Portland	Courtland D. Perry II.....	Augusta
David B. Griffiths.....	Presque Isle		

## COURT ADMINISTRATORS

James T. Glessner.....	State Court Administrator
Warren "Put" Armstrong.....	Director, Office of Information Technology
Deborah B. Carson.....	Financial Operations Officer
Michael A. Coty.....	Director of Court Security
Jeffrey D. Henthorn.....	Director, Court Services
Ellen M. Hjelm.....	Budget Officer
Edward C. Kelleher.....	Public Information Officer
Norman R. Ness, Jr.....	Director of Court Facilities
Judy Klein-Golden.....	Director, Office of Human Resources
Wendy F. Rau, Esq.....	Director of Court Operations
Susan Bell.....	Director of Office of Clerks of Court
Rosemary Foster.....	Family Division Manager

**LEGISLATIVE BRANCH**  
**LEGISLATURE**  
**SENATE**

Beth Edmonds, President

District 1	Mary Black Andrews .....	York	District 19	Arthur F. Mayo III.....	Sagadahoc
District 2	Richard A. Nass .....	York	District 20	Dana L. Dow .....	Lincoln
District 3	Jonathan T. E. Courtney .....	York	District 21	Scott W. Cowger .....	Kennebec
District 4	Nancy B. Sullivan.....	York	District 22	Christine R. Savage .....	Knox
District 5	Barry J. Hobbins .....	York	District 23	Carol Weston.....	Waldo
District 6	Philip L. Bartlett II.....	Cumberland	District 24	Elizabeth H. Mitchell .....	Kennebec
District 7	Lynn Bromley .....	Cumberland	District 25	Kenneth T. Gagnon .....	Kennebec
District 8	Ethan K. Strimling .....	Cumberland	District 26	Peter Mills .....	Somerset
District 9	Michael F. Brennan.....	Cumberland	District 27	Paul T. Davis, Sr. ....	Piscataquis
District 10	Beth Edmonds.....	Cumberland	District 28	Dennis S. Damon.....	Hancock
District 11	Karl W. Turner.....	Cumberland	District 29	Kevin L. Raye .....	Washington
District 12	Bill Diamond .....	Cumberland	District 30	Elizabeth M. Schneider .....	Penobscot
District 13	David R. Hastings III .....	Oxford	District 31	Richard W. Rosen.....	Hancock
District 14	Bruce S. Bryant.....	Oxford	District 32	Joseph C. Perry.....	Penobscot
District 15	Lois A. Snowe-Mello.....	Androscoggin	District 33	Debra D. Plowman .....	Penobscot
District 16	Margaret R. Rotundo .....	Androscoggin	District 34	Dean F. Clukey.....	Aroostook
District 17	John M. Nutting .....	Androscoggin	District 35	John L. Martin.....	Aroostook
District 18	Chandler E. Woodcock .....	Franklin			

**OFFICERS**

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Judith M. DelFranco, Assistant Secretary

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Deborah C. Friedman, Policy Director  
Roger Q. Fenn, Policy Director

Benjamin K. Grant, Legislative Aide  
Gregory Olson, Senior Office Assistant  
Marcia Homstead, Senior Executive Secretary

Senate Democratic Majority Office

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Leader  
Kenneth T. Gagnon, Assistant Democratic  
Majority Leader  
Ann Woloson, Chief of Staff  
Nina Fisher, Legislative Aide  
Michael R. Johnson, Legislative Aide  
Dan Shagoury, Legislative Aide  
Diane Steward, Legislative Aide  
Andrew Wright, Legislative Aide  
Edna Cayford, Senior Office Assistant  
Sally Tribbet, Clerical Support Staff

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Paul T. Davis, Sr., Republican Minority Leader  
Carol Weston, Assistant Republican  
Minority Leader  
Robert Emrich, Chief of Staff  
Diane Johanson, Legislative Aide  
Sara Vanderwood, Legislative Aide  
Brenda Seekins, Legislative Aide  
Michael Pajak, Legislative Aide  
Meghan McMahon, Senior Office Assistant

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Jo-Ellen Staples, Calendar Clerk  
Melissa Wright, Index Clerk  
Dorothy Canelli, Senior Office Assistant  
Mackenzi Keliher, Office Assistant  
Barbara Thayer, Reporter  
Laura Harper, Chamber Support

Senate Chamber Staff

Robert Paul Asselin, Sergeant-at-Arms  
Derek M. Grant, Assistant Sergeant-at-Arms  
Richard Weegar, Chamber Staff  
Jeremy Foster, Chamber Staff  
John Ring, Chamber Staff  
Mike Martin, Chamber Staff



# HOUSE OF REPRESENTATIVES

John Richardson, Speaker

District 1	Troy D. Jackson.....	Fort Kent	District 46	Stephen Bowen.....	Rockport
District 2	Rosaire "Ross" Paradis, Jr.....	Frenchville	District 47	Edward J. Mazurek.....	Rockland
District 3	William J. Smith.....	Van Buren	District 48	Christopher Rector.....	Thomaston
District 4	Peter Edgecomb.....	Caribou	District 49	Wesley E. Richardson.....	Warren
District 5	Jeremy Fischer.....	Presque Isle	District 50	A. David Trahan.....	Waldoboro
District 6	Jacqueline A. Lundeen.....	Mars Hill	District 51	Jonathan B. McKane.....	Newcastle
District 7	John W. Churchill.....	Washburn	District 52	Elizabeth S. Miller.....	Somerville
District 8	Roger L. Sherman.....	Hodgdon	District 53	Peter L. Rines.....	Wiscasset
District 9	Henry L. Joy.....	Crystal	District 54	Kenneth C. Fletcher.....	Winslow
District 10	Herbert E. Clark.....	Millinocket	District 55	Judd D. Thompson.....	China
District 11	Everett W. McLeod, Sr.....	Lee	District 56	Kimberly J. Davis.....	Augusta
District 12	Roderick W. Carr.....	Lincoln	District 57	Arthur L. Lerman.....	Augusta
District 13	Robert S. Duchesne.....	Hudson	District 58	William P. Browne.....	Vassalboro
District 14	Richard D. Blanchard.....	Old Town	District 59	Stephen P. Hanley.....	Gardiner
District 15	Jacqueline R. Norton.....	Bangor	District 60	Charles Earl Crosby III.....	Topsham
District 16	Patricia A. Blanchette.....	Bangor	District 61	George R. Bishop, Jr.....	Boothbay
District 17	Sean Faircloth.....	Bangor	District 62	Thomas R. Watson.....	Bath
District 18	Michael Edward Dunn.....	Bangor	District 63	John Richardson.....	Brunswick
District 19	Emily Ann Cain.....	Orono	District 64	Leila J. Percy.....	Phippsburg
District 20	Darren M. Hall.....	Holden	District 65	Carol A. Grose.....	Woolwich
District 21	Charles D. Fisher.....	Brewer	District 66	Stan Gerzofsky.....	Brunswick
District 22	Christian D. Greeley.....	Levant	District 67	Deborah J. Hutton.....	Bowdoinham
District 23	David E. Richardson.....	Carmel	District 68	Thomas F. Shields.....	Auburn
District 24	Douglas A. Thomas.....	Ripley	District 69	Deborah L. Pelletier-Simpson.....	Auburn
District 25	Joshua A. Tardy.....	Newport	District 70	Sonya G. Sampson.....	Auburn
District 26	James D. Annis.....	Dover-Foxcroft	District 71	Elaine Makas.....	Lewiston
District 27	Earl E. Richardson.....	Greenville	District 72	William R. Walcott.....	Lewiston
District 28	Vaughn A. Stedman.....	Hartland	District 73	Lillian LaFontaine O'Brien.....	Lewiston
District 29	Stacey Allen Fitts.....	Pittsfield	District 74	Margaret M. Craven.....	Lewiston
District 30	Howard E. McFadden.....	Dennysville	District 75	Scott E. Lansley.....	Sabattus
District 31	Anne C. Perry.....	Calais	District 76	Marilyn E. Canavan.....	Waterville
District 32	Harold Ian Emery.....	Cutler	District 77	Lisa T. Marraché.....	Waterville
District 33	Edward R. Dugay.....	Cherryfield	District 78	Robert W. Nutting.....	Oakland
District 34	Leonard Earl Bierman.....	Sorrento	District 79	Earle L. McCormick.....	West Gardiner
District 35	Theodore S. Koffman.....	Bar Harbor	District 80	Nancy E. Smith.....	Monmouth
District 36	Hannah Pingree.....	North Haven	District 81	Rodney C. Jennings.....	Leeds
District 37	James M. Schatz.....	Blue Hill	District 82	Patrick S. A. Flood.....	Winthrop
District 38	Robert H. Crosthwaite.....	Ellsworth	District 83	Stanley A. Moody.....	Manchester
District 39	Brian M. Duprey.....	Hampden	District 84	Edward D. Finch.....	Fairfield
District 40	Kimberley C. Rosen.....	Bucksport	District 85	Maitland E. Richardson.....	Skowhegan
District 41	R. Kenneth Lindell.....	Frankfort	District 86	Philip A. Curtis.....	Madison
District 42	Jeff Kaelin.....	Winterport	District 87	Raymond G. Pineau.....	Jay
District 43	Walter E. Ash, Jr.....	Belfast	District 88	Wright H. Pinkham, Sr.....	Lexington Twp.
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District 45	John F. Piotti.....	Unity	District 90	Thomas B. Saviello.....	Wilton

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 District 92 John L. Patrick ..... Rumford  
 District 93 Randy E. Hotham..... Dixfield  
 District 94 Bruce Q. Hanley ..... Paris  
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 District 96 Joan Bryant-Deschenes..... Turner  
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 District 98 Richard M. Sykes..... Harrison  
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 District 100 James M. Hamper ..... Oxford  
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 District 102 Gary W. Moore ..... Standish  
 District 103 John C. Robinson ..... Raymond  
 District 104 Robert A. Berube ..... Lisbon  
 District 105 Michael A. Vaughan ..... Durham  
 District 106 David C. Webster..... Freeport  
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 District 108 Terrence P. McKenney ..... Cumberland  
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 District 110 Mark E. Bryant ..... Windham  
 District 111 Gary E. Plummer ..... Windham  
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 District 113 John R. Brautigam ..... Falmouth  
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 District 115 Glenn A. Cummings ..... Portland  
 District 116 Charles William Harlow ..... Portland  
 District 117 Joseph C. Brannigan ..... Portland  
 District 118 John Eder ..... Portland  
 District 119 Herbert Adams..... Portland  
 District 120 Benjamin F. Dudley..... Portland  
 District 121 Connie Goldman ..... Cape Elizabeth  
 District 122 Lawrence Bliss..... South Portland

District 123 Jane E. Eberle ..... South Portland  
 District 124 Kevin J. Glynn..... South Portland  
 District 125 Robert W. Duplessie..... Westbrook  
 District 126 Timothy E. Driscoll..... Westbrook  
 District 127 Darlene J. Curley ..... Scarborough  
 District 128 Harold A. Clough ..... Scarborough  
 District 129 Christopher R. Barstow ..... Gorham  
 District 130 David W. Farrington..... Gorham  
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 District 132 George W. Hogan, Sr. . Old Orchard Beach  
 District 133 Donald E. Pilon ..... Saco  
 District 134 Linda M. Valentino ..... Saco  
 District 135 Joanne T. Twomey ..... Biddeford  
 District 136 Stephen R. Beaudette ..... Biddeford  
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 District 148 Sarah O. Lewin..... Eliot  
 District 149 Bradley S. Moulton ..... York  
 District 150 David N. Ott ..... York  
 District 151 Walter A. Wheeler, Sr. .... Kittery

Tribal Representatives

Frederick J. Moore III ..... Passamaquoddy Tribe  
 Michael Sockalexis ..... Penobscot Nation

## OFFICERS

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Michael J. Cote, Assistant Clerk of the House

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David Connerty-Marin, Special Assistant  
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Coordinator  
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Jennifer McGowan, Journal Clerk  
Jeanette Rowell, Chamber Activity Coordinator  
Jeremy W. Caron, House Reporter  
Erika L. Helgerson, Receptionist

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Toby McGrath, Chief of Staff  
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Director  
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Ryan P. MacDonald, Legislative Aide  
Amy Watson, Legislative Aide  
Mary Katherine Johnson Bromberg, Legislative  
Aide  
Travis Kennedy, Legislative Aide  
Andrew Helman, Legislative Aide  
Carolyn Condon, Web & Administrative  
Support Technician  
Paula B. Thomas, Senior Executive Secretary

### House Minority Office (Republican)

David E. Bowles, Republican Leader  
Joshua A. Tardy, Assistant Republican Leader  
Alison P. Sucey, Chief of Staff  
Heather J. R. Priest, Senior Legislative Aide  
Cheryl L. Parkman, Legislative Aide  
David Knorr, Legislative Aide  
Lee Ann McKay, Legislative Aide  
Kathleen Rhoten, Legislative Aide  
Jay Finegan, Legislative Aide  
Robb Weaver, Senior Executive Secretary  
Willi Lash, Executive Secretary

### House Minority Office (Green Independent)

Patrick Quinlan, Legislative Aide

### House Chamber Staff

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Normand Arbour, Assistant Sergeant-at-Arms  
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Brenwin G. Soucie, Chamber Staff  
Lance Willis, Chamber Staff  
David Stearns, Chamber Staff  
Michael R. Laberge, Chamber Staff

Diane Kirchner, Chamber Staff  
William P. Fleming, Doorkeeper  
Clyde Le Clair, Doorkeeper  
Cheryle Owen, Legislative Document Clerk  
Joe Brooks, Assistant Legislative  
Document Clerk  
Robert P. Cammack, State House Tour Guide

## LEGISLATIVE COUNCIL

Rep. John Richardson, Chair  
Sen. Beth Edmonds, Vice-Chair  
Sen. Michael F. Brennan  
Sen. Paul T. Davis, Sr.  
Sen. Kenneth T. Gagnon

Sen. Carol Weston  
Rep. Glenn A. Cummings  
Rep. David E. Bowles  
Rep. Robert W. Duplessie  
Rep. Joshua A. Tardy

## LEGISLATIVE COUNCIL OFFICES

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Debra E. Olken, Human Resources Director  
Sherry Ann Davis, Payroll and Benefits Supervisor

Etta J. Begin, Senior Administrative Secretary  
Laura Bushey, Accounts Management Assistant  
Howard Boucher, Facilities Support Staff

Legislative Information Systems  
Paul E. Mayotte, Director

Scott W. Clark, Deputy Director  
Casey Begin, Senior Network Administrator  
Stacy Morang, Web Administrator  
Kristopher Penney, Desktop Administrator  
Michael Thompson, Desktop Administrator

Linda Weston, Helpdesk Administrator  
Susan Begin, Office Support Technician  
Linda Dodd, Legislative Indexer  
Nik Rende, Senior Programmer Analyst

Legislative Information Office

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Kimberly V. Roach, Legislative Information Associate  
Carolyn Naiman, Legislative Information Assistant

Lisa Dunbar, Legislative Information Assistant  
Judy St. Pierre, Legislative Information Assistant

Office of the Revisor of Statutes  
Margaret E. Matheson, Revisor of Statutes

Suzanne M. Gresser, Principal Attorney  
Edward A. Charbonneau IV, Senior Attorney  
Mark A. Swanson, Attorney  
Judith L. Paquette, Paralegal Assistant  
Jay W. Selberg, Paralegal Assistant  
Deanne E. Ricker, Administrative Secretary  
Karen S. Farmer, Office Assistant  
Kathleen W. Parsons, Supervising Legislative Technician  
Theresa M. Lahey, Senior Legislative Technician  
Cindy L. Hall, Senior Legislative Technician  
D. Joyce Beckim, Senior Legislative Technician  
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Judy A. O'Brien, Legislative Technician

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Stephen Heddericg, Legal Proofreader  
John Johnson, Legal Proofreader  
William Arthur Haley, Acting Engrossing Supervisor  
Janet L. Caron, Engrossing Proofreader  
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James K. Dionne, Principal Analyst  
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Alexandra E. Avore, Analyst  
Lock Kiermaier, Analyst

J. Timothy Leet, Analyst  
Christopher W. Nolan, Analyst  
Rachel B. Tremblay, Analyst  
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Kathy Crowley-Pendleton, Secretary

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Jon P. Clark, Senior Legislative Analyst  
Jane Orbeton, Senior Legislative Analyst  
Marion Hylan Barr, Senior Legislative Analyst  
Danielle D. Fox, Legislative Analyst  
D. Jill Ippoliti, Legislative Analyst  
Susan Z. Johannesman, Legislative Analyst  
Phillip D. McCarthy, Legislative Analyst  
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Curtis C. Bentley, Legislative Analyst

Anna T. Broome, Legislative Analyst  
Colleen M. McCarthy Reid, Legislative Analyst  
Nicole Dube, Legislative Analyst  
Lucia Nixon, Legislative Analyst  
Natalie L. Haynes, Legislative Analyst  
Darlene Shores Lynch, Senior Legislative Researcher  
Alison L. Ames, Legislative Researcher  
Karen Nadeau-Drillen, Legislative Researcher  
Charlene N. Cunningham, Senior Secretary  
Kathy E. Norris, Senior Secretary  
Donna L. Pelletier, Secretary

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Stephanie P. Ralph, Principal Law Librarian, Public  
Services  
Mark R. Knierim, Associate Law Librarian  
Robert H. Michaud, Associate Law Librarian

Sue A. Wright, Associate Law Librarian  
Joan Frame, Library Associate  
Jennifer M. Locke, Library Associate  
Jeanne C. Morang, Library Assistant  
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