

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Twenty-Second Legislature
State of Maine

Volume I

First Regular Session

December 1, 2004 - March 30, 2005

First Special Session

April 4, 2005 – May 25, 2005

Pages 1-736

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
FIRST REGULAR SESSION
2nd Legislative Day
Tuesday, January 4, 2005

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

Prayer by Reverend Richard A. Bamforth, Augusta (retired).

National Anthem by Torrey Gimpel, Waterville.

Pledge of Allegiance.

Doctor of the day, Dan Hale, M.D., Kittery.

The Journal of Wednesday, December 1, 2004 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 15)
December 16, 2004

The Hon. Janet T. Mills, Chair
House Elections Committee
Maine House of Representatives
2 State House Station

Augusta, ME 04333-0002

Re: The 2004 General Election and House District 42

Dear Representative Mills:

On behalf of Jeffrey H. Kaelin and Joseph E. Brooks candidates in the 2004 general election in House District 42, we are pleased to report that the remaining issues in dispute have been resolved by the candidates and an agreement has been reached on the results of the election. Based on resolution of these issues, and the agreement, Mr. Brooks requests that the House Elections Committee terminate its work on this matter and report as recommended by the candidates the result described herein.

In House District 42, the candidates agree that Jeffrey H. Kaelin received 2,289 votes and Joseph E. Brooks received 2,285 votes. This result includes all the ballots which the candidates agree are appropriate to count for either candidate.

The candidates ask that the Committee report these results to the House as the official results in this race and that the Committee recommend that Representative Kaelin be permanently seated as a member of the Maine House of Representatives in the 122nd Maine Legislature.

On behalf of the candidates, we would like to thank all the members of the Committee for your time and effort in resolving this race. The work of the Committee and the testimony presented to the Committee were instrumental in an agreement being reached on the results of the election.

Sincerely,

S/Anthony W. Buxton

Attorney for Joseph E. Brooks

S/Daniel I. Billings

Attorney for Jeffrey H. Kaelin

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 16)
December 16, 2004

The Hon. Janet T. Mills, Chair
House Elections Committee
Maine House of Representatives
2 State House Station

Augusta, ME 04333-0002

Re: The 2004 General Election and House District 43

Dear Representative Mills:

On behalf of Jayne Crosby Giles and Walter E. Ash, Jr. candidates in the 2004 general election in House District 43, we are pleased to report that the remaining issues in dispute have been resolved by the candidates and an agreement has been reached on the results of the election. Based on resolution of these issues, and the agreement, Ms. Giles requests that the House Elections Committee terminate its work on this matter and report as recommended by the candidates the result described herein.

In House District 43, the candidates agree that Walter E. Ash, Jr. received 2,574 votes and Jayne Crosby Giles received 2,569 votes. This result includes all the ballots which the candidates agree are appropriate to count for either candidate.

The candidates ask that the Committee report these results to the House as the official results in this race and that the Committee recommend that Representative Ash be permanently seated as a member of the Maine House of Representatives in the 122nd Maine Legislature.

On behalf of the candidates, we would like to thank all the members of the Committee for your time and effort in resolving this race. The work of the Committee and the testimony presented to the Committee were instrumental in an agreement being reached on the issues in dispute.

Sincerely,

S/Anthony W. Buxton

Attorney for Walter E. Ash, Jr.

S/Daniel I. Billings

Attorney for Jayne Crosby Giles

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 17)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

December 13, 2004

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under House Rule 401.1, I assign Representative Herbert Adams of Portland to seat 114 and Representative Christopher R. Barstow of Gorham to seat 30. This change is effective immediately.

Sincerely,

S/John Richardson

Speaker of the House

READ and ORDERED PLACED ON FILE.

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

ORDERS

On motion of Representative MILLS of Farmington, the following House Order: (H.O. 10)

WHEREAS, Jeffrey H. Kaelin and Joseph E. Brooks have reached an agreement on the results of the election in House District 42 and Joseph E. Brooks has requested that the House Committee on Elections terminate its work on this matter and recommend that Jeffrey H. Kaelin be permanently seated as a member of the Maine House of Representatives in the 122nd Legislature; and

WHEREAS, Jayne Crosby Giles and Walter E. Ash, Jr. have reached an agreement on the results of the election in House District 43 and Jayne Crosby Giles has requested that the House Committee on Elections terminate its work on this matter and recommend that Walter E. Ash, Jr. be permanently seated as a member of the Maine House of Representatives in the 122nd Legislature; now, therefore, be it

ORDERED, that Jeffrey H. Kaelin be seated in the House as the duly elected Representative of House District 42 and Walter E. Ash, Jr. be seated in the House as the duly elected Representative of House District 43.

READ and PASSED.

On motion of Representative MILLS of Farmington, the following House Order: (H.O. 11)

WHEREAS, Michael J. McAleve and Lawrence E. Jacobsen have reached an agreement on the results of the election in House District 139 and Michael J. McAleve has requested that the House Committee on Elections terminate its work on this matter and recommend that Lawrence E. Jacobsen be permanently seated as a member of the Maine House of Representatives in the 122nd Legislature; now, therefore, be it

ORDERED, that Lawrence E. Jacobsen be seated in the House as the duly elected Representative of House District 139.

READ.

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

Representative MILLS: Mr. Speaker, Ladies and Gentlemen of the House. I present another House Order out of order respecting Item 4-2 and move its passage and wish to speak to my motion. Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It was my pleasure the last month and a half to chair the Special Committee on Elections for this body, along with the Republican Lead, the Representative from Newport, Representative Tardy. And we had a lot of work to do dealing with the factual issues respecting three distinct races; District 42, 43, and District 139. This was difficult work and I want to commend the eight members of the committee, all of whom put in many, many hours and worked diligently to find the facts and make recommendations to this body. I think the recommendations made in these two orders are solid. It's unfortunate, in my view, there were six people in these three races, three of whom ended up being winners and three of whom ended up walking out not winning those races. Six people, however, who campaigned diligently, energetically, and respectfully, and who thereafter had to suffer the rollercoaster ride of recounts and house committee hearings and sessions, but the winners of these races are the actual voters and constituents of the three districts in question who are well represented and who saw three vigorous campaigns in these three races, and the people of these three districts will be well served, and I would commend the six candidates in these three races with the thanks of the full committee and recommend the passage of this order. Thank you.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Tardy.

Representative TARDY: Mr. Speaker, Men and Women of the House. On behalf of the Republican Caucus and the Republican Members of the House Elections Committee I'd like to personally thank the Good Representative from Farmington and the entire Democratic Caucus on the House Elections Committee for the work ethic that was demonstrated, for the diligence that the committee undertook. It was a fair-minded, absolutely fair

process. The right results were obtained and thank you, again, Representative Mills.

PASSED.

At this point, the Speaker announced the presence in the Hall of the House of Representative-Elect ASH of Belfast and Representative-Elect Jacobsen of Waterboro. The Speaker appointed the following Representatives to escort Representative-Elect ASH of Belfast and Representative-Elect Jacobsen of Waterboro to the Office of the Governor to take and subscribe the oath necessary to qualify them for the discharge of their official duties:

Representative GERZOFKY of Brunswick
Representative CUMMINGS of Portland
Representative JENNINGS of Leeds
Representative TARDY of Newport
Representative AUSTIN of Gray
Representative CAMPBELL of Newfield

The Following Communication: (H.C. 18)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

December 6, 2004

Honorable Millicent MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under House Paper 5, I have appointed the following members to the Joint Select Committee on Property Tax Reform:

Representative Richard G. Woodbury of Yarmouth, House Chair

Representative Arthur L. Lerman of Augusta

Representative Benjamin F. Dudley of Portland

Representative Edward R. Dugay of Cherryfield

Representative Jacqueline R. Norton of Bangor

Representative Nancy E. Smith of Monmouth

Representative Harold A. Clough of Scarborough

Representative Vaughn A. Stedman of Hartland

Representative Leonard Earle Bierman of Sorrento

Representative Earle L. McCormick of West Gardiner

Representative Patrick S. A. Flood of Winthrop

Should you have any questions regarding these appointments, please feel free to contact me.

Sincerely,

S/John Richardson

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 19)

**SENATE OF MAINE
122ND LEGISLATURE
OFFICE OF THE PRESIDENT**

December 3, 2004
Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:
Pursuant to my authority under Joint Order H.P. 5, I am pleased to appoint the following individuals to the Joint Select Committee on Property Tax Reform.

Senator Dennis Damon of Hancock
Senator Joseph Perry of Penobscot
Senator S. Peter Mills of Somerset
Senator Richard Rosen of Penobscot

Please let me know if you have any questions regarding these appointments.

Sincerely,
S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 21)

**SENATE OF MAINE
122ND LEGISLATURE
OFFICE OF THE PRESIDENT**

December 14, 2004
Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:
Pursuant to our authority under Title 10, MRSA, Chapter 107, §929-A, we are pleased to appoint Senator Lynn Bromley of Cumberland to the Maine Economic Growth Council. She will be serving a three-year term, representing a member of the Legislature with a demonstrated interest in economic development.

Please let us know if you have any questions regarding this appointment.

Sincerely,
S/Beth Edmonds
President of the Senate

S/John E. Baldacci
Governor
S/John Richardson
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 22)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

TO: Millicent M. MacFarland
Clerk of the House

FROM: S/John Richardson
Speaker of the House

DATE: January 4, 2005

RE: Committee Appointments

122nd Legislature

Pursuant to my authority under House Rule 201.1(l)(a), I have made the following appointments to the various Joint Standing Committees.

Agriculture, Conservation and Forestry

John F. Piotti, Chair (D-Unity)
Jacqueline A. Lundeen (D-Mars Hill)
Raymond G. Pineau (D-Jay)
Joanne T. Twomey (D-Biddeford)
Rodney C. Jennings (D-Leeds)
Roderick W. Carr (R-Lincoln)*
Arlan R. Jodrey (R-Bethel)
Roger L. Sherman (R-Hodgdon)
Patrick S. A. Flood (R-Winthrop)
Donald G. Marean (R-Hollis)

Appropriations and Financial Affairs

Joseph C. Brannigan, Chair (D-Portland)
Benjamin F. Dudley (D-Portland)
Margaret M. Craven (D-Lewiston)
Jeremy Fischer (D-Presque Isle)
Arthur L. Lerman (D-Augusta)
Janet T. Mills (D-Farmington)
H. Sawin Millett, Jr. (R-Waterford)*
Robert W. Nutting (R-Oakland)
Stephen Bowen (R-Rockport)
Darlene J. Curley (R-Scarborough)

Business, Research and Economic Development

Nancy E. Smith, Chair (D-Monmouth)
Lillian LaFontaine O'Brien (D-Lewiston)
Stephen R. Beaudette (D-Biddeford)
Charles Earl Crosby III (D-Topsham)
David W. Farrington (D-Gorham)
Christopher Rector (R-Thomaston)*
Susan M. Austin (R-Gray)
Robert A. Berube (R-Lisbon)
John C. Robinson (R-Raymond)
1 Vacancy

Criminal Justice and Public Safety

Patricia A. Blanchette, Chair (D-Bangor)
Stan Gerzofsky (D-Brunswick)
Carol A. Grose (D-Woolwich)
Rosaire "Ross" Paradis, Jr. (D-Frenchville)
Stephen P. Hanley (D-Gardiner)
Richard M. Sykes (R-Harrison)*
John W. Churchill (R-Washburn)
Christian D. Greeley (R-Levant)
Kimberly J. Davis (R-Augusta)
Gary E. Plummer (R-Windham)

Education and Cultural Affairs

Jacqueline R. Norton, Chair (D-Bangor)
Edward D. Finch (D-Fairfield)
Elaine Makas (D-Lewiston)
Emily Ann Cain (D-Orono)
Connie Goldman (D-Cape Elizabeth)
Barbara E. Merrill (D-Appleton)
Vaughn A. Stedman (R-Hartland)*
Gerald M. Davis (R-Falmouth)
Peter Edgecomb (R-Caribou)
Scott E. Lansley (R-Sabattus)

Health and Human Services

Hannah Pingree, Chair (D-North Haven)
 William R. Walcott (D-Lewiston)
 Carol A. Grose (D-Woolwich)
 Richard J. Burns (D-Berwick)
 Elizabeth S. Miller (D-Somerville)
 David C. Webster (D-Freeport)
 Thomas F. Shields (R-Auburn)*
 James J. Campbell, Sr. (R-Newfield)
 Sarah O. Lewin (R-Eliot)
 Kevin J. Glynn (R-South Portland)
 Michael Sockalexis (Penobscot Nation)

Inland Fisheries and Wildlife

Thomas R. Watson, Chair (D-Bath)
 Walter A. Wheeler, Sr. (D-Kittery)
 Stanley A. Moody (D-Manchester)
 Jacqueline A. Lundeen (D-Mars Hill)
 Troy D. Jackson (D-Fort Kent)
 Mark E. Bryant (D-Windham)
 A. David Trahan (R-Waldoboro)*
 Earl E. Richardson (R-Greenville)
 Richard M. Cebra (R-Naples)
 David E. Richardson (R-Carmel)

Insurance and Financial Services

Anne C. Perry, Chair (D-Calais)
 Lisa T. Marraché (D-Waterville)
 John R. Brautigam (D-Falmouth)
 Charles William Harlow (D-Portland)
 Donald E. Pilon (D-Saco)
 Kevin J. Glynn (R-South Portland)*
 Michael A. Vaughan (R-Durham)
 R. Kenneth Lindell (R-Frankfort)
 Jonathan B. McKane (R-Newcastle)
 Wesley E. Richardson (R-Warren)

Judiciary

Deborah L. Pelletier-Simpson, Chair (D-Auburn)
 Sean Faircloth (D-Bangor)
 Stan Gerzofsky (D-Brunswick)
 Marilyn E. Canavan (D-Waterville)
 Mark E. Bryant (D-Windham)
 Michael Edward Dunn (D-Bangor)
 Roger L. Sherman (R-Hodgdon)*
 Roderick W. Carr (R-Lincoln)
 Joan Bryant-Deschenes (R-Turner)
 Joan M. Nass (R-Acton)

Labor

William J. Smith, Chair (D-Van Buren)
 John L. Tuttle, Jr. (D-Sanford)
 Deborah J. Hutton (D-Bowdoinham)
 Troy D. Jackson (D-Fort Kent)
 Herbert E. Clark (D-Millinocket)
 Timothy E. Driscoll (D-Westbrook)
 Brian M. Duprey (R-Hampden)*
 Philip A. Cressey, Jr. (R-Cornish)
 Darren M. Hall (R-Holden)
 James M. Hamper (R-Oxford)

Legal and Veterans Affairs

John L. Patrick, Chair (D-Rumford)
 John L. Tuttle, Jr. (D-Sanford)
 Charles D. Fisher (D-Brewer)

Patricia A. Blanchette (D-Bangor)
 Linda M. Valentino (D-Saco)
 Randy E. Hotham (R-Dixfield)*
 Richard B. Brown (R-South Berwick)
 Gary W. Moore (R-Standish)
 David N. Ott (R-York)
 Wright H. Pinkham, Sr. (R-Lexington Township)
 Frederick J. Moore III (Passamaquoddy Tribe)

Marine Resources

Leila J. Percy, Chair (D-Phippsburg)
 Walter E. Ash, Jr. (D-Belfast)
 Herbert Adams (D-Portland)
 Edward R. Dugay (D-Cherryfield)
 Jeff Kaelin (R-Winterport)*
 H. Stedman Seavey, Jr. (R-Kennebunkport)
 Philip A. Cressey, Jr. (R-Cornish)
 Kenneth C. Fletcher (R-Winslow)
 Harold Ian Emery (R-Cutler)
 John Eder (G-Portland)

Natural Resources

Theodore S. Koffman, Chair (D-Bar Harbor)
 Joanne T. Twomey (D-Biddeford)
 Thomas B. Saviello (D-Wilton)
 Judd D. Thompson (D-China)
 Robert S. Duchesne (D-Hudson)
 Jane E. Eberle (D-South Portland)
 Robert A. Daigle (R-Arundel)*
 Henry L. Joy (R-Crystal)
 James D. Annis (R-Dover-Foxcroft)
 Kimberley C. Rosen (R-Bucksport)

State and Local Government

Christopher R. Barstow, Chair (D-Gorham)
 Sonya G. Sampson (D-Auburn)
 Richard D. Blanchard (D-Old Town)
 Charles William Harlow (D-Portland)
 James M. Schatz (D-Blue Hill)
 Robert H. Crosthwaite (R-Ellsworth)*
 George R. Bishop, Jr. (R-Boothbay)
 Howard E. McFadden (R-Dennysville)
 Bradley S. Moulton (R-York)
 Roberta M. Muse (R-Fryeburg)

Taxation

Richard G. Woodbury, Chair (U-Yarmouth)
 Herbert E. Clark (D-Millinocket)†
 Deborah J. Hutton (D-Bowdoinham)
 Raymond G. Pineau (D-Jay)
 Thomas R. Watson (D-Bath)
 Harold A. Clough (R-Scarborough)*
 H. Stedman Seavey, Jr. (R-Kennebunkport)
 Earle L. McCormick (R-West Gardiner)
 Leonard Earl Bierman (R-Sorrento)
 Bruce Q. Hanley (R-Paris)

Transportation

Boyd P. Marley, Chair (D-Portland)
 Charles D. Fisher (D-Brewer)
 Rosaire "Ross" Paradis, Jr. (D-Frenchville)
 Sonya G. Sampson (D-Auburn)
 George W. Hogan, Sr. (D-Old Orchard Beach)
 Edward J. Mazurek (D-Rockland)
 Terrence P. McKenney (R-Cumberland)*
 Ronald F. Collins (R-Wells)
 William P. Browne (R-Vassalboro)

Douglas A. Thomas (R-Ripley)

Utilities and Energy

Lawrence Bliss, Chair (D-South Portland)
Herbert Adams (D-Portland)
Peter L. Rines (D-Wiscasset)
Christopher W. Babbidge (D-Kennebunk)
John R. Brautigam (D-Falmouth)
Kenneth C. Fletcher (R-Winslow)*
Maitland E. Richardson (R-Skowhegan)
Philip A. Curtis (R-Madison)
Stacey Allen Fitts (R-Pittsfield)
Everett W. McLeod, Sr. (R-Lee)
†Ranking Democratic Member

*Ranking Republican Member

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 24)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

TO: Millicent M. MacFarland
Clerk of the House
FROM: S/John Richardson
Speaker of the House
DATE: January 4, 2005
RE: Appointments Standing Committees of the House
122nd Legislature

Pursuant to my authority under House Rule 201.1(J), I have made the following appointments to the Standing Committees of the House.

Bills in the Second Reading

Peter L. Rines, Chair (D-Wiscasset)
Jacqueline A. Lundeen (D-Mars Hill)
Lisa T. Marraché (D-Waterville)
Carol A. Grose (D-Woolwich)
Robert A. Berube (R-Lisbon)
Ronald F. Collins (R-Wells)
Robert M. Muse (R-Fryeburg)
Joan M. Nass (R-Acton)

Engrossed Bills

Joanne T. Twomey, Chair (D-Biddeford)
Sonya G. Sampson (D-Auburn)
Michael Edward Dunn (D-Bangor)
Stephen P. Hanley (D-Gardiner)
Roderick W. Carr (R-Lincoln)
Sarah O. Lewin (R-Eliot)
Philip A. Cressey, Jr. (R-Cornish)
Kimberley C. Rosen (R-Bucksport)

Ethics

Marilyn E. Canavan, Chair (D-Waterville)
Sean Faircloth (D-Bangor)
John R. Brautigam (D-Falmouth)
Mark E. Bryant (D-Windham)
Roger L. Sherman (R-Hodgdon)
Joan Bryant-Deschenes (R-Turner)
Christian D. Greeley (R-Levant)
Kimberly J. Davis (R-Augusta)

Leaves of Absence

Walter A. Wheeler, Sr., Chair (D-Kittery)
Marilyn E. Canavan (D-Waterville)
Rosaire "Ross" Paradis, Jr. (D-Frenchville)

Connie Goldman (D-Cape Elizabeth)
Harold A. Clough (R-Scarborough)
Gerald M. Davis (R-Falmouth)
Earl E. Richardson (R-Greenville)
Susan M. Austin (R-Gray)
Rules and Business of the House
The Speaker, Ex Officio
Glenn A. Cummings (D-Portland)
David E. Bowles (R-Sanford)
Joshua A. Tardy (R-Newport)

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 25)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

January 3, 2005

Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333-0002

Dear Clerk MacFarland:

Pursuant to my authority under Article III, Section 3.01 of the National Legislative Association on Prescription Drug Prices bylaws, I am pleased to appoint the following Representatives to serve as directors of the association on behalf of the State of Maine:

Representative Anne Perry
474 South Street
Calais, ME 04619
Representative John Brautigam
1 Knight Hill Road
Falmouth, ME 04105
Representative A. David Trahan
2084 Washington Road
Waldoboro, ME 04572

Please do not hesitate to contact me should you have questions regarding these appointments.

Sincerely,

S/John Richardson
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 26)

**SENATE OF MAINE
122ND LEGISLATURE
OFFICE OF THE PRESIDENT**

December 20, 2004

The Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Senate Rule 201.3, I have made the following appointments to various Joint Standing Committees.

Agriculture, Conservation and Forestry

John M. Nutting, Chair (D-Androscoggin)
Bruce S. Bryant (D-Oxford)
Kevin L. Raye (R-Washington)

Appropriations and Financial Affairs

Margaret Rotundo, Chair (D-Androscoggin)
John L. Martin (D-Aroostook)
Richard A. Nass (R-York)

Business, Research and Economic Development

Lynn Bromley, Chair (D-Cumberland)
Barry J. Hobbins (D-York)
Dana L. Dow (R-Lincoln)

Criminal Justice and Public Safety

William G. Diamond, Chair (D-Cumberland)
John M. Nutting (D-Androscoggin)
Dean F. Clukey (R-Aroostook)

Education and Cultural Affairs

Elizabeth H. Mitchell, Chair (D-Kennebec)
Elizabeth M. Schneider (D-Penobscot)
Karl W. Turner (R-Cumberland)

Health and Human Services

Arthur F. Mayo III, Chair (D-Sagadahoc)
John L. Martin (D-Aroostook)
Richard W. Rosen (R-Hancock)

Inland Fisheries and Wildlife

Bruce S. Bryant, Chair (D-Oxford)
Joseph C. Perry (D-Penobscot)
Chandler E. Woodcock (R-Franklin)

Insurance and Financial Services

Nancy B. Sullivan, Chair (D-York)
Arthur F. Mayo III (D-Sagadahoc)
Peter Mills (R-Somerset)

Judiciary

Barry J. Hobbins, Chair (D-York)
Lynn Bromley (D-Cumberland)
David R. Hastings III (R-Oxford)

Labor

Ethan Strimling, Chair (D-Cumberland)
Philip L. Bartlett II (D-Cumberland)
Lois A. Snowe-Mello (R-Androscoggin)

Legal and Veterans Affairs

Kenneth T. Gagnon, Chair (D-Kennebec)
Elizabeth H. Mitchell (D-Kennebec)
Debra D. Plowman (R-Penobscot)

Marine Resources

Dennis S. Damon, Chair (D-Hancock)
Nancy B. Sullivan (D-York)
Mary Black Andrews (R-York)

Natural Resources

Scott W. Cowger, Chair (D-Kennebec)
John L. Martin (D-Aroostook)
Lois A. Snowe-Mello (R-Androscoggin)

State and Local Government

Elizabeth M. Schneider, Chair (D-Penobscot)
Margaret Rotundo (D-Androscoggin)
Mary Black Andrews (R-York)

Taxation

Joseph C. Perry, Chair (D-Penobscot)
Ethan Strimling (D-Cumberland)
Jonathan T. E. Courtney (R-York)

Transportation

Dennis S. Damon, Chair (D-Hancock)
William G. Diamond (D-Cumberland)
Christine R. Savage (R-Knox)

Utilities and Energy

Philip L. Bartlett II, Chair (D-Cumberland)
Scott W. Cowger (D-Kennebec)
Carol Weston (R-Waldo)

Sincerely,
S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 20)

MAINE STATE LEGISLATURE

AUGUSTA, MAINE 04333

**TASK FORCE TO STUDY PARITY AND PORTABILITY OF
RETIREMENT BENEFITS FOR STATE LAW ENFORCEMENT
OFFICERS, MUNICIPAL AND COUNTY LAW ENFORCEMENT
OFFICERS AND FIREFIGHTERS**

December 27, 2004

The Honorable Beth Edmonds, President
Maine Senate

The Honorable John Richardson, Speaker
Maine House of Representatives
122nd Maine State Legislature
State House

Augusta, ME 04333

Dear President Edmonds and Speaker Richardson:

Pursuant to Resolve 2003, c. 76, the Task Force to Study Parity and Portability of Retirement Benefits for State Law Enforcement Officers, Municipal and County Law Enforcement Officers and Firefighters is pleased to submit its final report, including recommended legislation. Copies of the report have been placed on file with the Law and Legislative Reference Library.

Sincerely,
S/Senator Beth Edmonds, Senate Chair
S/Representative Robert Duplessie, House Chair

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

The Following Communication: (H.C. 23)
STATE OF MAINE
OFFICE OF THE
SECRETARY OF STATE
AUGUSTA, MAINE 04333-0148

December 27, 2004
Honorable John Richardson
Speaker of the House
2 State House Station
Augusta, ME 04333

Dear Speaker Richardson:
Please find enclosed a certified copy of a corrected tabulation for the November 2, 2004 General Election in House District 105. The following named person having received a plurality of the votes cast, appears to have been elected:

REPRESENTATIVE TO THE LEGISLATURE
District 105

LEIGHTON, GEOFFREY, Durham 2,487
VAUGHAN, MICHAEL A., Durham 2,925

Sincerely,
S/Dan A. Gwadosky
Secretary of State

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

The **SPEAKER**: The Chair recognizes the Representative from Winterport, Representative Kaelin who wishes to address the House on the Record.

Representative **KAELIN**: Mr. Speaker, Men and Women of the House. I just wanted to take a moment to thank all the members on the House Elections Committee, particularly Representative Mills as Chair, for the very professional and nonpartisan manner in which the House Elections Committee did its business over the last several weeks.

As we all know, we had a very polarized election that we've just come out of. I think my race might have been the closest. I see Representative Brooks in the Chamber and I wanted to extend my congratulations to him; he's been a great friend and opponent over the years.

But most importantly I just wanted to say that it's going to be my intention over the next couple of years to move away from this polarity, this polarization, in our election process. Put the election behind me and work to represent everybody in my district whether they were my supporters or not and work on every opportunity to work in a bipartisan fashion with my friends across the aisle.

I'm very optimistic that we can do that in this session, and I wanted to just say that this morning and I appreciate the opportunity to do that, Mr. Speaker.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills 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:

HEALTH AND HUMAN SERVICES

Bill "An Act To Promote Provision of Dental Services to Indigent Children"

(H.P. 10) (L.D. 5)

Sponsored by Representative MOODY of Manchester.

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Prohibit a Credit Card Processing Company from Charging a Termination Fee"

(H.P. 11) (L.D. 6)

Sponsored by Representative MOODY of Manchester.

TAXATION

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Property Valuation Process

(H.P. 9) (L.D. 4)

Sponsored by Representative MARLEY of Portland.

TRANSPORTATION

Resolve, To Equalize Funding of Rail Service from New Hampshire

(H.P. 8) (L.D. 3)

Sponsored by Representative MARLEY of Portland.

At this point, the Speaker announced that Representative ASH of Belfast would be assigned seat 144 and Representative Jacobsen of Waterboro would be assigned seat 39.

Pursuant to his authority under House Rule 201.1(I), the Chair rescinded his appointment of Representative BLANCHARD of Old Town to the Joint Standing Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and appointed Representative TWOMEY of Biddeford to serve as a member of that Committee.

Pursuant to his authority under House Rule 201.1(I), the Chair rescinded his appointment of Representative TWOMEY of Biddeford to the Joint Standing Committee on **STATE AND LOCAL GOVERNMENT** and appointed Representative BLANCHARD of Old Town to serve as a member of that Committee.

At this point, the Members of the House stood and joined in a moment of silence in memory of two Maine soldiers, Sergeant Lynn Robert Poulin, Sr. of Freedom and Sergeant Thomas John Dostie of Somerville, members of the 133rd Engineering Battalion who were killed in Iraq.

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

On motion of Representative GERZOFISKY of Brunswick, the House adjourned at 10:48 a.m., until 10:00 a.m., Thursday, January 6, 2005, at 10:00 a.m. in honor and lasting tribute to the memory of the victims of the recent tsunami.