

# MAINE STATE LEGISLATURE

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

**Volume II**

**First Special Session**

May 26, 2005 – June 17, 2005

**Second Special Session**

July 29, 2005

**Second Regular Session**

January 4, 2006 - April 6, 2006

Pages 737-1487

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
SECOND REGULAR SESSION  
1st Legislative Day  
Wednesday, January 4, 2006

Pursuant to Article IV, Part 3, Section 1 of the Constitution and Laws of the State of Maine, the Representatives to the One Hundred and Twenty-Second Legislature assembled in the Hall of the House and were called to order by JOHN RICHARDSON of Brunswick, Speaker of the House.

Prayer by Father Stephen Concannon, St. Charles Borromeo Church, Brunswick.

National Anthem by Shirsten Lundblad, Brunswick and Anne-Marie D'Amico, Harpswell.

Pledge of Allegiance.

Doctor of the day, Ray Nichols, M.D., Jonesport.

At this point, pursuant to his authority under House Rule 401.1, the Chair temporarily assigned Representative CAIN of Orono to Seat 5, Representative SCHATZ of Blue Hill to Seat 46, Representative O'BRIEN of Lewiston to Seat 53 and Representative MAKAS of Lewiston to Seat 55.

At this point, a message was received from the Senate, borne by Senator GAGNON of Kennebec of that body, announcing a quorum present and that the Senate was ready to transact any business that might properly come before it.

**ORDERS**

On motion of Representative CUMMINGS of Portland, the following House Order: (H.O. 46)

ORDERED, that a Committee of ten be appointed to wait upon His Excellency, Governor John E. Baldacci, and inform him that a quorum of the House of Representatives is assembled in the Hall of the House for the consideration of such business as may come before the House.

**READ and PASSED.**

The Speaker appointed the following Members to the Committee to wait upon the Governor and inform him that a quorum of the members of the House of Representatives had assembled in the Hall of the House for the consideration of such business as may come before the House:

Representative DUDLEY of Portland  
Representative DUGAY of Cherryfield  
Representative O'BRIEN of Lewiston  
Representative ASH of Belfast  
Representative CANAVAN of Waterville  
Representative BOWLES of Sanford  
Representative CARR of Lincoln  
Representative CLOUGH of Scarborough  
Representative COLLINS of Wells  
Representative JODREY of Bethel

**ORDERS**

On motion of Representative DUPLESSIE of Westbrook, the following House Order: (H.O. 47)

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives was present for the consideration of such business as may come before the House.

**READ and PASSED.**

The Speaker appointed Representative CUMMINGS of Portland to inform the Senate that a quorum of the members of the House of Representatives had assembled in the Hall of the House for the consideration of such business as may come before the House.

A roll call was taken. 144 out of 151 members answered for their names and accordingly the Chair declared a quorum present.

Those absent were:

Representative CROSTHWAITE of Ellsworth  
Representative DAIGLE of Arundel  
Representative JACKSON of Fort Kent  
Representative MARLEY of Portland  
Representative MCKENNEY of Cumberland  
Representative PINEAU of Jay  
Representative STEDMAN of Hartland

Subsequently, Representative DUDLEY of Portland reported that the Committee had delivered the message with which it was charged.

Subsequently, Representative CUMMINGS of Portland reported that he had delivered the message with which he was charged.

At this point, pursuant to his authority under House Rule 201, the Chair addressed the House.

The SPEAKER: Pursuant to House Rule 201, it is my great privilege and honor to welcome you back and to address the members of the 122nd House of Representatives on this first day of the Second Regular Session. Welcome back.

Today is a reunion of our family – a family that binds this state together. It is a day to let Representative Jennings tell us some tall tales about how well his oxen did at the fairs this fall. It's a time for Representative Kaelin to brag about all the fish he caught over the summer on Penobscot Bay. We get to hear Representative Lansley and Representative Jackson debate about the moves the Red Sox and the Yankees have made in the off-season. We'll get the inside story from Representative Gary Moore on the summer of harness racing. Representative Cain's mood will rise and fall with the fortunes of the UMaine Hockey team.

There is one member of our family who could not be here today. Looking out over you I see a big hole in the back row. Representative Ray Pineau is on the mend, he's a tough man and he will be back with us soon. I want to thank every member of this body for sending Ray your thoughts and prayers. I know your support has made a difference for him and his family these last few months.

I mention all of this today as a reminder of the humanity that makes this House a living, breathing, feeling entity – an entity that reflects all of what is right with Maine.

The diversity that makes Maine a unique and special place is as evident today as it was in 1820 when the Legislature first adopted the State Seal with a Mariner and a Farmer. From the lobstermen in Port Clyde to the woodsmen in the Allagash, from the men and women working the blueberry barrens in Cherryfield

to the shop keepers on Portland's Exchange Street, to the welders in Bath, the people of Maine are all here today, carried here by each of us, each expecting us to do one thing, to do the People's business – to get the job done. We are 153 people representing more than a million different Mainers with many perspectives. We can have a tendency to be overly enthusiastic about our differences, especially in an election year. I would argue that the views of those who we represent are much less extreme. We who are sitting here representing them must be mindful of that and respect it.

Despite what I may think, most people in Maine don't know who the Speaker of the House is. Last week I walked into the Curtis Memorial Library in Brunswick and the staff asked me if I was still the Majority Leader. I've even been asked to say hello to Speaker Martin. Probably every one of you has been asked by a constituent how things are going in Washington.

Following World War II the British debated whether or not to rebuild the old House of Commons in its original form, which had been destroyed by Nazi bombs. Winston Churchill remarked that "We shape our buildings, and afterwards our buildings shape us." It is a reminder that the individual personalities in this building are second to the personality of the building. When you and I are gone, the people's House will remain. We have a tremendous responsibility to the People to keep this House, this Institution, strong and functional – and to make it stronger than when we came into it. And we should not confuse personal strength, or political strength with the strength of the Legislature to do the peoples' business. We have a choice of doing the People's business or falling into a political game of chess. I am asking each and every one of us to rise above partisanship so that we can move Maine forward, and put Maine people first.

Let's build on our past successes. We have done it before, so I know we can do it again. Senator Ed Muskie crossed party lines to work with President Richard Nixon to craft the Clean Water Act because it was in the people's interest. Here, we did it when Democrats and Republicans came together to pass LD 1 to provide homeowners relief from rising local property taxes. And, again on the Part II supplemental budget, and again when we stood together to overwhelmingly pass civil rights protections in the anti-discrimination law. These were moments we can all be proud of. Instead of castigating ourselves for "selling-out" let's reward ourselves for reaching a compromise that is the best for all of Maine. Indeed, we face many challenges in this short session. First and foremost, we must always protect our families and communities.

In just a few moments we can share another proud moment when we pass a bill to increase funding for heating fuel assistance. I was heartened to see that both corners were enthusiastic about providing funds to supplement the federal LIHEAP program which has been cut this year just when fuel prices are rising dramatically. I anticipate a strong bipartisan showing today and hope that we can move forward in that spirit to also achieve greater long-term energy independence for Maine.

Next, we must continue to encourage economic growth for all of Maine and balance that growth with our obligations to provide our workers with good-paying jobs and to preserve our natural heritage and environment.

We must continue to increase access to quality health care for every Mainer, even as funds from the federal government are pinched. Every Mainer deserves access to affordable and quality health care and we have an obligation to Maine families who want to raise their children in a safe and clean environment.

We must ensure that every child has the opportunity to succeed at school whether they were born into the smallest

fishing village in Washington County, a tree-lined street in Bangor or born in a refugee camp in the Sudan. We have an obligation to provide the best in education for the brightest futures.

These are not Democratic issues or Republican issues. And, they are not Green issues or Independent issues. These are issues that matter to all Maine people. As we face these issues, there will be differences of opinion. We are not so naïve as to think that 153 members of this body will always agree. The challenge for all of us in this session is to search for the common ground. When it comes to the supplemental budget, we should come up with a solution that enjoys the support of more than just 76 members. Not to do so would be a failure of this Institution – a failure of Republicans and Democrats alike, a failure of Independents and Greens. We *must* find a way. And if, in the end, we can't – if we disagree, then we have a responsibility to bring forward concrete, alternate proposals. To paraphrase former Senator Alan Simpson, a Republican from Wyoming, we can all disagree without being disagreeable.

Last year this body did great work when faced with deadlines. The Legislature was praised for heeding the challenge to complete property tax legislation by January 20th. The people of Maine saw that when we put ourselves to the task, we are capable of setting aside what divides us and commit to a common goal. We must all renew our commitment this session.

This session, we must commit to passing the budget with 2/3 support by March 30. It is an achievable goal and one that the people of Maine have a right to expect of us.

I will be working with Committee Chairs and Leads to draw up a calendar that will allow us to complete our work in Committee and then in the Chamber so that we can meet our April 17 adjournment date. And I am just optimistic enough to say I plan to be on the golf course later that day, perhaps even running up the score on Representative Tardy. I hope that through collaboration we will show members that leadership can work together and that we all have a stake in how this Institution is run.

I want to leave you with a quote from one of the all-time great Republicans, present company excluded. It was Abraham Lincoln who said, "Honest statesmanship is the wise employment of individual manners for the public good." Honest Statesmanship is a wise employment of individual manners for the public good. If you forget everything I've said to this point, please take a moment now and again to think about your individual manner for the public good and let us all do our best to act as honest statesmen.

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**COMMUNICATIONS**

The Following Communication: (H.P. 1205)

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

September 12, 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 House Rule 201.1 (l) (a), I have temporarily appointed Representative Benjamin F. Dudley of Portland as a member of the Joint Standing Committee on Taxation for the duration of the absence of Representative Raymond G. Pineau of Jay.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
S/John Richardson  
Speaker of the House  
**READ and ORDERED PLACED ON FILE.**  
Sent for concurrence.

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The Following Communication: (H.P. 1228)  
**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**CLERK'S OFFICE**  
**2 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333**

December 15, 2005  
Hon. John Richardson  
Speaker of the House  
122nd Legislature  
Hon. Beth Edmonds  
President of the Senate  
122nd Legislature

Dear Mr. Speaker and Madam President:  
On December 14, 2005, 22 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 14, 2005, as follows:

**Agriculture, Conservation and Forestry**

Bill "An Act To Make Revisions to the Maine Revised Statutes Relating to Agriculture" (H.P. 1227) (L.D. 1720) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Public Law 2005, chapter 382, Part G.)

**Appropriations and Financial Affairs**

Bill "An Act To Provide Supplemental Funding for Mileage Reimbursement for Volunteers for the Meals on Wheels Programs" (EMERGENCY) (H.P. 1210) (L.D. 1703) (Sponsored by Representative CAMPBELL of Newfield) (Cosponsored by Senator COURTNEY of York and Representatives: BOWLES of Sanford, CRAVEN of Lewiston, LEWIN of Eliot, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: MARTIN of Aroostook, NASS of York, ROSEN of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Business, Research and Economic Development**

Bill "An Act To Require That Automobile Extended Service Warranties Purchased by Maine Citizens Provide for Arbitration in the State" (H.P. 1212) (L.D. 1705) (Sponsored by Representative SHERMAN of Hodgdon) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Criminal Justice and Public Safety**

Bill "An Act To Provide for the Issuance of a Bench Warrant upon Failure To Appear for a Hearing on Nonpayment of a County Jail Reimbursement Fee" (H.P. 1216) (L.D. 1709) (Sponsored by Representative CROSTHWAITE of Ellsworth) (Cosponsored by Senator RAYE of Washington and Representatives: COLLINS of Wells, DUGAY of Cherryfield, TRAHAN of Waldoboro, Senators: COURTNEY of York, ROSEN of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require Presentence Investigations of All Persons Convicted of a Sex Offense" (H.P. 1223) (L.D. 1716) (Submitted by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.)

Bill "An Act To Create Mandatory Minimum Sentences for Persons Convicted of Certain Sex Offenses against Victims

under 12 Years of Age" (H.P. 1224) (L.D. 1717) (Submitted by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.)

Bill "An Act To Increase from a Class D Crime to a Class C Crime Violation of Privacy if the Victim Is under 16 Years of Age" (H.P. 1225) (L.D. 1718) (Submitted by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.)

**Health and Human Services**

Resolve, To Ensure the Coordination and Effectiveness in the Provision of Outpatient and Medication Management Services under Maine's Noncategorical Waiver (H.P. 1208) (L.D. 1701) (Sponsored by Representative BRANNIGAN of Portland) (Cosponsored by Representative GLYNN of South Portland and Representatives: DUDLEY of Portland, LERMAN of Augusta, Senators: ROSEN of Hancock, ROTUNDO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Directing the Commissioner of Health and Human Services To Develop Strategies To Keep Senior Citizens Safe from Falls (H.P. 1214) (L.D. 1707) (Sponsored by Representative CAMPBELL of Newfield) (Cosponsored by Senator COURTNEY of York and Representatives: BOWLES of Sanford, CRAVEN of Lewiston, LEWIN of Eliot, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: MARTIN of Aroostook, NASS of York, ROSEN of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Inland Fisheries and Wildlife**

Bill "An Act To Amend the Laws Governing the Archery Hunting Season" (H.P. 1211) (L.D. 1704) (Sponsored by Representative WHEELER of Kittery) (Cosponsored by Senator STRIMLING of Cumberland and Representatives: BABBIDGE of Kennebunk, CUMMINGS of Portland, DUPLESSIE of Westbrook, JENNINGS of Leeds, LUNDEEN of Mars Hill, Speaker RICHARDSON of Brunswick, THOMPSON of China, TUTTLE of Sanford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Labor**

Bill "An Act To Improve Workplace Safety" (H.P. 1206) (L.D. 1699) (Sponsored by Representative FISCHER of Presque Isle) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing Employees of the Workers' Compensation Board" (H.P. 1222) (L.D. 1715) (Submitted by the Workers' Compensation Board pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11.)

Bill "An Act To Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 2007" (EMERGENCY) (H.P. 1226) (L.D. 1719) (Submitted by the Maine State Retirement System pursuant to the Maine Revised Statutes, Title 5, section 17103, subsection 13.)

**Legal and Veterans Affairs**

Bill "An Act To Protect Military Families" (EMERGENCY) (H.P. 1207) (L.D. 1700) (Sponsored by Representative FISCHER of Presque Isle) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**State and Local Government**

Bill "An Act To Allow the Buckfield Village Corporation To Be Dissolved and Combined with the Town of Buckfield" (EMERGENCY) (H.P. 1215) (L.D. 1708) (Sponsored by Representative HANLEY of Paris) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Restore the Funding to the Fund for the Efficient Delivery of Local and Regional Services" (EMERGENCY) (H.P.

1219) (L.D. 1712) (Submitted by the Intergovernmental Advisory Commission pursuant to the Maine Revised Statutes, Title 30-A, section 2181, subsection 4, paragraph F.)

Resolve, To Direct the State Planning Office To Establish a Working Group To Standardize Accounting Standards at All Levels of Government (H.P. 1220) (L.D. 1713) (Submitted by the Intergovernmental Advisory Commission pursuant to the Maine Revised Statutes, Title 30-A, section 2181, subsection 4, paragraph F.)

Bill "An Act To Increase Staffing for the Intergovernmental Advisory Commission" (H.P. 1221) (L.D. 1714) (Submitted by the Intergovernmental Advisory Commission pursuant to Maine Revised Statutes Title, 30-A, section 2181, subsection 4, paragraph F.)

**Taxation**

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (H.P. 1217) (L.D. 1710) (Sponsored by Representative WOODBURY of Yarmouth) (Cosponsored by Senator PERRY of Penobscot and Representative: McCORMICK of West Gardiner) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Make Minor Substantive Changes to the Tax Laws" (H.P. 1218) (L.D. 1711) (Sponsored by Representative WOODBURY of Yarmouth) (Cosponsored by Senator PERRY of Penobscot and Representative: McCORMICK of West Gardiner) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

**Transportation**

Bill "An Act To Increase Efficiency in Truck Hauling" (EMERGENCY) (H.P. 1209) (L.D. 1702) (Sponsored by Representative CARR of Lincoln) (Cosponsored by Senator RAYE of Washington and Representatives: JODREY of Bethel, LUNDEEN of Mars Hill, McKENNEY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Prohibit Parking in Access Aisles" (EMERGENCY) (H.P. 1213) (L.D. 1706) (Sponsored by Representative MARLEY of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Millicent M. MacFarland

Clerk of the House

S/Joy J. O'Brien

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

Sent for concurrence.

The Following Communication: (H.P. 1331)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333**

December 29, 2005

Hon. John Richardson

Speaker of the House

122nd Legislature

Hon. Beth Edmonds

President of the Senate

122nd Legislature

Dear Mr. Speaker and Madam President:

On December 28, 2005, 102 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 28, 2005, as follows:

**Agriculture, Conservation and Forestry**

Bill "An Act To Allow the Use of Fallen Apples in Apple Cider" (H.P. 1281) (L.D. 1841) (Sponsored by Representative TWOMEY of Biddeford) (Cosponsored by Representative: SAVIELLO of Wilton) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend Certain Animal Health Laws" (H.P. 1293) (L.D. 1853) (Sponsored by Representative PIOTTI of Unity) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.)

Bill "An Act To Permit Supplemental Environmental Projects for Forest Practices Violations" (H.P. 1303) (L.D. 1863) (Sponsored by Representative FLOOD of Winthrop) (Cosponsored by Representatives: BRYANT of Windham, JODREY of Bethel, Senator: BRYANT of Oxford) (Submitted by the Department of Conservation pursuant to Joint Rule 204.)

Bill "An Act To Provide Forest Certification Cost-share Incentives to Forest Landowners and Licensed Foresters" (H.P. 1312) (L.D. 1872) (Sponsored by Representative PIOTTI of Unity) (Cosponsored by Representatives: BRYANT of Windham, MAREAN of Hollis, Senator: BRYANT of Oxford) (Submitted by the Department of Conservation pursuant to Joint Rule 204.)

Bill "An Act Amending the Animal Welfare Laws" (H.P. 1321) (L.D. 1881) (Sponsored by Representative PIOTTI of Unity) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.)

Bill "An Act To Make Revisions to the Laws Governing Pesticide Control" (H.P. 1330) (L.D. 1890) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Public Law 2005, chapter 382, Part G, section 1.)

**Business, Research and Economic Development**

Bill "An Act To Exempt Platform Lifts from the Annual Elevator Inspection" (H.P. 1255) (L.D. 1815) (Sponsored by Representative JACOBSEN of Waterboro) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Prescription Drug Labels" (H.P. 1267) (L.D. 1827) (Sponsored by Representative THOMPSON of China) (Cosponsored by Representatives: ADAMS of Portland, BRAUTIGAM of Falmouth, BURNS of Berwick, FAIRCLOTH of Bangor, GROSE of Woolwich, HOGAN of Old Orchard Beach, SCHATZ of Blue Hill, Senator: PERRY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Accommodate Victims of Identity Theft" (H.P. 1274) (L.D. 1834) (Sponsored by Representative GROSE of Woolwich) (Cosponsored by Representatives: BRYANT of Windham, CUMMINGS of Portland, DUNN of Bangor, Senator: BRYANT of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Consumers from Credit Card and Debit Card Holds" (H.P. 1275) (L.D. 1835) (Sponsored by Representative ASH of Belfast) (Cosponsored by Senator NUTTING of Androscoggin and Representatives: ADAMS of Portland, BRYANT of Windham, BURNS of Berwick, CAIN of Orono, CUMMINGS of Portland, DUNN of Bangor, FARRINGTON of Gorham, JACKSON of Fort Kent, LUNDEEN of Mars Hill, PINGREE of North Haven, THOMPSON of China, WALCOTT of Lewiston, Senators: BRYANT of Oxford, PERRY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Small Payroll Processors" (H.P. 1318) (L.D. 1878) (Sponsored by Representative ROBINSON of Raymond) (Cosponsored by Senator DIAMOND of Cumberland and Representatives: AUSTIN of Gray, BEAUDETTE of Biddeford, CROSBY of Topsham, JACOBSEN of Waterboro, RECTOR of Thomaston, Senators: BROMLEY of Cumberland, DOW of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Criminal Justice and Public Safety**

Resolve, Creating a Forensic Board To Manage the Release of Certain Sex Offenders (H.P. 1229) (L.D. 1721) (Submitted by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.)

Bill "An Act To Expand the List of Prior Crimes That May Be Considered When Determining Whether a Person Is a Repeat Sexual Assault Offender" (H.P. 1230) (L.D. 1722) (Submitted by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Public Law 2005, chapter 423, section 24.)

Bill "An Act Regarding Criminal History Record Checks" (H.P. 1250) (L.D. 1810) (Sponsored by Representative DUNN of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Facilitate Inspections of Heating Appliances and Chimneys" (H.P. 1265) (L.D. 1825) (Sponsored by Representative THOMAS of Ripley) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow Law Enforcement Agencies To Maintain Public Sex Offender Registry Websites" (H.P. 1271) (L.D. 1831) (Sponsored by Representative CURLEY of Scarborough) (Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: DUNN of Bangor, HANLEY of Gardiner) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Inform and Protect the Public Regarding State Employees with Certain Criminal Records" (H.P. 1299) (L.D. 1859) (Sponsored by Representative SMITH of Monmouth) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: BARSTOW of Gorham, PERCY of Phippsburg, RECTOR of Thomaston, Senators: DAMON of Hancock, SCHNEIDER of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve the Ability of the Department of Corrections To Share Information Related to Clients in Order To Improve Treatment and Rehabilitative Services" (H.P. 1301) (L.D. 1861) (Sponsored by Representative GROSE of Woolwich) (Cosponsored by Representatives: MILLER of Somerville, WEBSTER of Freeport) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act To Eliminate Administrative Preliminary Hearings for Probationers" (H.P. 1308) (L.D. 1868) (Sponsored by Representative PLUMMER of Windham) (Cosponsored by Representatives: GROSE of Woolwich, RECTOR of Thomaston, Senator: MAYO of Sagadahoc) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act To Enhance Firefighter Safety" (H.P. 1319) (L.D. 1879) (Sponsored by Representative DUPLISSIE of Westbrook) (Cosponsored by Senator BRYANT of Oxford and Representatives: BROWN of South Berwick, BRYANT of Windham, GERZOFKY of Brunswick, GROSE of Woolwich, HANLEY of Gardiner, MAZUREK of Rockland, PATRICK of Rumford, SMITH of Monmouth, TUTTLE of Sanford, Senators: BARTLETT of Cumberland, NASS of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve the Prisoner Telephone System" (EMERGENCY) (H.P. 1324) (L.D. 1884) (Sponsored by Representative BLANCHETTE of Bangor) (Cosponsored by Representative: RECTOR of Thomaston) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act To Amend the Laws Pertaining to the Department of Corrections" (H.P. 1326) (L.D. 1886) (Sponsored by Representative BLANCHETTE of Bangor) (Cosponsored by Senator MAYO of Sagadahoc and Representative: GROSE of Woolwich) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

**Education and Cultural Affairs**

Bill "An Act To Establish the Penobscot Language Preservation Fund in the Department of Education" (EMERGENCY) (H.P. 1247) (L.D. 1807) (Sponsored by Representative SOCKALEXIS of the Penobscot Nation) (Cosponsored by Representative: BLANCHARD of Old Town) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow School Districts To Recover Certain Funds" (H.P. 1258) (L.D. 1818) (Sponsored by Representative RINES of Wiscasset) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Authorize Flexibility in School Attendance Requirements in Emergencies" (EMERGENCY) (H.P. 1261) (L.D. 1821) (Sponsored by Representative MILLS of Farmington) (Cosponsored by Representative: NORTON of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Provisions Governing Technical Education" (H.P. 1266) (L.D. 1826) (Sponsored by Representative THOMAS of Ripley) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require Legislative Approval of Changes Made to the Educational Assessment Testing" (H.P. 1283) (L.D. 1843) (Sponsored by Representative SAVIELLO of Wilton) (Cosponsored by Representative CLARK of Millinocket and Representatives: Speaker RICHARDSON of Brunswick, TARDY of Newport, Senator: BRENNAN of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Relating to the Flanders Bay Community School District" (EMERGENCY) (H.P. 1291) (L.D. 1851) (Sponsored by Representative BIERMAN of Sorrento) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Elementary School Closing Process for School Administrative Districts and Community School Districts" (H.P. 1307) (L.D. 1867) (Sponsored by Representative STEDMAN of Hartland) (Cosponsored by Representative: FINCH of Fairfield) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Bill "An Act To Inform Parents of Students' Privacy Rights" (H.P. 1316) (L.D. 1876) (Sponsored by Representative FARRINGTON of Gorham) (Cosponsored by Senator BROMLEY of Cumberland and Representatives: ADAMS of Portland, BRAUTIGAM of Falmouth, HARLOW of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Health and Human Services**

Bill "An Act To Streamline MaineCare Billing" (EMERGENCY) (H.P. 1248) (L.D. 1808) (Sponsored by Representative FISCHER of Presque Isle) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Strengthen and Improve Review Procedures in the Certificate of Need Program" (H.P. 1254) (L.D. 1814) (Sponsored by Representative MILLER of Somerville) (Cosponsored by

Senator MAYO of Sagadahoc and Representative: PINGREE of North Haven, Senators: BRENNAN of Cumberland, MARTIN of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Accountability of Advanced Practice Registered Nurses" (H.P. 1279) (L.D. 1839) (Sponsored by Representative PERRY of Calais) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Maintain Prescription Drug Benefits for Senior Citizens and People with Disabilities" (EMERGENCY) (H.P. 1288) (L.D. 1848) (Sponsored by Representative PINGREE of North Haven) (Cosponsored by Representatives: ASH of Belfast, BRYANT of Windham, CAMPBELL of Newfield, CUMMINGS of Portland, GROSE of Woolwich, HARLOW of Portland, SCHATZ of Blue Hill, Senator: BRYANT of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing Permanency Guardians" (H.P. 1292) (L.D. 1852) (Sponsored by Representative PINGREE of North Haven) (Submitted by the Department of the Attorney General pursuant to Joint Rule 204.)

Bill "An Act To Expand the Alternative Aid Program" (H.P. 1294) (L.D. 1854) (Sponsored by Representative WEBSTER of Freeport) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: ASH of Belfast, BURNS of Berwick, PINGREE of North Haven, Senator: ROSEN of Hancock) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act To Improve Substance Abuse Rehabilitation Services" (H.P. 1315) (L.D. 1875) (Sponsored by Representative MILLETT of Waterford) (Cosponsored by Senator HASTINGS of Oxford and Representatives: HAMPER of Oxford, HANLEY of Paris) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Update Licensing and Certification Requirements for Child Care Facilities and Family Child Care Providers" (H.P. 1327) (L.D. 1887) (Sponsored by Representative PELLETIER-SIMPSON of Auburn) (Cosponsored by Senator MAYO of Sagadahoc and Senator: GAGNON of Kennebec) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

#### **Inland Fisheries and Wildlife**

Bill "An Act To Control Alcohol in the Maine Woods" (H.P. 1232) (L.D. 1724) (Sponsored by Representative JOY of Crystal) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Enhance the Integrity of the Moose Lottery" (EMERGENCY) (H.P. 1233) (L.D. 1725) (Sponsored by Representative MOODY of Manchester) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow Smelt Dipping in Long Lake in Aroostook County" (H.P. 1253) (L.D. 1813) (Sponsored by Representative SMITH of Van Buren) (Cosponsored by Senator MARTIN of Aroostook and Representative: PARADIS of Frenchville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Volunteer-earned Funds of the Maine Wildlife Park" (H.P. 1259) (L.D. 1819) (Sponsored by Representative AUSTIN of Gray) (Cosponsored by Senator TURNER of Cumberland and Representatives: BRYANT of Windham, CROSBY of Topsham, DUPLESSIE of Westbrook, HAMPER of Oxford, HANLEY of Paris, MILLETT of Waterford, O'BRIEN of Lewiston, RECTOR of Thomaston, ROBINSON of Raymond, SMITH of Monmouth, Senators: BROMLEY of

Cumberland, DOW of Lincoln) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve Water Skiing Safety" (H.P. 1264) (L.D. 1824) (Sponsored by Representative FLETCHER of Winslow) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Prevent the Introduction of Chronic Wasting Disease" (EMERGENCY) (H.P. 1272) (L.D. 1832) (Sponsored by Representative WATSON of Bath) (Cosponsored by Senator PERRY of Penobscot and Representatives: HANLEY of Gardiner, JACKSON of Fort Kent, LUNDEEN of Mars Hill, MILLER of Somerville, MILLS of Farmington, MOODY of Manchester) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect the Water Quality of Colcord Pond and Bickford Pond in Porter" (H.P. 1317) (L.D. 1877) (Sponsored by Representative MUSE of Fryeburg) (Cosponsored by Representatives: EBERLE of South Portland, KOFFMAN of Bar Harbor, Senator: SNOWE-MELLO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Insurance and Financial Services**

Bill "An Act To Address Benefits for Employees and Officers of Credit Unions" (H.P. 1231) (L.D. 1723) (Sponsored by Representative PERRY of Calais) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: BRAUTIGAM of Falmouth, LINDELL of Frankfort, PILON of Saco, RICHARDSON of Warren, VAUGHAN of Durham) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

Bill "An Act To Increase Accessibility to Health Insurance" (H.P. 1242) (L.D. 1734) (Sponsored by Representative GLYNN of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Increase Access to Health Insurance Products" (H.P. 1285) (L.D. 1845) (Sponsored by Representative BRYANT of Windham) (Cosponsored by Senator BRYANT of Oxford and Representatives: DUPLESSIE of Westbrook, PATRICK of Rumford, PERRY of Calais) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Establish the Securities Investor Education and Training Fund" (H.P. 1295) (L.D. 1855) (Sponsored by Representative PERRY of Calais) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: BOWLES of Sanford, PELLETIER-SIMPSON of Auburn, PILON of Saco, VAUGHAN of Durham) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.)

#### **Judiciary**

Bill "An Act To Allocate Child Support Appropriately" (H.P. 1234) (L.D. 1726) (Sponsored by Representative FLOOD of Winthrop) (Cosponsored by Representative: FLETCHER of Winslow) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide Adult Adoptees Access to Their Original Birth Certificates" (H.P. 1245) (L.D. 1805) (Sponsored by Representative DAVIS of Falmouth) (Cosponsored by Senator TURNER of Cumberland and Representatives: BRAUTIGAM of Falmouth, CUMMINGS of Portland, DAVIS of Augusta, FAIRCLOTH of Bangor, FLOOD of Winthrop, HAMPER of Oxford, TUTTLE of Sanford, Senator: SNOWE-MELLO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Regarding Child Custody Evaluations" (H.P. 1251) (L.D. 1811) (Sponsored by Representative DUNN of Bangor)



(Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Correct Deficiencies in the Divorce Laws" (H.P. 1252) (L.D. 1812) (Sponsored by Representative MILLS of Farmington) (Cosponsored by Representative: PELLETIER-SIMPSON of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Access to Social Security Numbers" (H.P. 1257) (L.D. 1817) (Sponsored by Representative HOTHAM of Dixfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Retirement Funds" (H.P. 1277) (L.D. 1837) (Sponsored by Representative SMITH of Van Buren) (Cosponsored by Senator MARTIN of Aroostook and Representative: PARADIS of Frenchville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing Living Wills of Terminally Ill Persons" (H.P. 1282) (L.D. 1842) (Sponsored by Representative GROSE of Woolwich) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Laws Governing Eminent Domain" (H.P. 1310) (L.D. 1870) (Sponsored by Representative SIMPSON of Auburn) (Cosponsored by Representatives: FLETCHER of Winslow, JOY of Crystal, LINDELL of Frankfort, MAKAS of Lewiston, Senator TURNER of Cumberland and Representatives: BRYANT of Windham, CUMMINGS of Portland, DUNN of Bangor, SCHATZ of Blue Hill, Senators: BRYANT of Oxford, HOBBS of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Regarding Sexual Assault Forensic Examinations" (H.P. 1313) (L.D. 1873) (Sponsored by Representative SIMPSON of Auburn) (Cosponsored by Representative: PINGREE of North Haven) (Submitted by the Department of the Attorney General pursuant to Joint Rule 204.)

Bill "An Act To Amend the Laws Relating to Corporations, Limited Partnerships, Limited Liability Companies and Limited Liability Partnerships" (H.P. 1314) (L.D. 1874) (Sponsored by Representative SIMPSON of Auburn) (Cosponsored by Representative: Speaker RICHARDSON of Brunswick) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act To Protect Drivers' Privacy by Clarifying Ownership of Data Recorded by Motor Vehicle Data Recorders" (H.P. 1325) (L.D. 1885) (Sponsored by Representative SIMPSON of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Labor**

Bill "An Act To Clarify Maine State Retirement System Benefits for Certain Legislators" (H.P. 1246) (L.D. 1806) (Sponsored by Representative NORTON of Bangor) (Cosponsored by Representatives: BLANCHETTE of Bangor, DAVIS of Augusta, FINCH of Fairfield, PARADIS of Frenchville, Senator: MITCHELL of Kennebec) (Submitted by the Maine State Retirement System pursuant to Joint Rule 204.)

Bill "An Act To Clarify the Unemployment Laws Relating to Subcontractors" (H.P. 1287) (L.D. 1847) (Sponsored by Representative MILLS of Farmington) (Cosponsored by Representative: MOODY of Manchester, Senators: BARTLETT of Cumberland, BROMLEY of Cumberland, President EDMONDS of Cumberland, SNOWE-MELLO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Change of Beneficiary Provision in the Maine State Retirement System Laws" (H.P. 1290) (L.D. 1850)

(Sponsored by Representative MILLETT of Waterford) (Cosponsored by Representative: DUPREY of Hampden) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Legal and Veterans Affairs**

Bill "An Act To Extend the Lobbyist Reporting Requirements to Executive Branch Lobbying Activities" (H.P. 1235) (L.D. 1727) (Sponsored by Representative CANAVAN of Waterville) (Cosponsored by President EDMONDS of Cumberland and Representatives: BRAUTIGAM of Falmouth, BRYANT of Windham, CUMMINGS of Portland, DUPLESSIE of Westbrook, Senator: SAVAGE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow Small Businesses To Participate in Liquor Sales" (H.P. 1260) (L.D. 1820) (Sponsored by Representative MILLS of Farmington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require the Commission on Governmental Ethics and Election Practices To Produce a Register of All Registered Lobbyists" (H.P. 1262) (L.D. 1822) (Sponsored by Representative CANAVAN of Waterville) (Cosponsored by Representative WEBSTER of Freeport and Representatives: BRYANT of Windham, CUMMINGS of Portland, DUPLESSIE of Westbrook, Senators: BRYANT of Oxford, MITCHELL of Kennebec, SAVAGE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify Provisions of the Alcoholic Beverage Laws Regarding Promotions" (H.P. 1270) (L.D. 1830) (Sponsored by Representative PATRICK of Rumford) (Cosponsored by Senator MAYO of Sagadahoc and Representatives: DUPLESSIE of Westbrook, HOTHAM of Dixfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Create Fairness in Liquor Licensing Fees" (H.P. 1278) (L.D. 1838) (Sponsored by Representative WEBSTER of Freeport) (Cosponsored by Representative PERCY of Phippsburg and Representative: PATRICK of Rumford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Liquor Laws" (H.P. 1323) (L.D. 1883) (Sponsored by Representative PATRICK of Rumford) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Amend the Election Laws" (EMERGENCY) (H.P. 1329) (L.D. 1889) (Sponsored by Representative FISHER of Brewer) (Cosponsored by Representatives: PATRICK of Rumford, Speaker RICHARDSON of Brunswick, TARDY of Newport) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

#### **Marine Resources**

Bill "An Act To Improve Water Monitoring at Clam Flats" (EMERGENCY) (H.P. 1268) (L.D. 1828) (Sponsored by Representative EMERY of Cutler) (Cosponsored by Senator RAYE of Washington and Representatives: McFADDEN of Dennysville, PERRY of Calais) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

#### **Natural Resources**

Bill "An Act To Promote Recycling of Cellular Telephones" (H.P. 1280) (L.D. 1840) (Sponsored by Representative BABBIDGE of Kennebec) (Cosponsored by Representatives: BRYANT of Windham, CUMMINGS of Portland, EBERLE of South Portland, FAIRCLOTH of Bangor, HARLOW of Portland, PERRY of Calais, Senators: BRYANT of Oxford, SULLIVAN of York) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act Concerning Certain Provisions Regarding Protection of Natural Resources Related to Activities in Coastal Areas" (H.P. 1300) (L.D. 1860) (Sponsored by Representative KOFFMAN of Bar Harbor) (Cosponsored by Representative PERCY of Phippsburg, Senator: NASS of York) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

Bill "An Act To Amend Certain Laws Administered by the Department of Environmental Protection" (H.P. 1328) (L.D. 1888) (Sponsored by Representative KOFFMAN of Bar Harbor) (Cosponsored by Senator COWGER of Kennebec) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

#### State and Local Government

Resolve, Directing the Cumberland County Commissioners To Establish a Task Force To Establish New County Commissioner Districts (H.P. 1236) (L.D. 1728) (Sponsored by Representative BARSTOW of Gorham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Enter into Long-term Ground Leases of Real Property and To Convey the Stone Buildings, the Administrative Building and the Center Building Formerly Occupied by the Augusta Mental Health Institute (H.P. 1241) (L.D. 1733) (Sponsored by Representative BARSTOW of Gorham) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Authorize Chebeague Island To Secede from the Town of Cumberland" (H.P. 1243) (L.D. 1735) (Sponsored by Representative McKENNEY of Cumberland) (Cosponsored by Senator DAMON of Hancock and Representatives: BARSTOW of Gorham, McKANE of Newcastle, PERCY of Phippsburg, PINGREE of North Haven, Senators: DOW of Lincoln, SAVAGE of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Streamline Criteria for Municipal General Assistance for Heating and Utility Assistance" (H.P. 1286) (L.D. 1846) (Sponsored by Representative SCHATZ of Blue Hill) (Cosponsored by Senator DAMON of Hancock and Representatives: HOGAN of Old Orchard Beach, PINGREE of North Haven) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Expand Notification Requirements for Internal Control Inquiries Made by Nonstate Organizations" (H.P. 1302) (L.D. 1862) (Sponsored by Representative BARSTOW of Gorham) (Submitted by the Department of Audit pursuant to Joint Rule 204.)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Property Located on State Highway 191 in East Machias; U.S. Route 1 in Thomaston; U.S. Route 2 in Skowhegan; Hospital Street in Augusta; and the Presumpscot River in Falmouth (H.P. 1304) (L.D. 1864) (Sponsored by Representative RECTOR of Thomaston) (Cosponsored by Senator SAVAGE of Knox and Representative: BOWEN of Rockport) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Clarify the Time Period in Which Municipalities Must File Notices of Intent with the State for Purposes of Issuing Building Permits" (H.P. 1305) (L.D. 1865) (Sponsored by Representative BARSTOW of Gorham) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey the Department of Labor Building

at 19 Union Street in Augusta (H.P. 1311) (L.D. 1871) (Sponsored by Representative BARSTOW of Gorham) (GOVERNOR'S BILL) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Promote Youth Involvement in County and Local Government" (H.P. 1320) (L.D. 1880) (Sponsored by Representative CAIN of Orono) (Cosponsored by Representatives: BRYANT of Windham, CUMMINGS of Portland, McFADDEN of Dennysville, MUSE of Fryeburg, PINGREE of North Haven, Senators: BARTLETT of Cumberland, BRYANT of Oxford, ROTUNDO of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Expand the Auditing Powers of the Department of Audit and To Clarify the Confidentiality of Audit Working Papers and Information" (H.P. 1322) (L.D. 1882) (Sponsored by Representative BARSTOW of Gorham) (Cosponsored by Representatives: CUMMINGS of Portland, MUSE of Fryeburg, Senator: SCHNEIDER of Penobscot) (Submitted by the Department of Audit pursuant to Joint Rule 204.)

#### Taxation

Bill "An Act To Promote College Savings Accounts" (H.P. 1237) (L.D. 1729) (Sponsored by Representative DRISCOLL of Westbrook) (Cosponsored by Senator BARTLETT of Cumberland and Representative: DUPLESSIE of Westbrook, Senator: STRIMLING of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Provide Additional Property Tax Relief to Maine Citizens" (H.P. 1249) (L.D. 1809) (Sponsored by Representative CUMMINGS of Portland) (Cosponsored by Representatives: EBERLE of South Portland, LERMAN of Augusta, MILLER of Somerville, PERCY of Phippsburg, SMITH of Monmouth, Senators: BRYANT of Oxford, DAMON of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Exempt Vegetable Seeds for Home Gardens from the Sales Tax" (EMERGENCY) (H.P. 1263) (L.D. 1823) (Sponsored by Representative PIOTTI of Unity) (Cosponsored by Representatives: CARR of Lincoln, LUNDEEN of Mars Hill, SCHATZ of Blue Hill, THOMPSON of China) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing the Assessment of Property Taxes in the Event of a Change of Ownership of the Property" (H.P. 1276) (L.D. 1836) (Sponsored by Representative CRAVEN of Lewiston) (Cosponsored by Representative PERRY of Calais, Senator ROTUNDO of Androscoggin and Representative: MOODY of Manchester) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Laws Governing the Excise Tax on New Automobiles" (H.P. 1284) (L.D. 1844) (Sponsored by Representative SCHATZ of Blue Hill) (Cosponsored by Speaker RICHARDSON of Brunswick and Representatives: HOGAN of Old Orchard Beach, PINGREE of North Haven, Senator: DAMON of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Conform the Maine Tax Laws for 2005 to the United States Internal Revenue Code" (EMERGENCY) (H.P. 1296) (L.D. 1856) (Sponsored by Representative WOODBURY of Yarmouth) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act To Clarify Municipal Valuations of Resort Property" (H.P. 1297) (L.D. 1857) (Sponsored by Representative

DUPLESSIE of Westbrook) (Cosponsored by Representatives: CLOUGH of Scarborough, KOFFMAN of Bar Harbor, Senators: COURTNEY of York, DAMON of Hancock, MAYO of Sagadahoc, PERRY of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Transportation**

Bill "An Act To Ensure Business Equity in Commercial Vehicle Registration" (H.P. 1238) (L.D. 1730) (Sponsored by Representative BLANCHARD of Old Town) (Cosponsored by Senator PERRY of Penobscot and Representatives: CARR of Lincoln, DUCHESNE of Hudson, FISHER of Brewer, JACKSON of Fort Kent, ROSEN of Bucksport, Senator: SCHNEIDER of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Require That New Road Construction or Repair Include Sidewalks or Bikeways or Both" (H.P. 1239) (L.D. 1731) (Sponsored by Representative CRAVEN of Lewiston) (Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: FAIRCLOTH of Bangor, O'BRIEN of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Protect Real Estate Values Impaired by Railroad Operations" (H.P. 1240) (L.D. 1732) (Sponsored by Representative FINCH of Fairfield) (BY REQUEST) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Clarify the Intent of the Law That Allows Retired Firefighters To Retain Their Firefighter License Plates" (EMERGENCY) (H.P. 1256) (L.D. 1816) (Sponsored by Representative JACKSON of Fort Kent) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Update the Charter of the Lewiston and Auburn Railroad Company" (H.P. 1289) (L.D. 1849) (Sponsored by Representative SAMPSON of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Amend the Motor Vehicle Laws" (H.P. 1306) (L.D. 1866) (Sponsored by Representative FISHER of Brewer) (Cosponsored by Senator DIAMOND of Cumberland and Representatives: BRYANT of Windham, DUPLESSIE of Westbrook, PATRICK of Rumford, Speaker RICHARDSON of Brunswick, TARDY of Newport, Senators: BRYANT of Oxford, MAYO of Sagadahoc) (Submitted by the Secretary of State pursuant to Joint Rule 204.)

Bill "An Act To Allow Businesses To Place a Sign at the Topsham Mall Exit on Interstate 295" (H.P. 1309) (L.D. 1869) (Sponsored by Representative CROSBY of Topsham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

**Utilities and Energy**

Bill "An Act To Amend the Charter of the Boothbay Harbor Sewer District" (EMERGENCY) (H.P. 1244) (L.D. 1736) (Sponsored by Representative BISHOP of Boothbay) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Allow for Access to Digital Phone Service for Customers in Rural Areas" (H.P. 1269) (L.D. 1829) (Sponsored by Representative ROBINSON of Raymond) (Cosponsored by Senator DIAMOND of Cumberland and Representatives: AUSTIN of Gray, CEBRA of Naples) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Change the Charter of the Saint Francis Water District" (H.P. 1273) (L.D. 1833) (Sponsored by Representative

JACKSON of Fort Kent) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve Cell Phone Service in the State" (EMERGENCY) (H.P. 1298) (L.D. 1858) (Sponsored by Representative THOMAS of Ripley) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Sincerely,

S/Millicent M. MacFarland

Clerk of the House

S/Joy J. O'Brien

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

Sent for concurrence.

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The Following Communication: (H.C. 317)

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

January 4, 2006

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333-0002

Dear Clerk MacFarland:

Pursuant to my authority, I have appointed the following members to serve on boards, committees, commissions, task forces, councils and groups:

Task Force to Assist Americans Affected by Hurricane Katrina, Executive Order 05 FY 06/07

Representative Walter E. Ash, Jr. of Belfast

Legislative Youth Advisory Council, 3 MRSA, Chapter 7, §168-A

Ian Engdahl of Winthrop

Representative Rosaire Paradis, Jr. of Frenchville

Representative A. David Trahan of Waldoboro

Grace Wright of Brunswick

Judicial Compensation Commission, 4 MRSA, §1701, Subsection 4

Horace A. Hildreth of Falmouth

Maine Regulatory Fairness Board, 5 MRSA, Chapter 3, §57

Timothy Carter of Bethel

Board of Agriculture, 7 MRSA, §125 (G)

Representative John F. Piotti of Unity

Education Commission of the States, 20-A MRSA, §603

Representative Elaine Makas of Lewiston

Community Preservation Advisory Committee, P.L. 2001, Chapter 648

Honorable Edward Suslovic of Portland

Barbara Charry of Falmouth

Jennifer Burns of Falmouth, replacing Barbara Charry

Maine Library of Geographic Information Board, P.L. 2001, Chapter 649

Will Mitchell of Portland

Commission to Reform the State Budget Process, P.L. 2005, Chapter 386, Part O

Representative Joseph C. Brannigan of Portland

Representative H. Sawin Millett, Jr. of Waterford

Ground Water Study Group, P.L. 2005, Chapter 452

Representative Jane E. Eberle of South Portland

Representative John F. Piotti of Unity

Capital Waterfront Improvement District Governing Board, P&S 1999, Chapter 58

Representative Arthur L. Lerman of Augusta

Governor's Committee To Study the Feasibility of Importation of Prescription Drugs, P&S 2005, Chapter 26  
Representative John R. Brautigam of Falmouth  
Commission to Arrange for a Monument Honoring Women Veterans of Maine, Resolves 2005, Chapter 116  
Representative Marilyn E. Canavan of Waterville  
Elaine Clark of Cumberland  
Blue Ribbon Commission on the Future of MaineCare, Resolves 2005, Chapter 117  
Representative William R. Walcott of Lewiston, House Chair  
Representative Darlene J. Curley of Scarborough  
Paul Saucier of Portland  
Lynn Davey of Portland  
Committee To Study State Compliance with the Federal Indian Child Welfare Act of 1978, Resolves 2005, Chapter 118  
Representative Deborah L. Pelletier-Simpson of Auburn, House Chair  
Representative Michael Sockalexis of the Penobscot Nation  
Representative Roger L. Sherman of Hodgdon  
Health Care System and Health Security Board, Resolves 2005, Chapter 119  
Representative John R. Brautigam of Falmouth  
Task Force to Study Cervical Cancer Prevention, Detection and Education, Resolves 2005, Chapter 121  
Representative Lisa T. Marraché of Waterville, House Chair  
Representative James J. Campbell, Sr. of Newfield  
Dr. James Wilberg of Falmouth  
Dr. Susan Miesfeldt of Scarborough  
Janet Miles of Auburn  
Bob Downes of Pittsfield  
Carrie Bolander of Damariscotta  
Freedom of Access Advisory Committee, Resolves 2005, Chapter 123  
Representative Theodore S. Koffman of Bar Harbor, House Chair  
Mal Leary of Augusta  
Greg Lagerquist of Scarborough  
Christopher Spruce of Machias  
Committee to Study the Establishment of a Memorial for Emergency Medical Services Personnel, Resolves 2005, Chapter 124  
Representative John L. Tuttle, Jr. of Sanford  
Representative Terrence P. McKenney of Cumberland  
Kevin McGinnis of Hallowell  
Commission to Study the Cost of Providing Certain Services in the Unorganized Territories, Resolves 2005, Chapter 125  
Representative Robert W. Duplessie of Westbrook, House Chair  
Representative Robert S. Duchesne of Hudson  
Representative Arlan R. Jodrey of Bethel  
Representative Kimberley C. Rosen of Bucksport  
Bob Dunphy of North Anson  
John Willard of Rockwood  
Judy Merck of Dover-Foxcroft  
Task Force to Study Maine's Homeland Security Needs, Resolves 2005, Chapter 126  
Representative Stan Gerzofsky of Brunswick, House Chair  
Representative Richard B. Brown of South Berwick  
Representative Carol A. Grose of Woolwich  
Representative Roderick W. Carr of Lincoln  
Dr. Lawrence Mutty of Castine  
Commission To Study Alternative Voting Procedures, the Citizen Initiative Process and Minor Party Ballot Access, Resolves 2005, Chapter 127  
Representative Sean Faircloth of Bangor, House Chair  
Representative Linda M. Valentino of Saco  
Representative David N. Ott of York

Study Commission Regarding Livable Wages, Resolves 2005, Chapter 128  
Representative Arthur L. Lerman of Augusta, House Chair  
Representative Deborah J. Hutton of Bowdoinham  
Sarah Stadiford of Richmond  
Jane Scease of Topsham  
Sincerely,  
S/John Richardson  
Speaker of the House  
**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 318)  
**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**  
**COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY**

November 28, 2005  
Honorable Beth Edmonds, President of the Senate  
Honorable John Richardson, Speaker of the House  
122nd Maine Legislature  
State House  
Augusta, Maine 04333  
Dear President Edmonds and Speaker Richardson:  
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Agriculture, Conservation and Forestry has voted unanimously to report the following bill out "Ought Not to Pass":  
L.D. 640 An Act To Recognize the Importance of Forestry  
We have also notified the sponsor and cosponsors of each bill listed of the Committee's action.  
Sincerely,  
S/Sen. John M. Nutting  
Senate Chair  
S/Rep. John F. Piotti  
House Chair  
**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 319)  
**STATE OF MAINE**  
**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**  
**COMMITTEE ON JUDICIARY**

November 30, 2005  
Honorable Beth Edmonds, President of the Senate  
Honorable John Richardson, Speaker of the House  
122nd Maine Legislature  
State House  
Augusta, Maine 04333  
Dear President Edmonds and Speaker Richardson:  
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bills out "Ought Not to Pass":  
L.D. 61 An Act To Authorize a Judge To Order Involuntary Commitment of a Person with Mental Illness Not Taking Prescribed Medication  
L.D. 1229 An Act To Strengthen the Enforcement of Divorce Decrees  
We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.  
Sincerely,  
S/Sen. Barry J. Hobbins  
Senate Chair

S/Rep. Deborah Pelletier-Simpson  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 320)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

November 16, 2005

Honorable Beth Edmonds, President of the Senate  
Honorable John Richardson, Speaker of the House  
122nd Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Legal and Veterans Affairs has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 234 An Act To Establish a Transparent Pricing Formula  
for Distilled Spirits

We have also notified the sponsor and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Kenneth T. Gagnon

Senate Chair

S/Rep. John L. Patrick

House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 321)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

October 3, 2005

Honorable Beth Edmonds, President of the Senate  
Honorable John Richardson, Speaker of the House  
122nd Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on State and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 798 An Act To Establish a Sunset on New State  
Agencies and Programs

L.D. 925 An Act To Fairly Apportion the Cost of Sheriff  
Patrol Services

L.D. 1230 An Act To Facilitate and Promote Regional  
Cooperation

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Elizabeth M. Schneider

Senate Chair

S/Rep. Christopher R. Barstow

House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 322)

**STATE OF MAINE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON TRANSPORTATION**

September 19, 2005

Honorable Beth Edmonds, President of the Senate  
Honorable John Richardson, Speaker of the House  
122nd Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 128 An Act To Create a License Plate for the Elks  
Organization

L.D. 419 An Act To Create a License Plate for the National  
Rifle Association

L.D. 437 An Act To Create an Agriculture Recognition  
License Plate

L.D. 492 An Act To Create a Special Higher Education  
License Plate

L.D. 1396 An Act To Create a Specialty License Plate for  
Members of the Maine National Guard

L.D. 1430 An Act To Establish Special License Plates To  
Honor Maine Residents Serving Overseas

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Dennis S. Damon

Senate Chair

S/Rep. Boyd P. Marley

House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 324)

**BUREAU OF CORPORATIONS, ELECTIONS AND  
COMMISSIONS**

**DEPARTMENT OF THE SECRETARY OF STATE**

**101 STATE HOUSE STATION**

**AUGUSTA, MAINE 04333-0101**

September 26, 2005

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333-0002

Dear Clerk MacFarland,

Enclosed please find a certified copy of Resolution Number 07-25-05-01 of the Houlton Band of Maliseet Indians Council certifying its agreement of P.L. 2005, c. 310. This document is being forwarded to you pursuant to the provisions of Title 3, Section 601.

Sincerely,

S/Julie L. Flynn

Deputy Secretary of State

---

**STATE OF MAINE**

**DEPARTMENT OF THE SECRETARY OF STATE**

I, the Secretary of State of Maine, certify that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and that the paper to which this is attached is a true copy from the records of this Department.

In Testimony Whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, Maine, September 26, 2005.

S/Matthew Dunlap  
Secretary of State

---

**RESOLUTION NUMBER: 07-25-05-01**  
**OF THE HOULTON BAND OF MALISEET INDIANS COUNCIL**  
**THE GOVERNING BODY**  
**HOULTON BAND OF MALISEET INDIANS**

WHEREAS, the Houlton Band of Maliseet Indians (the "Tribe") is a federally recognized Indian Tribe under the Maine Indian Land Claims Settlement Act, P.L. 96-420, 94 Stat. 1785, (1980); and WHEREAS, pursuant to Section 1726(a) of the Maine Indian Land Claims Settlement Act (25 USC 1721 et seq.), and its inherent powers of self-government, the Tribe has the power to inter alia, organize for its common welfare and to govern the affairs of the Tribe when acting in its governmental capacity; and WHEREAS, the Tribal Council of the Houlton Band of Maliseet Indians (the "Tribal Council") has identified the need for increased law enforcement on Tribal lands and adjacent state lands as major goals for the Tribe to promote its common welfare, and that said goals are consistent with the Tribe's priorities of maintaining a strong, self-governing society; and WHEREAS, the Tribal Council requested that the State of Maine authorize Tribal Police Officers to enforce State law; and WHEREAS, on Monday, June 06, 2005, the Governor of the State of Maine signed into law legislation that authorized Tribal Police Officers to enforce State Law.

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council hereby certifies its agreement with the enactment by the Maine Legislature, and the execution by the Maine Governor, of Maine P.L. Chapter 310, "An Act to Increase Public Safety through the Enhancement of Law Enforcement for the Houlton Band of Maliseet Indians." (Attached)

**CERTIFICATION**

We, the undersigned Tribal Council of the Houlton Band of Maliseet Indians, do hereby certify that the Houlton Band Council is composed of 7 members of whom 6 were present during a Regular meeting held this 27 day of July, 2005, and that the foregoing resolution was duly adopted by the affirmative vote of 5 members who have affixed their signatures below.

S/Clair A. Sabattis  
Council Member  
S/Michelle Barrows  
Council Member  
S/Justin Kobylarz  
Council Member  
S/Gloria Tomah  
Council Member  
S/Tina Beaver  
Council Member  
S/Brenda Commander  
Tribal Chief

**TRIBAL CLERK CERTIFICATION**

I, the undersigned Tribal Clerk, do hereby certify that a meeting of the Tribal Council was held on the date specified above and that a quorum was met and adopted this resolution.

S/Sarah Tomah  
Tribal Clerk

**READ and ORDERED PLACED ON FILE.**

**122ND MAINE LEGISLATURE**  
**AUGUSTA, MAINE 04333**

October 3, 2005

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

Dear Clerk MacFarland:

Pursuant to our authority under Public Laws 2005, Chapter 380, Part A, we are pleased to appoint the following people to the Statewide Homeless Council:

Don J. Kniseley of Brunswick, representing Region II

Susan Mitchell of Presque Isle, representing Region III

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

Sincerely,

S/Beth Edmonds

President of the Senate

S/John Richardson

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 326)  
**STATE OF MAINE**

November 8, 2005

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

Dear Clerk MacFarland:

Pursuant to our authority under Title 10, MRSA, Chapter 107, Section 929-A, we are pleased to appoint the following people to the Maine Economic Growth Council, respectively serving a three-year term:

Leroy J. Barry of Falmouth, reappointment

Robert L. Piccone of Portland, reappointment

Timothy B. Hussey of Kennebunk, reappointment

John Dorrer of Augusta, reappointment

Representative Theodore S. Koffman of Bar Harbor, reappointment

Eloise Vitelli of Arrowsic, reappointment

Dianne Tilton of Machias, reappointment

Leah F. Binder of Farmington

Alastair J. MacDonald of Portland

Michael K. Mahoney of Cape Elizabeth

Stephen C. Von Vogt of Portland

Stephen W. Schley of Bangor

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

Sincerely,

S/John E. Baldacci

Governor

S/Beth Edmonds

President of the Senate

S/John Richardson

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 325)

The Following Communication: (H.C. 329)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON TAXATION**

December 5, 2005

Honorable Beth Edmonds, President of the Senate  
Honorable John Richardson, Speaker of the House  
122nd Maine Legislature  
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:  
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1343 An Act To Simplify Rent and Property Tax Relief  
L.D. 1400 An Act To Reduce Payments under the Business Equipment Tax Reimbursement Program and To Eliminate Double Dipping and Increase Conformity with the Internal Revenue Code  
L.D. 1594 An Act To Provide an Income Tax Exemption to Recent College Graduates Who Work in Maine To Help Them Pay College Loans

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,  
S/Sen. Joseph C. Perry  
Senate Chair  
S/Rep. Richard G. Woodbury  
House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 330)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON LABOR**

December 1, 2005

Honorable Beth Edmonds, President of the Senate  
Honorable John Richardson, Speaker of the House  
122nd Maine Legislature  
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:  
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Labor has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1050 An Act To Promote Enforcement of Labor Laws Affecting Employers  
L.D. 1604 An Act To Restructure the Unfunded Liability of the Maine State Retirement System  
L.D. 1654 An Act To Prevent the Loss of Jobs through Outsourcing

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,  
S/Sen. Ethan Strimling  
Senate Chair  
S/Rep. William J. Smith  
House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 331)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**COMMITTEE ON HEALTH AND HUMAN SERVICES**

December 5, 2005

Honorable Beth Edmonds, President of the Senate  
Honorable John Richardson, Speaker of the House  
122nd Maine Legislature  
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:  
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 950 An Act To Allow the Shipment of Cigars into Maine  
L.D. 1208 Resolve, Regarding the Prevention of Suicide  
We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,  
S/Sen. Arthur F. Mayo, III  
Senate Chair  
S/Rep. Hannah Pingree  
House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 332)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON BUSINESS RESEARCH AND ECONOMIC  
DEVELOPMENT**

December 5, 2005

Honorable Beth Edmonds, President of the Senate  
Honorable John Richardson, Speaker of the House  
122nd Maine Legislature  
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:  
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Business, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1135 An Act To Safeguard Federalism in Trade  
L.D. 1358 Resolve, To Establish the Commission To Study Incentives That Foster Small Business Practices That Support the Economic Growth and Well-being of Maine People and Communities

- L.D. 1663 An Act To Establish the Maine Higher Education Employer Initiative

We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,  
S/Sen. Lynn Bromley  
Senate Chair  
S/Rep. Nancy E. Smith  
House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 335)

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-SECOND LEGISLATURE  
COMMITTEE ON UTILITIES AND ENERGY**

December 8, 2005

Honorable Beth Edmonds, President of the Senate  
Honorable John Richardson, Speaker of the House  
122nd Maine Legislature  
State House  
Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 207 An Act To Require Electric Utilities To Permit Customers To Pay Electric Utility Bills in Their Communities

L.D. 407 An Act To Place the Emergency Services Communication Bureau within the Department of Public Safety

L.D. 1347 Resolve, Directing the Public Utilities Commission To Amend Its Rules Governing Net Energy Billing

L.D. 1377 An Act Regarding Municipally Owned Street Lighting  
We have also notified the sponsors and cosponsors of each bill listed of the Committee's action.

Sincerely,

S/Sen. Philip L. Bartlett II  
Senate Chair  
S/Rep. Lawrence Bliss  
House Chair

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: (H.C. 323)

**STATE OF MAINE  
MAINE REVENUE SERVICES  
24 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0024**

October 1, 2005

Senate President Edmonds  
Speaker of the House Richardson  
Members of the 122nd Maine Legislature:

Pursuant to 5 MRSA Section 13070-J, the State Tax Assessor is required to submit a report to the legislature identifying the amount of revenues foregone as the result of the Jobs and Investment Tax Credit (JITC), the Research Expense Tax Credit (R&D), the Seed Capital Investment Tax Credit, the Shipbuilding Facility Credit, and public funds spent on the Business Property Tax Reimbursement Program (BETR). Attached are four reports providing you with this information.

The first table lists corporations that reduced their Maine income tax liability with the JITC, the R&D credit, and/or the Seed Capital credit in tax year 2003, as well as the value of the credits. Table II lists the number of individual filers that reduced their Maine income tax liability with the JITC, the R&D credit, and/or the Seed Capital credit in tax year 2003. Tax year 2003 is the last year for which we have full information on both corporate and individual filers. Statutes governing the release of confidential taxpayer information prevent us from reporting the names of corporations or individuals that benefited from these tax credits.

The third attachment explains the Shipbuilding Facility credit. As required by statute the report provides information on the level of employment, yearly investment and the cumulative amount of investment. Since the inception of the credit, the level of employment has been such that the annual cost to the state

treasury has exceeded the base credit amount of \$3 million per year.

The fourth attachment is a computer printout of BETR recipients. For purposes of this report, businesses that filed for reimbursement during calendar year 2004 are listed. BETR recipients filed between August 1, 2004 and December 31, 2004 for eligible property taxes paid during calendar year 2003. For that period the state reimbursed \$74.1 million to 1,764 companies.

Of the 1,764 businesses that received a BETR reimbursement, 444 received a reimbursement of \$10,000 or more, requiring them to file an Economic Development Incentive Report with the DECD. Firms receiving a BETR reimbursement greater than or equal to \$10,000 represent 25% of recipients and 96% of the total BETR expenditure in calendar year 2003.

If you have any questions on this report please do not hesitate to contact me.

Sincerely,  
S/Jerome D. Gerard

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

---

The Following Communication: (H.C. 327)

**STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
AND FINANCIAL REGULATION  
35 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0035**

November 30, 2005

The Honorable John Richardson  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333-0002

Re: Annual Report on Charitable Fundraising Activity

Dear Speaker Richardson:

Pursuant to the Charitable Solicitations Act, 9 MRSA §5010, enclosed please find the Annual Report on the 2004 fundraising activity of charitable organizations registered in the State of Maine. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,  
S/Christine A. Bruenn  
Commissioner

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

---

The Following Communication: (H.C. 328)

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333  
CITIZEN TRADE POLICY COMMISSION**

November 30, 2005

The Honorable Beth Edmonds, President  
Maine Senate  
The Honorable John Richardson, Speaker  
Maine House of Representatives  
Maine State Legislature  
State House  
Augusta, ME 04333



Dear President Edmonds and Speaker Richardson:  
Pursuant to Public Law 2003, c. 699, the Citizen Trade Policy Commission is pleased to submit its first annual report. Copies of the report have been placed on file with the Law and Legislative Reference Library.

Sincerely,  
S/Senator Margaret Rotundo, Senate Chair  
S/Representative John Patrick, House Chair  
Citizen Trade Policy Commission

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

---

The Following Communication: (H.C. 333)

**STATE OF MAINE  
OFFICE OF THE  
SECRETARY OF STATE  
AUGUSTA, MAINE 04333-0148**

August 23, 2005

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

Dear Clerk MacFarland:

Enclosed please find a certified copy of the proclamation referring the People's Veto of "An Act to Extend Civil Rights Protections to All People Regardless of Sexual Orientation" to the electors. A copy of the determination of this petition is also enclosed.

Sincerely,  
S/Matthew Dunlap  
Secretary of the Senate

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

---

The Following Communication: (H.C. 334)

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333**

**TASK FORCE TO STUDY MAINE'S HOMELAND SECURITY  
NEEDS**

December 16, 2005

The Honorable Beth Edmonds, President  
Maine State Senate  
The Honorable John Richardson, Speaker  
Maine House of Representatives  
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

Pursuant to Resolve 2005, Chapter 126, the Task Force to Study Maine's Homeland Security Needs is pleased to submit its interim report. Copies of the report have been placed on file with the Law and Legislative Reference Library.

Sincerely,  
S/Senator Ethan Strimling, Senate Chair  
S/Representative Stan Gerzofsky, House Chair

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

---

The Following Communication: (H.C. 336)

**STATE OF MAINE  
DEPARTMENT OF LABOR  
19 UNION STREET, P.O. BOX 259  
AUGUSTA, MAINE 04332-0259**

October 1, 2005

The Honorable John Richardson, Speaker  
Maine House of Representatives  
2 State House Station  
Augusta, ME 04333-0002

Dear Speaker Richardson:

In accordance with Title 5, M.R.S.A., §13070-J, we are pleased to submit the "agency report" for the Governor's Training Initiative (GTI). GTI has been instrumental in the creation and retention of high skill, quality employment for Maine residents since its inception in 1996.

In calendar year 2004, thirty nine companies received GTI reimbursement payments totaling \$10,000 or more. The attached report lists the amounts paid and the anticipated job growth and retention associated with those funds. Because the GTI funding cycle is spread over a two-year period, funds related to the Economic Development Incentive Report (EDIR) reporting requirements for calendar year 2004 may be associated with GTI contract allocations spanning three funding cycles (program years 2002, 2003 and 2004).

Statistics included in this report indicate the public benefit derived from GTI assistance, including actual private dollars leveraged via company match for direct training related activity. A short selection of company comments has been provided representative of responses received regarding company and public benefit.

GTI ensures that the needs of small firms are addressed via the scoring process, and requires applicants to identify the public benefit resulting from proposed training projects. GTI continues to be a primary vehicle for achieving sustainable long-term economic growth for Maine. Incumbent and new hire worker training continue to be referenced in numerous benchmarks of the "Measures of Growth" report submitted annually by the Maine Economic Growth Council.

Sincerely,  
S/Laura A. Fortman  
Commissioner

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

---

The Following Communication: (H.C. 337)

**STATE OF MAINE  
OFFICE OF THE  
SECRETARY OF STATE  
AUGUSTA, MAINE 04333-0148**

December 15, 2005

Honorable Beth Edmonds  
President of the Senate  
3 State House Station  
Augusta, ME 04333  
Honorable John Richardson  
Speaker of the House  
2 State House Station  
Augusta, ME 04333

Dear President Edmonds and Speaker Richardson:

The following is a summary of the results of the November 8, 2005, Referendum Election, as derived from the accompanying copies of the Governor's Proclamations and the Secretary of State's Official Tabulation of the election results.

Question 1: People's Veto

Number of Votes in Favor 181,926

Number of Votes Opposed 223,274

Question 2: Bond Issue

Number of Votes in Favor 270,486

Number of Votes Opposed 130,352

Question 3: Bond Issue  
 Number of Votes in Favor 228,970  
 Number of Votes Opposed 167,424  
 Question 4: Bond Issue  
 Number of Votes in Favor 232,563  
 Number of Votes Opposed 165,607  
 Question 5: Bond Issue  
 Number of Votes in Favor 259,475  
 Number of Votes Opposed 140,469  
 Question 6: Bond Issue  
 Number of Votes in Favor 193,077  
 Number of Votes Opposed 195,939  
 Question 7: Constitutional Amendment  
 Number of Votes in Favor 276,116  
 Number of Votes Opposed 109,508

Sincerely,  
 S/Matthew Dunlap  
 Secretary of State

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

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

The following Bills, Resolve 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:

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

Bill "An Act To Conserve Energy in Maine Homes"  
 (H.P. 1346) (L.D. 1905)

Sponsored by Representative FLETCHER of Winslow.  
 Cosponsored by Representatives: BISHOP of Boothbay, CUMMINGS of Portland and Representatives: CROSTHWAITE of Ellsworth, DUPREY of Hampden, KAELIN of Winterport, MILLETT of Waterford, PINGREE of North Haven, Senators: SNOWE-MELLO of Androscoggin, WOODCOCK of Franklin.  
 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Make Minor Technical Changes to Maine's Spending Growth Benchmarks"  
 (H.P. 1350) (L.D. 1909)

Sponsored by Representative WOODBURY of Yarmouth.  
 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Provide Funding for Tribal Economic Development for the Penobscot Indian Nation and Other Federally Recognized Tribes" (EMERGENCY)  
 (H.P. 1352) (L.D. 1911)

Sponsored by Representative SOCKALEXIS of the Penobscot Nation.

Cosponsored by Representatives: BLANCHARD of Old Town, BURNS of Berwick.  
 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Increase Wheelchair Van Services Reimbursement Rates"  
 (H.P. 1355) (L.D. 1914)

Sponsored by Representative TUTTLE of Sanford.  
 Cosponsored by Representatives: CURLEY of Scarborough, HANLEY of Gardiner, PINGREE of North Haven, Senator: NASS of York.  
 Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Increase Supervision of Red Tide on the Maine Coast" (EMERGENCY)

(H.P. 1356) (L.D. 1915)

Sponsored by Representative PERRY of Calais.  
 Cosponsored by Representatives: EMERY of Cutler, WHEELER of Kittery.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Provide an Energy Emergency Relief Fund To Provide Assistance for Home Heating Fuel Costs for Residents of This State, for Gasoline Costs for Service Providers and for Heating Fuel for Health Care Services Providers" (EMERGENCY)

(H.P. 1363) (L.D. 1940)

Sponsored by Representative LERMAN of Augusta.  
 Cosponsored by Representatives: CUMMINGS of Portland, FLETCHER of Winslow.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Provide Funding for the Low Income Home Energy Assistance Program" (EMERGENCY)

(H.P. 1332) (L.D. 1891)

Sponsored by Speaker RICHARDSON of Brunswick.  
 (GOVERNOR'S BILL)

Cosponsored by President EDMONDS of Cumberland and Representatives: ADAMS of Portland, ANNIS of Dover-Foxcroft, ASH of Belfast, AUSTIN of Gray, BABBIDGE of Kennebunk, BARSTOW of Gorham, BEAUDETTE of Biddeford, BERUBE of Lisbon, BIERMAN of Sorrento, BISHOP of Boothbay, BLANCHARD of Old Town, BLANCHETTE of Bangor, BLISS of South Portland, BOWEN of Rockport, BOWLES of Sanford, BRANNIGAN of Portland, BRAUTIGAM of Falmouth, BROWN of South Berwick, BROWNE of Vassalboro, BRYANT of Windham, BRYANT-DESCHENES of Turner, BURNS of Berwick, CAIN of Orono, CAMPBELL of Newfield, CANAVAN of Waterville, CARR of Lincoln, CEBRA of Naples, CHURCHILL of Washburn, CLARK of Millinocket, CLOUGH of Scarborough, COLLINS of Wells, CRAVEN of Lewiston, CRESSEY of Cornish, CROSBY of Topsham, CROSTHWAITE of Ellsworth, CUMMINGS of Portland, CURLEY of Scarborough, CURTIS of Madison, DAIGLE of Arundel, DAVIS of Falmouth, DAVIS of Augusta, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUDLEY of Portland, DUGAY of Cherryfield, DUNN of Bangor, DUPLESSIE of Westbrook, DUPREY of Hampden, EBERLE of South Portland, EDER of Portland, EDGECOMB of Caribou, EMERY of Cutler, FAIRCLOTH of Bangor, FARRINGTON of Gorham, FINCH of Fairfield, FISCHER of Presque Isle, FISHER of Brewer, FITTS of Pittsfield, FLETCHER of Winslow, FLOOD of Winthrop, GERZOFSKY of Brunswick, GLYNN of South Portland, GOLDMAN of Cape Elizabeth, GREELEY of Levant, GROSE of Woolwich, HALL of Holden, HAMPER of Oxford, HANLEY of Paris, HANLEY of Gardiner, HARLOW of Portland, HOGAN of Old Orchard Beach, HOTHAM of Dixfield, HUTTON of Bowdoinham, JACKSON of Fort Kent, JACOBSEN of Waterboro, JENNINGS of Leeds, JODREY of Bethel, JOY of Crystal, KAELIN of Winterport, KOFFMAN of Bar Harbor, LANSLEY of Sabattus, LERMAN of Augusta, LEWIN of Eliot, LINDELL of Frankfort, LUNDEEN of Mars Hill, MAKAS of Lewiston, MAREAN of Hollis, MARLEY of Portland, MARRACHE of Waterville, MAZUREK of Rockland, McCORMICK of West Gardiner, McFADDEN of Dennysville, McKANE of Newcastle, McKENNEY of Cumberland, McLEOD of Lee, MERRILL of Appleton, MILLER of Somerville, MILLETT of Waterford, MILLS of Farmington,

MOODY of Manchester, MOORE of the Passamaquoddy Tribe, MOORE of Standish, MOULTON of York, MUSE of Fryeburg, NASS of Acton, NORTON of Bangor, NUTTING of Oakland, O'BRIEN of Lewiston, OTT of York, PARADIS of Frenchville, PATRICK of Rumford, PELLETIER-SIMPSON of Auburn, PERCY of Phippsburg, PERRY of Calais, PILON of Saco, PINEAU of Jay, PINGREE of North Haven, PINKHAM of Lexington Township, PIOTTI of Unity, PLUMMER of Windham, RECTOR of Thomaston, RICHARDSON of Carmel, RICHARDSON of Greenville, RICHARDSON of Skowhegan, RICHARDSON of Warren, RINES of Wiscasset, ROBINSON of Raymond, ROSEN of Bucksport, SAMPSON of Auburn, SAVIELLO of Wilton, SCHATZ of Blue Hill, SEAVEY of Kennebunkport, SHERMAN of Hodgdon, SHIELDS of Auburn, SMITH of Monmouth, SMITH of Van Buren, SOCKALEXIS of the Penobscot Nation, STEDMAN of Hartland, SYKES of Harrison, TARDY of Newport, THOMAS of Ripley, THOMPSON of China, TRAHAN of Waldoboro, TUTTLE of Sanford, TWOMEY of Biddeford, VALENTINO of Saco, VAUGHAN of Durham, WALCOTT of Lewiston, WATSON of Bath, WEBSTER of Freeport, WHEELER of Kittery, WOODBURY of Yarmouth, Senators: ANDREWS of York, BARTLETT of Cumberland, BRENNAN of Cumberland, BROMLEY of Cumberland, BRYANT of Oxford, CLUKEY of Aroostook, COURTNEY of York, COWGER of Kennebec, DAMON of Hancock, DAVIS of Piscataquis, DIAMOND of Cumberland, DOW of Lincoln, GAGNON of Kennebec, HASTINGS of Oxford, HOBBS of York, MARTIN of Aroostook, MAYO of Sagadahoc, MILLS of Somerset, MITCHELL of Kennebec, NASS of York, NUTTING of Androscoggin, PERRY of Penobscot, PLOWMAN of Penobscot, RAYE of Washington, ROSEN of Hancock, ROTUNDO of Androscoggin, SAVAGE of Knox, SCHNEIDER of Penobscot, SNOWE-MELLO of Androscoggin, STRIMLING of Cumberland, SULLIVAN of York, TURNER of Cumberland, WESTON of Waldo, WOODCOCK of Franklin.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

Representative BRANNIGAN of Portland moved that the rules be **SUSPENDED** for the purpose of giving this Bill its **FIRST READING WITHOUT REFERENCE** to any committee.

Representative TWOMEY of Biddeford **OBJECTED** to **SUSPENDING** the rules for the purpose of giving this Bill its **FIRST READING WITHOUT REFERENCE** to any committee.

The Chair ordered a division on the motion to **SUSPEND** the rules for the purpose of giving this Bill its **FIRST READING WITHOUT REFERENCE** to any committee.

A vote of the House was taken. 132 voted in favor of the same and 1 against, and accordingly under **SUSPENSION** of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to any committee.

Under further suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Cummings.

Representative **CUMMINGS**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am pleased to stand in support of 3-1, "An Act to Provide Funding for the Low Income Home Energy Assistance Program". There are three very simple things that Mainers know. One is that home heating fuel is at an exorbitant price and two, the Maine winters are cold and even dangerous and three, federal assistance is inadequate. I submitted this bill in September with the intention of having a backup in case federal money and gas prices were too high. I want to say thank you, here today, to those Democrats,

Republicans, Independents and Greens who have stepped up to protect our people and to put them first. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Bowles.

Representative **BOWLES**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. As you are all aware in some areas of our country high heating and energy prices are an inconvenience. In Maine, however, the inability to cope with high heating oil costs goes way beyond inconvenience. In some cases excessive heating costs may cause significant lifestyle changes and in the extreme case could even pose a health risk. We all agree, therefore, that there is no room for partisanship on this issue and we are united today in a demonstration of support for our less fortunate neighbors who need our assistance to cope with this issue and the cold months to come.

When Republican leadership met with our Democrat counterparts and the Chief Executive to discuss this appropriation we also had a discussion about our legitimate concerns regarding the shortcomings in the administration and qualification criteria of the LIHEAP Program. We agreed at that time with the Chief Executive to defer these conversations to a later date so as to move forward on this important appropriation.

While we agree on the appropriateness of today's actions we intend to be vigorous in our pursuit of the administrative concerns that we raised in our discussions with the Chief Executive and in which he pledged to work with us. These concerns include the administrative costs, both at Maine State Housing, and with the various CAP agencies, which cause fewer dollars to benefit the truly needy. Additionally, the failure of Maine State Housing to negotiate fuel prices with all Maine suppliers must be corrected before the start of the next heating season. Finally, there are questions of eligibility regarding those persons who already receive a rental subsidy and other forms of public assistance. Today however, is a time to move forward to protect Maine's citizens and we are pleased to join in this important effort.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I would like to go on record supporting this but wanting to make a statement about it not being enough. I think that when we have surpluses these are the programs that we need to support and my fear is that we are going to set aside \$5 million to help the needy but the supplemental budget is coming up and what cuts are we going to do away with there? What about people in wheelchairs? What about healthcare programs? What main cut are we going to make? My fear is that we are robbing one account to pay for another and it is a matter of setting our priorities in the New Year. Our priorities last year were to give \$153 million to the BETR Program for the biennium, for ten percent of businesses that got ninety percent of the money. Five million dollars is peanuts when we look at our budget so I am glad to be cosponsor, but I wanted to make this statement and this is just the beginning of a new year where election time brings us together, but these important things have to be said. Five million dollars is peanuts. The Supplemental Budget is coming up and what mental health program, what healthcare programs are going to be cut? Thank you Mr. Speaker.

Subsequently, the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence. **ORDERED SENT FORTHWITH**.

**BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**

Bill "An Act To Amend the Laws Governing Real Estate Appraiser Licensing To Comply with Federal Law"

(H.P. 1360) (L.D. 1919)

Sponsored by Representative FARRINGTON of Gorham.  
Cosponsored by Senator HOBBS of York and Representatives: O'BRIEN of Lewiston, RECTOR of Thomaston.  
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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Bill "An Act To Establish Requirements and Standards for Health Savings Accounts for Small Businesses"

(H.P. 1358) (L.D. 1917)

Sponsored by Representative CUMMINGS of Portland.  
Cosponsored by Representative: WEBSTER of Freeport.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

On motion of Representative SMITH of Monmouth, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

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**EDUCATION AND CULTURAL AFFAIRS**

Bill "An Act Concerning Energy Conservation in Schools"

(H.P. 1343) (L.D. 1902)

Sponsored by Representative TUTTLE of Sanford.  
Cosponsored by Representative MERRILL of Appleton and Representatives: BLANCHARD of Old Town, RICHARDSON of Skowhegan.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Restore the Cost-sharing Agreement Established by the Voters of Maine School Administrative District No. 40" (EMERGENCY)

(H.P. 1344) (L.D. 1903)

Sponsored by Representative MILLER of Somerville.  
Cosponsored by Representative BABBIDGE of Kennebunk, Senator DOW of Lincoln and Representative: MERRILL of Appleton, Senator: SAVAGE of Knox.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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**HEALTH AND HUMAN SERVICES**

Bill "An Act To Amend the Law Regarding Smoking in Private Clubs" (EMERGENCY)

(H.P. 1342) (L.D. 1901)

Sponsored by Representative GROSE of Woolwich.  
Cosponsored by Representatives: CLARK of Millinocket, JENNINGS of Leeds, MILLER of Somerville and Representative: WEBSTER of Freeport.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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**INLAND FISHERIES AND WILDLIFE**

Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Increase the Number of Moose Permits  
(H.P. 1336) (L.D. 1895)

Sponsored by Representative JACKSON of Fort Kent.  
Cosponsored by Representative MOODY of Manchester.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Make License Requirements and Rules Consistent for Young Anglers"

(H.P. 1337) (L.D. 1896)

Sponsored by Representative BRYANT of Windham.  
Cosponsored by Senator BRYANT of Oxford and Representatives: AUSTIN of Gray, CARR of Lincoln, CUMMINGS of Portland, DUPLESSIE of Westbrook, HOTHAM of Dixfield, PATRICK of Rumford, Senators: DAMON of Hancock, DIAMOND of Cumberland, MAYO of Sagadahoc.  
Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

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**JUDICIARY**

Bill "An Act To Prevent Price Gouging"

(H.P. 1333) (L.D. 1892)

Sponsored by Representative MILLS of Farmington.  
Cosponsored by President EDMONDS of Cumberland and Representatives: BRYANT of Windham, CUMMINGS of Portland, MOODY of Manchester, PELLETIER-SIMPSON of Auburn, SCHATZ of Blue Hill, Senators: BARTLETT of Cumberland, BROMLEY of Cumberland, BRYANT of Oxford.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Protect Businesses from Unnecessary Eminent Domain Takings" (EMERGENCY)

(H.P. 1345) (L.D. 1904)

Sponsored by Representative MERRILL of Appleton.  
Cosponsored by Representatives: FLETCHER of Winslow, JOY of Crystal, LINDELL of Frankfort, MAKAS of Lewiston, Senators: STRIMLING of Cumberland, TURNER of Cumberland and Representatives: ASH of Belfast, CARR of Lincoln, FAIRCLOTH of Bangor, KAELIN of Winterport, Senators: HOBBS of York, ROSEN of Hancock.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Amend the Law Governing DNA Testing"

(H.P. 1348) (L.D. 1907)

Sponsored by Representative PARADIS of Frenchville.  
Cosponsored by Senator MARTIN of Aroostook and Representatives: CAMPBELL of Newfield, CHURCHILL of Washburn, CUMMINGS of Portland, DAVIS of Augusta, DUPLESSIE of Westbrook, GERZOFKY of Brunswick, GROSE of Woolwich, LUNDEEN of Mars Hill, Speaker RICHARDSON of Brunswick, SMITH of Van Buren, Senators: DOW of Lincoln, NUTTING of Androscoggin.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Enhance the Laws Prohibiting Profiteering on Fuel"

(H.P. 1361) (L.D. 1920)

Sponsored by Representative HOGAN of Old Orchard Beach.  
Cosponsored by President EDMONDS of Cumberland and Representatives: ADAMS of Portland, BLANCHARD of Old Town, BRYANT of Windham, CUMMINGS of Portland, LERMAN of Augusta, SCHATZ of Blue Hill, Senator: BRYANT of Oxford.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

**LABOR**

Bill "An Act To Protect the Employment Rights of Military Reserve and National Guard Personnel"

(H.P. 1339) (L.D. 1898)

Sponsored by Representative BRYANT of Windham.

Cosponsored by Senator BRYANT of Oxford and Representatives: AUSTIN of Gray, BRAUTIGAM of Falmouth, CARR of Lincoln, CUMMINGS of Portland, DUPLESSIE of Westbrook, GROSE of Woolwich, PATRICK of Rumford, PILON of Saco, WATSON of Bath, Senators: DAMON of Hancock, DIAMOND of Cumberland, MAYO of Sagadahoc, WOODCOCK of Franklin.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Enable Local Adult Education Programs To Play a Greater Role in Helping Dislocated Workers"

(H.P. 1362) (L.D. 1921)

Sponsored by Representative CLARK of Millinocket.

Cosponsored by Representative NORTON of Bangor and Representative: BRYANT of Windham.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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**LEGAL AND VETERANS AFFAIRS**

Bill "An Act To Allow Independent Wineries To Serve Wine at Trade Shows"

(H.P. 1335) (L.D. 1894)

Sponsored by Representative DUNN of Bangor.

Cosponsored by Senator PERRY of Penobscot and Representative: KAELIN of Winterport, Senator: WESTON of Waldo.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Allow the Display of POW-MIA Flags at Courthouses"

(H.P. 1340) (L.D. 1899)

Sponsored by Representative BOWLES of Sanford.

Cosponsored by Senator WOODCOCK of Franklin and Representatives: ANNIS of Dover-Foxcroft, DUPLESSIE of Westbrook, HANLEY of Paris, HANLEY of Gardiner, HOGAN of Old Orchard Beach, KAELIN of Winterport, RICHARDSON of Greenville, SHIELDS of Auburn, WATSON of Bath, WHEELER of Kittery, Senators: MILLS of Somerset, PLOWMAN of Penobscot. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Allow the Importation of Wine"

(H.P. 1341) (L.D. 1900)

Sponsored by Representative DUPLESSIE of Westbrook.

Cosponsored by Senator PLOWMAN of Penobscot and Representatives: BOWLES of Sanford, CAIN of Orono, DUDLEY of Portland, KAELIN of Winterport, KOFFMAN of Bar Harbor, LINDELL of Frankfort, MILLER of Somerville, PATRICK of Rumford, PINGREE of North Haven.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Require That the Costs Associated with Enacting a Direct Initiative Appear on the Ballot"

(H.P. 1357) (L.D. 1916)

Sponsored by Representative BOWLES of Sanford.

Cosponsored by Senator COURTNEY of York and Representatives: FLETCHER of Winslow, SHIELDS of Auburn.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

**STATE AND LOCAL GOVERNMENT**

Bill "An Act To Increase the Salary of the Governor"

(H.P. 1349) (L.D. 1908)

Sponsored by Representative MOORE of Standish.

Cosponsored by Senator COURTNEY of York.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

RESOLUTION, Amending the Constitution of Maine To Lower the Age of Eligibility for Election to the House of Representatives

(H.P. 1353) (L.D. 1912)

Sponsored by Representative CAIN of Orono.

Cosponsored by Representatives: BRYANT of Windham, CUMMINGS of Portland, McFADDEN of Dennysville, PINGREE of North Haven, Senator: BARTLETT of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Create a Self-insurance Pool for Land Crossing State-owned Railroad Tracks"

(H.P. 1359) (L.D. 1918)

Sponsored by Representative PIOTTI of Unity.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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**TAXATION**

Bill "An Act To Adjust the Excise Tax Filing Schedule for Wine and Beer Producers"

(H.P. 1334) (L.D. 1893)

Sponsored by Representative DUNN of Bangor.

Cosponsored by Senator PERRY of Penobscot and Representative: KAELIN of Winterport, Senator: WESTON of Waldo.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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Bill "An Act To Create Employment Opportunities for People with Disabilities"

(H.P. 1351) (L.D. 1910)

Sponsored by Representative LERMAN of Augusta.

Cosponsored by Representative: Speaker RICHARDSON of Brunswick, Senator: BARTLETT of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **TAXATION** suggested.

On motion of Representative WOODBURY of Yarmouth, the Bill was **REFERRED** to the Committee on **LABOR**, ordered printed and sent for concurrence.

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**TRANSPORTATION**

Bill "An Act To Safeguard Maine's Highways"

(H.P. 1347) (L.D. 1906)

Sponsored by Representative CURLEY of Scarborough.

Cosponsored by Senator BARTLETT of Cumberland, Senator DIAMOND of Cumberland and Representatives: MAKAS of Lewiston, NASS of Acton, Senators: DAVIS of Piscataquis, TURNER of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

**UTILITIES AND ENERGY**

Bill "An Act To Protect Maine's Electricity Consumers"

(H.P. 1338) (L.D. 1897)

Sponsored by Representative BRAUTIGAM of Falmouth.

Cosponsored by Representatives: BLISS of South Portland, DUDLEY of Portland, DUPLESSIE of Westbrook, EBERLE of South Portland, FAIRCLOTH of Bangor, FLETCHER of Winslow, HARLOW of Portland, LERMAN of Augusta, MARLEY of Portland, PINGREE of North Haven, Senator: BRENNAN of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act To Designate the Department of Health and Human Services as the Sole Entity Entitled To Use the 2-1-1 Telephone Number"

(H.P. 1354) (L.D. 1913)

Sponsored by Representative GERZOFISKY of Brunswick.

Cosponsored by President EDMONDS of Cumberland and Representatives: BOWLES of Sanford, BRYANT of Windham, CUMMINGS of Portland, DUPLESSIE of Westbrook, MILLER of Somerville, PATRICK of Rumford, PERCY of Phippsburg, Speaker RICHARDSON of Brunswick, SMITH of Monmouth, Senator: BRYANT of Oxford.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

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The House recessed until 1:30 p.m.

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(After Recess)

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The House was called to order by the Speaker.

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At this point, the Speaker recognized the Representative from Arundel, Representative DAIGLE, and he was added to the quorum call of the Second Regular Session of the 122nd Legislature.

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**Pursuant to Statute**

**Commission on Governmental Ethics and Election Practices**

Representative PATRICK for the **Commission on Governmental Ethics and Election Practices** pursuant to the Maine Revised Statutes, Title 21-A, section 1124, subsection 3 asks leave to report that the accompanying Bill "An Act To Provide Funding for the Maine Clean Election Fund" (EMERGENCY)

(H.P. 1364) (L.D. 1941)

Be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Divided Report**

Majority Report of the Committee on **UTILITIES AND ENERGY** reporting **Ought Not to Pass** on Bill "An Act Providing for Regulation of the Cable Television Industry by the Public Utilities Commission"

(H.P. 156) (L.D. 205)

Signed:

Senators:

BARTLETT of Cumberland

COWGER of Kennebec

Representatives:

BLISS of South Portland

CURTIS of Madison

BRAUTIGAM of Falmouth

FLETCHER of Winslow

RICHARDSON of Skowhegan

McLEOD of Lee

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-727) on same Bill.

Signed:

Representative:

BABBIDGE of Kennebunk

**READ.**

On motion of Representative BLISS of South Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

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The House recessed until the Sound of the Bell.

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(After Recess)

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The House was called to order by the Speaker.

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The **SPEAKER**: The Chair recognizes the Representative from South Portland, Representative Glynn who wishes to address the House on the record.

Representative **GLYNN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. There was an act of bravery that happened today by a member of the House of Representatives that I wanted to bring to all of your attention and it is a story that I really think should be shared. On the way to session one of our members, our tribal representative from the Passamaquoddy Tribe, Representative Frederick Moore, was driving up to session and was late and all of you should know why he was late. On the way here to Augusta there was a terrible car accident ahead of him by a couple of cars and a gentleman was driving that car and in the accident when he crashed his car actually caught on fire and he was pinned in and trapped. Representative Frederick Moore along with a couple of other brave individuals stopped at great personal danger to themselves and injected themselves into the situation, removed that person from the car and put out the fire. I would like you all to join with me in congratulating a true act of bravery.

The SPEAKER: Some of you might know that Representative Moore is a former police officer and police chief and so I am sure that his training at the Academy was very helpful to him in acting in the way he did.

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The House recessed until 3:30 p.m.

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(After Recess)

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The House was called to order by the Speaker.

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**ENACTORS**  
**Emergency Measure**

An Act To Provide Funding for the Low Income Home Energy Assistance Program

(H.P. 1332) (L.D. 1891)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 136 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate. **ORDERED SENT FORTHWITH.**

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The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Twomey who wishes to address the House on the record.

Representative **TWOMEY**: Oh, talk about drama! Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I will be talking to you from my heart like I always do and I will be talking to you honestly. I, in good conscience, decided to unenroll from this party because I felt that the party had left me. I felt that the party has left the people I represent. I am sick of flat funding departments. I am sick of seeing budget cuts and I am sick of going back home to phone calls from people who are saying, "I am going to loose my home because I can't afford healthcare." I don't agree with the Dirigo Health Plan because it is not single payer. Even though they tell me it is on the way to being that I don't believe it. It is still for profit for Anthem and I think it's just a huge subsidy to Anthem.

I don't agree with a lot of the policies from the second floor, but I have made friends on this side and I want to be upfront right now that there were no deals made. I am going to be upfront and tell you that The Representative from Bar Harbor, Representative Ted Koffman, who I absolutely adore, said that he would be willing to move down from his chair and let me be Chair of Natural Resources so that I could understand what it feels like to be a chair of a committee, if I would sign up again.

You know what, I have never been in this for me. I have never been in this for deals. I haven't been treated very good on this side of the aisle to tell you the truth,, because I have spoken the truth and tried to represent the people who put me in this seat, but I am going to be honest with some of you that I have friends on the other side of the aisle who I respect a great deal also. I don't want you in charge of Natural Resources because you don't have the same thoughts as I do on the environment. And, when I heard that Representative John Piotti would be loosing Chair of Agriculture, I think he is good as Chair of Agriculture. I thought that if I unenrolled I'd get this party's

attention. That is what it took for me because I didn't feel like I belonged – because when I dared to stand in my caucus I would get the eyes rolled and I thought that now at least I have a license and they can say what they want to me to my face. But, at the end of the day, the people who put me in this seat wanted us to be the majority party and I didn't foresee Representative Barbara Merrill changing parties. I don't talk to them. This wasn't a concerted effort. It is just how it shook out. I didn't see, I couldn't have predicted Representative Ray Pineau of Jay having a stroke. You know I didn't foresee this, but there were no deals cut and I didn't say, "If you give me this then I will do that." I didn't pull that card. It was my conscience. I am not going to the Democratic Caucus. I don't want any notes for thanks and congratulations because I still have bitter feelings. I don't agree with what the Chief Executive is doing.

I know what this session is about. It is about giving up tax breaks for the equipment and for the top 20%, the corporations, the people who don't need the help. This is what we are supposed to be here for. That is why people put me in this seat and it hasn't been easy, but at the end of the day I am not going to tell my friends that they can't share power. So, it isn't about me. It isn't about future political things and it isn't about horrible things that they wrote about me when I did unenroll. "Oh, Jo-Ann is a party unto herself." I am true to myself. I can look in the mirror and I like who I am and it doesn't matter what people think, but I can't go back home and say that because I unenrolled it ended up shaking up the whole party.

Boy, how do I get in these messes? I am trying to make a statement and this is from the bottom of my heart. There were no deals made. Let that be known. I won't be a chair of any committee and the things will continue. This is my decision, however it plays out back home. "Boy, this girl is indecisive. One day she is this, one day she's..." I haven't changed my ideals. I haven't changed my fight for the people of Maine. Thank you Mr. Speaker.

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At this point, the Speaker recognized the Representative from Portland, Representative MARLEY, and he was added to the quorum call of the Second Regular Session of the 122nd Legislature.

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

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On motion of Representative CLARK of Millinocket, the House adjourned at 4:56 p.m., until 10:00 a.m., Thursday, January 5, 2006.