

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
4th Legislative Day
Thursday, January 12, 2006

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

Prayer by The Reverend Jacob Fles, Christ Episcopal Church, Gardiner.

National Anthem by Julia Scott, Tenants Harbor.
Pledge of Allegiance.

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

The Journal of Tuesday, January 10, 2006 was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Increase Wheelchair Van Services Reimbursement Rates"

(H.P. 1355) (L.D. 1914)

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in the House on January 4, 2006.

Came from the Senate **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

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

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

REFERRED to the Committee on **JUDICIARY** in the House on January 4, 2006.

Came from the Senate **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE**.

On motion of Representative SIMPSON of Auburn, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 340)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

January 6, 2006

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 Education and Cultural Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 1055 An Act To Require Academic and Community Input into Major Decisions of the University of Maine System

L.D. 1349 An Act To Encourage Neighborhood Schools and To Minimize Sprawl Caused by School Siting

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

Sincerely,

S/Sen. Elizabeth H. Mitchell

Senate Chair

S/Rep. Jacqueline Norton

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 341)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON NATURAL RESOURCES**

January 5, 2006

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 Natural Resources has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 518 An Act To Regulate Lead-smart Renovators and Lead Sampling Technicians

L.D. 1592 An Act Regarding Disposal of Dredged Materials

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

Sincerely,

S/Sen. Scott W. Cowger

Senate Chair

S/Rep. Theodore Koffman

House Chair

READ and ORDERED PLACED ON FILE.

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

SENATE PAPERS

The following Joint Order: (S.P. 754)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 17, 2006, at 4:00 in the afternoon.

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

READ and PASSED in concurrence.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act To Assist Visually Impaired Persons and Persons with Disabilities in Obtaining Information Regarding Current Events"

(H.P. 1376) (L.D. 1964)

Sponsored by Speaker RICHARDSON of Brunswick.

Cosponsored by Representatives: GROSE of Woolwich, WATSON of Bath, WEBSTER of Freeport, Senator: MAYO of Sagadahoc.

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

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.
Sent for concurrence.

**Pursuant to Statute
Department of Education**

Representative NORTON for the **Department of Education** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel, Part I and Part II, a Major Substantive Rule That Has Been Provisionally Adopted by the Department of Education (EMERGENCY)

(H.P. 1375) (L.D. 1963)

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

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

ORDERS

On motion of Representative WHEELER of Kittery, the following House Order: (H.O. 48)

ORDERED, that Representative Robert H. Crosthwaite of Ellsworth be excused Wednesday, January 4th and Thursday, January 5th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Harold Ian Emery of Cutler be excused Tuesday, January 10th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Vaughn A. Stedman of Hartland be excused Wednesday, January 4th and Thursday, January 5th for health reasons.

READ and **PASSED**.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Earle G. Shettleworth, Jr., of Gardiner, on the occasion of the 30th anniversary of his appointment as State Historic Preservation Officer and Director of the Maine Historic Preservation Commission. He is currently the longest-serving state historic preservation officer in the United States. As a teenager, he wrote his first series of historical articles for a Portland newspaper and was also one of the founders of Greater Portland Landmarks, in 1964. A proud native of Portland, he is a graduate of Deering High School and a 1970 honors graduate of Colby College. In 1979, he was awarded an M.A. in New England Studies from Boston University, where he held the first fellowship of the Society for the Preservation of New England Antiquities. Mr. Shettleworth served Maine's Historic Preservation Commission as Architectural Historian from 1973 to 1976 and was appointed director on January 9, 1976. He has been author, editor or contributor for more than 15 books on Maine's historical and cultural history, from his Colby College honors thesis, "The Architecture of Portland, Maine, 1830 to 1870," to his 2003 monograph, "John Calvin Stevens on the Portland Peninsula 1880-1940: A Listing of His Work by Address, Client, and Chronology." Active in civic affairs, he has served as president of the Maine Historical Society, the Capitol Planning

Commission and the New England Chapter of the Society of Architectural Historians. In 2004, he was appointed the 6th official Maine State Historian, the first in the 21st century. We salute Mr. Shettleworth lifelong dedication to the cause of Maine's history and architecture and his 30 years of learning, lecturing, preserving and promoting the history and heritage of Maine, his beloved "Pine Tree State";

(HLS 1577)

Presented by Representative EDER of Portland.

Cosponsored by Representative ADAMS of Portland, Senator MAYO of Sagadahoc, Senator COWGER of Kennebec, Representative HANLEY of Gardiner, Senator STRIMLING of Cumberland, Senator BRENNAN of Cumberland, Representative BRAUTIGAM of Falmouth, Representative MARLEY of Portland, Representative CUMMINGS of Portland, Representative HARLOW of Portland, Representative BRANNIGAN of Portland, Representative DUDLEY of Portland, Senator MITCHELL of Kennebec, Representative DAVIS of Augusta, Representative LERMAN of Augusta, Representative BROWNE of Vassalboro.

On **OBJECTION** of Representative EDER of Portland, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **EDER**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I feel very fortunate to be in a position today to be able to recognize Earl G. Shettleworth Jr. of Gardiner on the occasion of his 30th anniversary as the appointed State Historic Preservation Officer and the Director of the Maine Historic Preservation Commission. Earl is a tireless public servant who has dedicated his entire life to keeping the history of the State of Maine and defending the historic landmarks of the State of Maine.

At the early age of 11 years old Earl began lecturing to Rotarians and other groups about architecture in Portland. He was a founding member of the historic preservation movement in Maine. In addition Earl now sits as the acting historian of the State of Maine, a job for which he receives the tidy sum of \$300 annually. Earl is a tireless public servant that you can see by the extent of this sentiment, which cannot contain all of the work that Earl Shettleworth has done in this state for historic preservation.

To say that he is a tireless public servant is not enough. If you didn't know Earl well, to hear that he is the longest serving state historic preservation director in the country and to hear that he is the Maine State Historian you might think that this was some sort of a curmudgeon of a person who goes around clearing his throat in disapproval, "Hmmm, hmmm," all the time, but in fact he is a man of great generous spirit who gives generously of his knowledge to anyone who would ask and he has also been a great mentor to young people so that we can pass down the great historic knowledge that he has. So, I am very, very honored today to call Earl a friend and to recognize him here today in this way. I am humbled and I ask you to join me in recognizing his dedicated years of service.

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

Representative **BRANNIGAN**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Certainly Earl Shettleworth deserves all of this credit, but one of the major awards that is left out of here was that in 2004 he received the Shalom House Hope Award. We are very proud to know that Earl not only cares about buildings, but he cares about people and especially people in buildings. He has done a great deal for the handicapped people of our state, people with various

handicaps, and especially in the area of housing. So, he is a great guy and deserves it all. Thank you.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

Recognizing:

Morris Yachts, of Trenton, for receiving the prestigious *Cruising World* 2006 Boat of the Year Award. *Cruising World* magazine announced the best in boatbuilding for 2006 with its 12th annual Boat of the Year Awards. Morris Yachts' Morris 42 was named the Domestic Cruising Boat of the Year. Of the 6 American boats nominated, the Morris 42 was universally praised by the judges as the best America has to offer in quality craftsmanship. Morris Yachts, a family-owned business, has been in semi-custom yacht production for 30 years, and has worked hard to become the benchmark of quality for yachtsmen around the world, becoming a complete yacht service organization. We extend our congratulations to Morris Yachts on this award;

(HLS 1584)

Presented by Representative CROSTHWAITE of Ellsworth.

Cosponsored by Senator DAMON of Hancock.

On **OBJECTION** of Representative CROSTHWAITE of Ellsworth, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

In Memory Of:

Bryce Muir, of Bowdoinham, a prominent and prolific artist who specialized in animated wooden portraits, mythic sculptures, local paintings and thematic lawn ornaments, such as his Alice in Wonderland croquet set. He published 2 books: *Local Myths* and *Lawn Wars*. Bryce was also an avid outdoorsman and music lover who built his own wooden sailboat and played in the local "Blues Buzzards" band. He was born in Hartford, Connecticut, on July 23, 1946 and grew up in East Patterson and Glen Rock, New Jersey. He spent his summers in Owl's Head, Maine. On May 20, 1969 he married Margaret Ramsay Rosten on a terrace in Manhattan in New York City. The couple resided in Providence, Rhode Island, where he earned the nickname "Bryce the Toymaker" while selling wooden toys and whimsical pieces of his own craftsmanship on local street corners. Soon, the couple moved to Iles-de-la-Madeleine, Quebec, Canada, where Bryce worked as a fisherman to support his art and writing. In 1974 they moved to Newfoundland, Canada, where he continued making toys for his art, and also for his new son, Seth Leo Muir. While in Canada, his writing appeared in *Whole Earth* magazine and *The New York Times*. Bryce moved his family to Maine in 1977, spending 7 years in Jonesport writing and fishing before settling in Bowdoinham for the last 21 years. He was deeply involved in Maine's art community, and he showed his art at the Maine Festival for 15 years. He also wrote for *Maine Fisherman*, edited the Union of Maine Visual Artists newsletter and reviewed art for the *Maine Times*. His life and work were featured on public television's "Made in Maine" and in *Down East* magazine. Bryce opened Gallery Muir in Bath, which celebrated his work and the work of local artists from 2004 to 2005. He will be deeply missed and fondly remembered by his loving wife Peggy, his family, his friends and community.

(HLS 1585)

Presented by Representative HUTTON of Bowdoinham.

Cosponsored by Senator MAYO of Sagadahoc, Representative BISHOP of Boothbay, Representative CROSBY of Topsham, Representative GROSE of Woolwich, Representative PERCY of Phippsburg, Representative WATSON of Bath, Representative WEBSTER of Freeport.

On **OBJECTION** of Representative HUTTON of Bowdoinham, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Hutton.

Representative **HUTTON**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I will try to get through this without crying, but I don't think it will happen.

I have struggled over the past few weeks to find words to honor the depth and the breadth of a very special person from my community. Bryce Muir was a true self-taught artist, a sculptor, a painter, a writer, a photographer, a musician and a toymaker. "Bryce the Toymaker," he was named. He was husband to Peggy and father to Seth. He was a fisherman and an environmentalist and a member of the Friends of Merrymeeting Bay and a great contributor to the newsletter. He indeed was a true renaissance man. Ed Freidman, who is a member of the Friends of Merrymeeting Bay said in an email, "Very few knew the bay like Bryce did, as he enjoyed it in all seasons, by sail or on skates or skis. Reflected in his sculpture, paintings and writings he brought feelings and impressions of this very special place into so many of our homes, hearts and minds."

Bryce Lee Muir died on December 14, 2005, he drowned after falling through the ice while skating on the Cathance River and we now know that Bryce must have fallen and hit his head, which cracked the ice and knocked him out, which is a bit of solace for his friends and his family and our community to know that he did not struggle. But, bewilderment was the reaction of our community. How could Bryce, who knew this river so well, go out on thin ice? Bryce lived on this river and he was the first to put his handmade scow, Millennium Toad, in the river and the last to take it out.

Trying to measure the impact of a life is hard enough with any person, but with a person as unique as Bryce the measure is impossible. He touched every person in our community. He shared his art with the world. It was impossible to drive down Bay Road without smiling at the lawn art in front of Bryce and Peggy's house. From Bryce's sculpture of Wyeth's Christina crawling across the yard, to a huge flock of robins in the spring and then, of course, a huge, huge sculpture of everyone's favorite insect, the tic or a moose sculpture dressed as a hunter holding a bow and arrow. One never knew what would appear next, but it was sure to make one smile. One business, Banana Banners, has Bryce's two story high Banana on the side of the building. It now has a black armband with Bryce's name and rainbow colors.

Bryce's life celebration was a testimony to how generous a spirit he was. Three days after his death people from all over Maine and the country, within three days, arrived at an overflowing Bowdoinham Town Hall to honor him. Story after story of how Bryce had given of himself to others lasted for hours. Our town manager said to me, "Deb, I called Bryce to get his opinions, of which Bryce had many, but he was more than that. I lost a friend." I am sure that she felt as we all did that a smart, generous gentleman had passed away and we will all miss him. Bryce's artwork captured the spiritual nature of our world, as well as the whimsy. I would like to give you a quote from Bryce's website that he wrote awhile back, "One thing art does for me is that it takes me out of myself, or more deeply into myself, or both."

Either way the art experience transcends my individual here and now. Nature and other Phenom can do that too of course, but there is nothing like a good moonrise to help you forget the daily news or the excitement of a crowd that can put pay to your private dues. But the transcending effect of experiencing a made work, someone's creation, has the extra charge of a personal sharing, sharing a gift. When a piece of artwork moves me beyond myself or deeper into myself that is a gift from you to me and the perception of it is a gift in return."

The family has brought a few of his works to the State House, a gift for all of those who work and visit here to enjoy. Wooden masks and two of his watercolors are hanging in the Speaker's Office along with a wonderful Elvis Presley toy and a sculpture of Johnny Appleseed. In the welcome Center the case is filled with his toys and portrait sculptures. Also, one of Bryce's books is in the office and you have a snippet on a piece of paper of one of his stories. Please go and see them and smile and give a bit of thanks that Bryce Muir lived in our state. Thank you.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Webster.

Representative WEBSTER: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. The people of Freeport have a special place in their heart for Bryce and Peggy Muir. Peggy of course is a well-loved Freeport teacher and art advocate for Freeport and the State of Maine. Peg and Bryce together have been a force, which has infused young people and their families with a love of and passion for the arts and living a full and good life. Bryce Muir's artwork hangs in Freeport High School because of his and Peg's generosity and the appreciation of Tom Edwards and others, and that is good, for his work is transfixing and captures you and your imagination, and that imagination is exactly what our schools should radiate.

What is particularly worthy of mention is how Bryce and Peggy have engaged and involved young people. During the important time of Gallery Muir, students were invited to studio sessions in which artists and students would work together side by side. They would develop and grow their skills. Young people would exhibit talent and develop self-confidence and that is typical of how they included students in the effervescence of their everyday lives. Students and families look forward to the return of one of our favorite teachers. I am asked to wish her well and remind her of our high regard for Bryce.

The SPEAKER: The Chair recognizes the Representative from Phippsburg, Representative Percy.

Representative PERCY: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. One of Bryce's beloved best friends, and there were many, many in the Mid-coast area and the state actually, is a gentleman named Gary Lawless. Gary Lawless owns the Gulf of Maine Bookstore in Brunswick, which is an institution in itself and actually, when you go into the bookstore, Bryce has created an incredible puppet of Beth riding on a dolphin, reading a book. Gary has written a poem for Bryce and Deb has asked me to read this for you. "Skates flashing in the bright light, moving toward a darker night on a day of eagles. No one sees you fall, as you travel far beyond us toward the mouth of the river, toward the sea. You have seen the face of the river goddess. You are one of her favorites and now she is glad to see you. You can never go home, never come back to us, all moving down river toward the sea."

Subsequently, the Sentiment was ADOPTED and sent for concurrence.

REPORTS OF COMMITTEE

**Refer to the Committee on Judiciary
Pursuant to Joint Order**

Representative SIMPSON for the **Joint Standing Committee on Judiciary** on Bill "An Act To Ensure Foster Parents Have Access to the Appeal and Fair Hearing Process"

(H.P. 1374) (L.D. 1962)

Reporting that it be REFERRED to the Committee on JUDICIARY pursuant to Joint Order 2005, H.P. 1179.

Report was READ and ACCEPTED and the Bill REFERRED to the Committee on JUDICIARY.

Sent for concurrence.

Change of Committee

Representative MARLEY from the Committee on TRANSPORTATION on Bill "An Act To Safeguard Maine's Highways"

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

Reporting that it be REFERRED to the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY.

Report was READ and ACCEPTED and the Bill REFERRED to the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY.

Sent for concurrence.

CONSENT CALENDAR

Second Day

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

(S.P. 405) (L.D. 1177) Bill "An Act To Limit the Early Release of Persons Convicted of Certain Crimes" (C. "A" S-428)

(H.P. 1149) (L.D. 1631) Resolve, Requiring the State To Reimburse Providers for Costs Incurred Due to MaineCare Reimbursement Delays (C. "A" H-731)

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

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

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

BILLS HELD

Bill "An Act To Establish a Development Authority for Brunswick Naval Air Station" (EMERGENCY)

(H.P. 1371) (L.D. 1957)

- In House, REFERRED to the Committee on BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT. HELD at the Request of Speaker RICHARDSON of Brunswick.

Representative RICHARDSON of Brunswick moved that the House RECONSIDER its action whereby the Bill was REFERRED to the Committee on BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT.

On further motion of the same Representative, TABLED pending his motion to RECONSIDER whereby the Bill was REFERRED to the Committee on BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT and later today assigned.

The House recessed until 12:30 p.m.

(After Recess)

The House was called to order by the Speaker.

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

ORDERS

On motion of Representative MOORE of the Passamaquoddy Tribe, the following Joint Order: (H.P. 1377)

ORDERED, the Senate concurring, that the Joint Standing Committee on Legal and Veterans Affairs shall report out, to the House, a bill authorizing a referendum to authorize a tribal commercial track and slot machines in Washington County.

READ and PASSED.

On motion of Representative CLOUGH of Scarborough the House **RECONSIDERED** its action whereby the Joint Order was **PASSED**.

The same Representative **REQUESTED** a roll call on **PASSAGE**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Arundel, Representative Daigle.

Representative **DAIGLE**: Mr. Speaker, point of order.

The **SPEAKER**: The Representative may proceed.

Representative **DAIGLE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The subject of this Joint Order, the bill that it proposes, has been taken up twice before by this legislative body, the concept being a racino in Washington County with variations upon how the vote will be taken. It has twice been vetoed by the Chief Executive. If we pass this joint order and an initial bill is presented to the committee are they in any way restricted in how they choose to work and to potentially amend this bill? For a particular example, would they be unable to put out a bill with exactly the same requirements as has been previously vetoed without it being considered improperly before the body.

Representative **DAIGLE** of Arundel asked the chair to rule if the Joint Order was properly before the body.

The **SPEAKER**: The Chair will answer that that is a difficult answer at this. The first question that needs to be answered is what form this particular piece of legislation will take in Legal and Vets. That then helps us answer the second question, which you pose. So, if I understand the question, and the question is: Is this supplement number 3 properly before us? The answer is yes because it is different and can potentially be different from that which has come before us for consideration. However, if at the time this bill comes back to us and there is no difference then I think your question and motion would then be in order. I hope that that answers the question of the Representative from Arundel, Representative Daigle.

Subsequently, the Chair **RULED** the Joint Order was **PROPERLY** before the body.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Passage. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 355

YEA - Annis, Ash, Austin, Barstow, Beaudette, Berube, Bierman, Blanchard, Bliss, Bowles, Brannigan, Brown R, Browne W, Bryant-Deschenes, Cain, Campbell, Canavan,

Churchill, Clark, Craven, Cressey, Cummings, Davis K, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Duprey, Eberle, Eder, Edgcomb, Emery, Farrington, Fischer, Fitts, Fletcher, Gerzofsky, Goldman, Grose, Hall, Hanley B, Harlow, Hotham, Hutton, Jackson, Jacobsen, Jodrey, Joy, Kaelin, Koffman, Lerman, Lindell, Lundeen, Makas, Marean, Marley, Marraché, McCormick, McFadden, McLeod, Merrill, Miller, Millett, Moore G, Muse, Nass, Norton, Nutting, O'Brien, Paradis, Patrick, Percy, Perry, Pingree, Pinkham, Piotti, Richardson D, Richardson E, Richardson M, Robinson, Rosen, Sampson, Saviello, Schatz, Sherman, Simpson, Smith N, Smith W, Sykes, Tardy, Thompson, Tuttle, Vaughan, Walcott, Watson, Mr. Speaker.

NAY - Adams, Bishop, Bowen, Brautigam, Burns, Carr, Cebra, Clough, Collins, Crosby, Crosthwaite, Curley, Curtis, Daigle, Davis G, Finch, Flood, Glynn, Hamper, Hanley S, Hogan, Lansley, Lewin, Mazurek, McKane, McKenney, Mills, Moody, Moulton, Ott, Pilon, Plummer, Rector, Richardson W, Seavey, Shields, Stedman, Thomas, Trahan, Twomey, Valentino, Webster, Wheeler, Woodbury.

ABSENT - Babbidge, Blanchette, Bryant, Faircloth, Fisher, Greeley, Jennings, Pineau, Rines.

Yes, 98; No, 44; Absent, 9; Excused, 0.

98 having voted in the affirmative and 44 voted in the negative, with 9 being absent, and accordingly the Joint Order was **PASSED**. Sent for concurrence.

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

Pursuant to his authority under House Rule 201.1(I), the Chair made the following changes in appointments to the Committees of the 122nd Maine Legislature:

The appointment of Representative **BLANCHETTE** of Bangor to the Joint Standing Committee on **LEGAL AND VETERANS AFFAIRS** was rescinded.

Representative **NASS** of Acton was appointed to the Joint Standing Committee on **LEGAL AND VETERANS AFFAIRS**, replacing Representative **BLANCHETTE** of Bangor.

The appointment of Representative **PINEAU** of Jay to the Joint Standing Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** was rescinded.

Representative **EDGEComb** of Caribou was appointed to the Joint Standing Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, replacing Representative **PINEAU** of Jay.

The appointment of Representative **SAMPSON** of Auburn to the Joint Standing Committee on **STATE AND LOCAL GOVERNMENT** was rescinded.

Representative **BROWNE** of Vassalboro was appointed to the Joint Standing Committee on **STATE AND LOCAL GOVERNMENT**, replacing Representative **SAMPSON** of Auburn.

The appointment of Representative **WHEELER** of Kittery to the Joint Standing Committee on **INLAND FISHERIES AND WILDLIFE** was temporarily rescinded.

Representative **SAVIELLO** of Wilton was temporarily appointed to the Joint Standing Committee on **INLAND FISHERIES AND WILDLIFE**, replacing Representative **WHEELER** of Kittery.

The appointment of Representative **BRYANT** of Windham to the Joint Standing Committee on **INLAND FISHERIES AND WILDLIFE** was rescinded.

Representative **SYKES** of Harrison was appointed to the Joint Standing Committee on **INLAND FISHERIES AND WILDLIFE**, replacing Representative **BRYANT** of Windham.

The appointment of Representative SAVIELLO of Wilton to the Joint Standing Committee on **NATURAL RESOURCES** was temporarily rescinded.

Representative WHEELER of Kittery was temporarily appointed to the Joint Standing Committee on **NATURAL RESOURCES**, replacing Representative SAVIELLO of Wilton.

On motion of Representative HUTTON of Bowdoinham, the House adjourned at 1:08 p.m., until 4:00 p.m., Tuesday, January 17, 2006 pursuant to the Joint Order (S.P. 754) and in honor and lasting tribute to Bryce Muir, of Bowdoinham.