

# 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  
5th Legislative Day  
Tuesday, January 17, 2006

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

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

National Anthem by Tess Collins, Caribou.

Pledge of Allegiance.

The Journal of Thursday, January 12, 2006 was read and approved.

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**COMMUNICATIONS**

The Following Communication: (H.C. 342)

**STATE OF MAINE  
122ND MAINE LEGISLATURE**

January 5, 2006

Honorable John E. Baldacci

Governor of Maine

1 State House Station

Augusta, ME 04333

Dear Governor Baldacci:

We are pleased to invite you to deliver the State of the State address at a Joint Session of the 122nd Maine Legislature on Tuesday, January 17, 2006 at 7:00 p.m.

We look forward to seeing you then.

Sincerely,

S/Beth Edmonds

President of the Senate

S/John Richardson

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 343)

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333**

January 10, 2006

The Honorable Beth G. Edmonds

President of the Senate

Augusta, Maine 04333

The Honorable John Richardson

Speaker of the House

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

I am pleased to accept your invitation to deliver the State of the State Address at a Joint Session of the 122nd Maine Legislature on Tuesday, January 17, 2006, at 7:00 p.m.

Sincerely,

S/John E. Baldacci

Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 344)

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

January 12, 2006

Honorable Millicent M. MacFarland

Clerk of the House

122nd Legislature

Augusta, Maine 04333

Dear Clerk MacFarland:

Please be advised that pursuant to my authority under House Rule 201.1 (I), I have made the following changes to 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.

Sincerely,

S/John Richardson

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 345)

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

January 12, 2006

Honorable Millicent M. MacFarland

Clerk of the House

#2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Executive Order 32, FY 04/05, I have appointed Representative Boyd P. Marley of Portland and Representative Ronald F. Collins of Wells to the Task Force on Passenger Rail Funding.

Should you have any questions regarding these appointments, please do not hesitate to contact me.

Sincerely,  
S/John Richardson  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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**REPORTS OF COMMITTEE**

**Change of Committee**

Representative BARSTOW from the Committee on **STATE AND LOCAL GOVERNMENT** on 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)

Reporting that it be **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **UTILITIES AND ENERGY**.

Sent for concurrence.

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**Divided Report**

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-732)** on Bill "An Act Regarding Occupational Safety and Health Training for Workers on State-funded Construction Projects"

(H.P. 1146) (L.D. 1628)

Signed:

Senators:

BARTLETT of Cumberland  
STRIMLING of Cumberland

Representatives:

TUTTLE of Sanford  
CLARK of Millinocket  
SMITH of Van Buren  
DRISCOLL of Westbrook  
HUTTON of Bowdoinham

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

SNOWE-MELLO of Androscoggin

Representatives:

HAMPER of Oxford  
CRESSEY of Cornish  
HALL of Holden  
DUPREY of Hampden

**READ.**

Representative SMITH of Van Buren moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

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**ENACTORS**

**Acts**

An Act To Limit the Early Release of Persons Convicted of Certain Crimes

(S.P. 405) (L.D. 1177)

(C. "A" S-428)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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The **SPEAKER**: As you know, today Governor Francis was laid to rest in the Eastport area. I had the opportunity to attend the funeral, as did members of leadership from both the Republican and Democratic side of the aisle. It was a very touching and very loving tribute to Governor Francis. He obviously had many friends and had done many great works on behalf of others and his life, the summation of what was said about him, speaks volumes of the kind of people that we have here in the hall of the House. His life was largely made up of acts for others and most of what he did in his life was for someone else in need. Today, as we adjourn I would like everyone to reflect on that, because there is no greater tribute, especially watching and witnessing his funeral, in terms of what people said about him. What they will remember him for is what he did for his fellow men and women, both in the Tribe and in Washington County.

He had a very large family, made up primarily of foster children. He was a person who brought in kids who were coming from broken homes. The kids have made the best of their lives in large measure because of himself and his wife. In honor of what he meant to so many people in Washington County, the Chair understands that the Representative from Portland, Representative Cummings – at the request of the Representative from Calais, Representative Perry – moves that the House stand adjourned until Wednesday, January 18, 2006 at ten o'clock in the morning, in honor and lasting tribute to the memory of Tribal Governor Melvin Francis of the Passamaquoddy Tribe.

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On motion of Representative CUMMINGS of Portland, at the request of the Representative from Calais, Representative PERRY, the House adjourned at 4:39 p.m., until 10:00 a.m., Wednesday, January 18, 2006 in honor and lasting tribute to "Chief" Governor Melvin Francis of the Passamaquoddy Tribe.