

MAINE STATE LEGISLATURE

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

Volume II

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ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
SECOND REGULAR SESSION
7th Legislative Day
Thursday, January 19, 2006

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

Prayer by Reverend Robert G. Harris, Jr., Farmingdale (retired).

National Anthem by Honorable Leila J. Percy, Phippsburg.
Pledge of Allegiance.

Doctor of the day, Jo Linder, M.D., Falmouth.

The Journal of yesterday was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 348)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

January 10, 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 Appropriations and Financial Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 149 An Act To Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for the Fractionation Development Center
- L.D. 170 An Act To Provide Funding for a Veterans' Cemetery in Springvale
- L.D. 274 An Act To Raise the University of Maine System Debt Ceiling
- L.D. 404 An Act To Ensure the State's Continued Commitment to Former Students Who Were Physically or Sexually Abused at the Governor Baxter School for the Deaf or the Maine School for the Deaf
- L.D. 586 An Act To Authorize a General Bond Issue To Improve the Quality and Safety of Teaching and Science Laboratories
- L.D. 669 An Act To Authorize a General Fund Bond Issue To Provide Infrastructure for Expanded Treatment Capacity for Alcoholism and Addiction in a Therapeutic Community Model
- L.D. 755 An Act To Authorize a General Fund Bond Issue for Fort Knox
- L.D. 787 An Act To Authorize a General Fund Bond Issue for the Enhanced Development of Public Geographic Information
- L.D. 794 An Act To Authorize a General Fund Bond Issue To Allow Municipalities To Purchase Fishing Rights and Equipment
- L.D. 819 An Act To Authorize a General Fund Bond Issue To Expand Maine's Ocean-based Economy
- L.D. 969 An Act To Authorize a General Fund Bond Issue To Provide Funds To Support Economic Development

L.D. 971 An Act To Authorize a General Fund Bond Issue for Shared-use Trails

L.D. 1000 An Act Authorizing a General Fund Bond Issue for Wastewater Treatment Systems for Fish Hatcheries

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

Sincerely,

S/Sen. Margaret Rotundo

Senate Chair

S/Rep. Joseph C. Brannigan

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 347)

STATE OF MAINE

**DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
BUREAU OF FINANCIAL INSTITUTIONS
36 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0036**

January 13, 2006

The Honorable Beth Edmonds

President of the Senate

3 State House Station

Augusta, Maine 04333

The Honorable John Richardson

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear President Edmonds and Speaker Richardson:

In accordance with Title 9-B MRSA subsection 217, as amended, enclosed please find a copy of the "Annual Report from the Superintendent of the Bureau of Financial Institutions to the Legislature." In addition to the annual statistical information, the Report also includes informational segments which often address issues of current importance to the Legislature, the Executive Branch, and the Maine financial institution community.

If you or your staff have any questions regarding the information contained in this Report, the Bureau would be pleased to respond. This Report will also be available in electronic format on the Bureau of Financial Institution's web site at MaineBankingReg.org.

Very truly yours,

S/Lloyd P. LaFountain III

Superintendent

READ and with accompanying papers ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007" (EMERGENCY)

(H.P. 1378) (L.D. 1968)

Sponsored by Representative BRANNIGAN of Portland.
(GOVERNOR'S BILL)

Cosponsored by Senator ROTUNDO of Androscoggin.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent for concurrence.

Pursuant to Statute

Maine Fire Protection Services Commission

Representative BLANCHETTE for the **Maine Fire Protection Services Commission** pursuant to the Maine Revised Statutes, Title 5, section 3371 asks leave to report that the accompanying Resolve, To Evaluate the Public Safety Answering Points for the State of Maine (EMERGENCY)

(H.P. 1379) (L.D. 1969)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **UTILITIES AND ENERGY** 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. 49)

ORDERED, that Representative Patricia A. Blanchette of Bangor be excused Thursday, January 12th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Joan Bryant-Deschenes of Turner be excused Tuesday, January 10th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Harold Ian Emery of Cutler be excused Tuesday, January 17th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Arthur L. Lerman of Augusta be excused Thursday, January 5th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Howard E. McFadden of Dennysville be excused Tuesday, January 17th for legislative business.

AND BE IT FURTHER ORDERED, that Representative Raymond G. Pineau of Jay be excused Wednesday, January 4th, Thursday, January 5th and Tuesday, January 10th for health reasons.

AND BE IT FURTHER ORDERED, that Representative John F. Piotti of Unity be excused Thursday, January 5th for legislative business.

AND BE IT FURTHER ORDERED, that Representative Roger L. Sherman of Hodgdon be excused Tuesday, January 10th for health reasons.

READ and PASSED.

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

CONSENT CALENDAR

Second Day

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

(S.P. 389) (L.D. 1127) Resolve, To Establish a Pilot Project To Assist Towns Interested in Multitown Cooperation and Governance (C. "A" S-434)

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.

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

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

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

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

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

TABLED - January 12, 2006 (Till Later Today) by Representative SIMPSON of Auburn.

PENDING - FURTHER CONSIDERATION.

The House voted to **INSIST.**

Expression of Legislative Sentiment Recognizing Morris Yachts, of Trenton

(HLS 1584)

TABLED - January 12, 2006 (Till Later Today) by Representative CROSTHWAITE of Ellsworth.

PENDING - PASSAGE.

The **SPEAKER**: The Chair recognizes the Representative from Ellsworth, Representative Crosthwaite.

Representative **CROSTHWAITE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Last summer the new owner of a Morris built Yacht, Kevin Clancy, said that Morris Yachts builds the best looking and the best performing sailboats in the world. As it turns out the judges for this years Cruising World's Boat of the Year Contest, who named Morris 42 their 2006 domestic cruising boat of the year feel exactly the same way. "Absolutely awesome!" said one of the five judges who surveyed and sailed the 26 nominees in this year's field, "What sailing should be. I think it's the best America has to offer with the quality of craftsmanship. It takes you back to the art."

These guys are artists. The competition began with a field of 42 boats that were introduced to the American Market between 2004 and 2005. Cruising World editors Herb McCormack and Tim Murphy, assisted by Ralph Nirango, a world cruiser who oversees the sailing program at the US Naval Academy, whittled the field down to 26, 20 of which were imports. Editor McCormack said, "This years final round of 26 nominees was exemplary, as strong an overall fleet as we have seen in the dozen years that we have been conducting our annual contests."

The 26 nominated votes were inspected and sailed by independent judges. Judges toured the boats at the US Sailboat Show in Annapolis, Maryland and sailed them on the Chesapeake Bay for four days in October. After comparing notes the judges selected Morris 42 as the Domestic Cruising Boat of the Year. It's the third time that Morris has earned this recognition. The Morris 40 was named Cruising World's Boat of the Year in 1995 and the Morris 34 was selected in 1997.

The judges put each of the 26 boats through their paces - series of motoring and maneuvering tests, recording noise levels below deck and in the corresponding motoring speeds under both cruising and maximum revolutions per minute, tested the anchoring system before inspecting the rig, accommodations and

overall layout. Each judge also took a turn at the helm. It was the wholeness of the package. Mr. Cuyler Morris, Company President said, "The quality of construction, the classic look, the heritage of the boat, where it is from, where it is built, are all things that people that sail boats can relate to. It is the best of the best and it comes from the place that builds the best boats – which is Maine – and it is good for Maine as well."

The actual legislative sentiment, Mr. Speaker, appeared on the January 12th journal and was so well read by the Clerk this morning. Mr. Speaker and Ladies and Gentlemen of the House, this is a proud moment for Hancock County, for the State of Maine and for the United States. I appreciate the Chambers indulgence and I thank you very much Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bar Harbor, Representative Koffman.

Representative KOFFMAN: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I want to thank the good Representative from Ellsworth, Representative Crosthwaite, for introducing this sentiment. Often in this chamber we speak with pride about Maine's work ethic and its workmanship. When it comes to boat building we sometimes refer to Bath Iron Works or Kittery and it is true that Morris Yachts doesn't build ships quite of that size, but their workmanship is just as superior. They exemplify the highest quality workmanship in Maine and, in fact, as we have heard from Representative Crosthwaite, they are recognized around the world for some of the finest boats built and they have done this in two generations. They have accomplished this. I want to say something as well about the Morris family, who have been such a wonderfully and deeply committed family to the communities of Mt. Dessert Island and for a business that supports a first rate work force. They have built a world-renowned business that demonstrates what hard work and innovation can do in the state of Maine. We know that that is the case and we thank them for doing such a fine job. Thank you Mr. Speaker.

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

SENATE PAPERS

The following Joint Order: (S.P. 758)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 24, 2006, at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

Bill "An Act To Support Fishing Derbies" (EMERGENCY)

(S.P. 757) (L.D. 1967)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

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

On motion of Representative NASS of Acton, the House adjourned at 10:45 a.m., until 10:00 a.m., Tuesday, January 24, 2006 pursuant to the Joint Order (S.P. 758).