

MAINE STATE LEGISLATURE

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One Hundred and Twenty-Second Legislature
State of Maine

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ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
SECOND REGULAR SESSION
10th Legislative Day
Thursday, January 26, 2006

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

Prayer by Reverend Elizabeth J. Bachelder Smith, Highland Avenue United Methodist Church, Gardiner.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 353)

STATE OF MAINE

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

January 23, 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 Insurance and Financial Services has voted unanimously to report the following bill out "Ought Not to Pass":

L.D. 1801 An Act To Amend the Maine Insurance Guaranty Association Act

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

Sincerely,

S/Sen. Nancy B. Sullivan

Senate Chair

S/Rep. Anne C. Perry

House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 354)

STATE OF MAINE

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

January 23, 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 bill out "Ought Not to Pass":

L.D. 1327 An Act To Prohibit the Use of Mercury Fillings

We have also notified the sponsor and cosponsors 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.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act To Allow the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf To Lease Classroom Space to Independent Schools" (EMERGENCY)

(H.P. 1386) (L.D. 1979)

Sponsored by Representative CUMMINGS of Portland.

Cosponsored by Senator MITCHELL of Kennebec and Representatives: BRAUTIGAM of Falmouth, CAIN of Orono, DAVIS of Falmouth, HARLOW of Portland, NORTON of Bangor, Senator: TURNER of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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.

Resolve, To Provide Influenza Immunization Agents to All Health Care Facilities in the State (EMERGENCY)

(H.P. 1387) (L.D. 1980)

Sponsored by Representative MARRACHÉ of Waterville.

Cosponsored by Representatives: BURNS of Berwick, DRISCOLL of Westbrook, MILLER of Somerville, PERRY of Calais, PINGREE of North Haven, SHIELDS of Auburn, WEBSTER of Freeport, Senator: President EDMONDS of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Resolve, Directing the Department of Health and Human Services To Develop a Model for Community-based Therapeutic Living Settings for Adults with Mental Illness

(H.P. 1390) (L.D. 1983)

Sponsored by Representative BURNS of Berwick.

Cosponsored by Senator MAYO of Sagadahoc and Representatives: LERMAN of Augusta, MARLEY of Portland, PINGREE of North Haven, WALCOTT of Lewiston, WHEELER of Kittery, Senators: BRENNAN of Cumberland, NUTTING of Androscoggin, SULLIVAN of York.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Pursuant to Statute

Maine Health Data Organization

Representative PINGREE for the **Maine Health Data Organization** 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 270: Uniform Reporting System for Health Care Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

(H.P. 1389) (L.D. 1982)

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Department of Environmental Protection

Representative **KOFFMAN** for the **Department of Environmental Protection** 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 335: Significant Wildlife Habitat, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 1388) (L.D. 1981)

Be **REFERRED** to the Committee on **NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **NATURAL RESOURCES** 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. 50)

ORDERED, that Representative Christopher R. Barstow of Gorham be excused Tuesday, January 17th for legislative business.

AND BE IT FURTHER ORDERED, that Representative Patricia A. Blanchette of Bangor be excused Tuesday, January 10th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Joan Bryant-Deschenes of Turner be excused Tuesday, January 17th and Thursday, January 19th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Randy E. Hotham of Dixfield be excused Tuesday, January 17th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Raymond G. Pineau of Jay be excused Tuesday, January 17th for health reasons.

AND BE IT FURTHER ORDERED, that Representative Douglas A. Thomas of Ripley be excused Tuesday, January 17th for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Linda M. Valentino of Saco be excused Tuesday, January 17th for legislative business.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

In Memory of:

Melvin Francis, Tribal Governor of the Passamaquoddy Indians at Pleasant Point and prominent citizen of the State of Maine. Governor Francis lived most of his life on the reservation. He was in his last year of his 4-year term and he had served previously for two 2-year terms. We join the citizens in the State of Maine in acknowledging his exemplary public service to the Passamaquoddy Indians. He will be deeply missed and fondly remembered by his family, his friends and his tribe;

Presented by Representative **MOORE** of Standish.

Cosponsored by Representative **MOORE** of the Passamaquoddy Tribe, Representative **SOCKALEXIS** of the Penobscot Nation, Representative **ADAMS** of Portland, Senator **ANDREWS** of York, Representative **ANNIS** of Dover-Foxcroft, Representative **ASH** of Belfast, Representative **AUSTIN** of Gray, Representative **BABBIDGE** of Kennebunk, Representative **BARSTOW** of Gorham, Senator **BARTLETT** of Cumberland, Representative **BEAUDETTE** of Biddeford, Representative **BERUBE** of Lisbon, Representative **BIERMAN** of Sorrento, Representative **BISHOP** of Boothbay, Representative **BLANCHARD** of Old Town, Representative **BLANCHETTE** of Bangor, Representative **BLISS** of South Portland, Representative **BOWEN** of Rockport, Representative **BOWLES** of Sanford, Representative **BRANNIGAN** of Portland, Representative **BRAUTIGAM** of Falmouth, Senator **BRENNAN** of Cumberland, Senator **BROMLEY** of Cumberland, Representative **BROWN** of South Berwick, Representative **BROWNE** of Vassalboro, Senator **BRYANT** of Oxford, Representative **BRYANT** of Windham, Representative **BRYANT-DESCHENES** of Turner, Representative **BURNS** of Berwick, Representative **CAIN** of Orono, Representative **CAMPBELL** of Newfield, Representative **CANAVAN** of Waterville, Representative **CARR** of Lincoln, Representative **CEBRA** of Naples, Representative **CHURCHILL** of Washburn, Representative **CLARK** of Millinocket, Representative **CLOUGH** of Scarborough, Senator **CLUKEY** of Aroostook, Representative **COLLINS** of Wells, Senator **COURTNEY** of York, Senator **COWGER** of Kennebec, Representative **CRAVEN** of Lewiston, Representative **CRESSEY** of Cornish, Representative **CROSBY** of Topsham, Representative **CROSTHWAITE** of Ellsworth, Representative **CUMMINGS** of Portland, Representative **CURLEY** of Scarborough, Representative **CURTIS** of Madison, Representative **DAIGLE** of Arundel, Senator **DAMON** of Hancock, Representative **DAVIS** of Falmouth, Representative **DAVIS** of Augusta, Senator **DAVIS** of Piscataquis, Senator **DIAMOND** of Cumberland, Senator **DOW** of Lincoln, Representative **DRISCOLL** of Westbrook, Representative **DUCHESNE** of Hudson, Representative **DUDLEY** of Portland, Representative **DUGAY** of Cherryfield, Representative **DUNN** of Bangor, Representative **DUPLESSIE** of Westbrook, Representative **DUPREY** of Hampden, Representative **EBERLE** of South Portland, Representative **EDER** of Portland, Representative **EDGECOMB** of Caribou, President **EDMONDS** of Cumberland, Representative **EMERY** of Cutler, Representative **FAIRCLOTH** of Bangor, Representative **FARRINGTON** of Gorham, Representative **FINCH** of Fairfield, Representative **FISCHER** of Presque Isle, Representative **FISHER** of Brewer, Representative **FITTS** of Pittsfield, Representative **FLETCHER** of Winslow, Representative **FLOOD** of Winthrop, Senator **GAGNON** of Kennebec, Representative **GERZOFKY** of Brunswick, Representative **GLYNN** of South Portland, Representative **GOLDMAN** of Cape Elizabeth, Representative **GREELEY** of Levant, Representative **GROSE** of Woolwich, Representative **HALL** of Holden, Representative **HAMPER** of Oxford, Representative **HANLEY** of Paris, Representative **HANLEY** of Gardiner, Representative **HARLOW** of Portland, Senator **HASTINGS** of Oxford, Senator **HOBBS** of York, Representative **HOGAN** of Old Orchard Beach, Representative **HOTHAM** of Dixfield, Representative **HUTTON** of Bowdoinham, Representative **JACOBSEN** of Waterboro, Representative **JACKSON** of Allagash, Representative **JENNINGS** of Leeds, Representative **JODREY** of Bethel, Representative **JOY** of Crystal, Representative **KAELIN** of Winterport, Representative

KOFFMAN of Bar Harbor, Representative LANSLEY of Sabattus, Representative LERMAN of Augusta, Representative LEWIN of Eliot, Representative LINDELL of Frankfort, Representative LUNDEEN of Mars Hill, Representative MAKAS of Lewiston, Representative MAREAN of Hollis, Representative MARLEY of Portland, Representative MARRACHÉ of Waterville, Senator MARTIN of Aroostook, Senator MAYO of Sagadahoc, Representative MAZUREK of Rockland, Representative McCORMICK of West Gardiner, Representative McFADDEN of Dennysville, Representative McKANE of Newcastle, Representative McKENNEY of Cumberland, Representative McLEOD of Lee, Representative MERRILL of Appleton, Representative MILLER of Somerville, Representative MILLETT of Waterford, Representative MILLS of Farmington, Senator MILLS of Somerset, Senator MITCHELL of Kennebec, Representative MOODY of Manchester, Representative MOULTON of York, Representative MUSE of Fryeburg, Representative NASS of Acton, Senator NASS of York, Representative NORTON of Bangor, Senator NUTTING of Androscoggin, Representative NUTTING of Oakland, Representative O'BRIEN of Lewiston, Representative OTT of York, Representative PARADIS of Frenchville, Representative PATRICK of Rumford, Representative PERCY of Phippsburg, Representative PERRY of Calais, Senator PERRY of Penobscot, Representative PILON of Saco, Representative PINEAU of Jay, Representative PINGREE of North Haven, Representative PINKHAM of Lexington Township, Representative PIOTTI of Unity, Senator PLOWMAN of Penobscot, Representative PLUMMER of Windham, Senator RAYE of Washington, Representative RECTOR of Thomaston, Representative RICHARDSON of Carmel, Representative RICHARDSON of Greenville, Speaker RICHARDSON of Brunswick, Representative RICHARDSON of Skowhegan, Representative RICHARDSON of Warren, Representative RINES of Wiscasset, Representative ROBINSON of Raymond, Representative ROSEN of Bucksport, Senator ROSEN of Hancock, Senator ROTUNDO of Androscoggin, Representative SAMPSON of Auburn, Senator SAVAGE of Knox, Representative SAVIELLO of Wilton, Representative SCHATZ of Blue Hill, Senator SCHNEIDER of Penobscot, Representative SEAVEY of Kennebunkport, Representative SHERMAN of Hodgdon, Representative SHIELDS of Auburn, Representative SIMPSON of Auburn, Representative SMITH of Monmouth, Representative SMITH of Van Buren, Senator SNOWE-MELLO of Androscoggin, Representative STEDMAN of Hartland, Senator STRIMLING of Cumberland, Senator SULLIVAN of York, Representative SYKES of Harrison, Representative TARDY of Newport, Representative THOMAS of Ripley, Representative THOMPSON of China, Representative TRAHAN of Waldoboro, Senator TURNER of Cumberland, Representative TUTTLE of Sanford, Representative TWOMEY of Biddeford, Representative VALENTINO of Saco, Representative VAUGHAN of Durham, Representative WALCOTT of Lewiston, Representative WATSON of Bath, Representative WEBSTER of Freeport, Senator WESTON of Waldo, Representative WHEELER of Kittery, Representative WOODBURY of Yarmouth, Senator WOODCOCK of Franklin.

On **OBJECTION** of Representative MOORE of Standish, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Standish, Representative Moore.

Representative **MOORE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Just hours before his untimely death, Governor Francis and I worked together with

many of you to help assure passage of the Joint Resolution to establish a harness racing track in Washington County.

During that time our conversation turned to the young harness colt that many of you have met here, "Passamaquoddy." Many of you met this colt when my friend and I brought him here to the State House to visit last spring.

As mothers are known to do, Passamaquoddy's mom, the good mare Voodoo Queen insisted that her son's visit to the capital be somewhat abbreviated. Thus Chief Francis did not have an opportunity to meet him.

He, like you however, has been kept abreast in word and picture of Passamaquoddy's rapid maturity.

Following the successful House vote on the Joint Resolution, Governor Francis and I talked privately at great length – mainly about racing and harness horses and competition and the big strong gorgeous creatures that we both love. The graceful beauty and solid service of these strong, enduring, intelligent, loyal and affectionate giants have inspired mankind's reverence throughout recorded time. Neither the Chief nor I have ever met a person who did not like a horse and all the things that they represent best.

Our talk took on a spiritual tone about how many of the horses' finest attributes are, in a sense, the very qualities that leaders among people must possess and cultivate and nourish. Among them, strength, purposeful pursuit of results, a competitive spirit, a graceful nature, equally comfortable in the glow of victory and dignified in the depths of inevitable disappointments.

The chief and I started to walk the path of a new friendship that day last week. He invited me and my friends to bring Passamaquoddy to his home – to his town, his family and his neighbors. All this as a prelude of course to Passamaquoddy running his first race on a new track in Washington County. Hours later, the stable where Passamaquoddy lives was chill: Tasks were completed mechanically, but few words were spoken; gestures and nods of compassionate disbelief replaced the usually exuberant and energized clutter and clatter of early morning in a big, busy horse barn. Respectful distances were maintained amongst us, tears were shed privately and some even muttered a curse, and a young colt named Passamaquoddy left grain in his breakfast bowl. Eighteen or twenty sets of curious or expectant eyes and eventually, scores of impatiently stomping feet, pushed us somewhat reluctantly into that dismal day.

Hopefully, many of you have seen the film *Hidalgo*, Hidalgo is the Spanish name for a wild, painted mustang horse. The themes in that true to life adventure of man and horse suggest beliefs similar to those expressed to me by the good chief. In honorable pursuit of a worthy goal each victory or each disappointment are in each of themselves steps toward an achievement. Cowboy, the horse's best friend, thrashes a guy mistreating Hidalgo, "No one hurts my horse."

One way that we all plan to honor Governor Francis is to guarantee that everyday we do all that we can in our power to assure that Passamaquoddy and all the other horses in our stable have the best of care, the firmest of loving hands, and that all their steps are moves in pursuit of solid and reputable achievement. Another way is to follow in the directions, which Governor Francis pointed for the people of Washington County and our wonderful State of Maine.

We here in the Legislature, in towns like Standish, Perry and all others, must demand the finest qualities of the horse in our leaders – the qualities of grace, purpose, strength, honest effort, loyalty and affection. Nothing less is acceptable. These attributes are the qualities that the Governor displayed so openly and with marked humility. For if we seek, nourish when we find,

and value above all others these attributes, not only will Passamaquoddy make his first start on a track in Washington County, but he will visit a far better county, the county envisioned and so ably pursued by Governor Francis.

All of us here and throughout the great state of Maine will stand taller, nothing less is acceptable. I am deeply grateful for the opportunity of starting to know Governor Francis and I will be forever humbled and am inspired to have been in the presence of a truly great leader of our State of Maine.

We can all be greatly reassured that in what often seem to be impossibly difficult times a Mainer, a Native American Mainer, a Chief, a leader, steps confidently and humbly forward to point the direction and show us the way. Thank you Mr. Speaker for the opportunity to speak today about a truly wonderful Maine man and for doing so much on your part to create and maintain a respectful and dignified atmosphere, and sometimes even a lighthearted forum here and for your rule here. Thank you very much Mr. Speaker.

The Members of the House stood and joined in a moment of silence in honor of Melvin Francis, Tribal Governor of the Passamaquoddy Tribe.

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

In Memory of:

Sergeant First Class Shawn Dostie, a native of Lewiston. Sergeant First Class Dostie, a member of D Company, 2nd Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team of the 101st Airborne Division, was a graduate of Lewiston High School in 1991. He will be lovingly remembered for his exemplary character, helpful nature and outstanding leadership skills. Shawn's commitment to and sacrifice for his country have earned him the pride and gratitude of his native community and State;

(SLS 895)

On **OBJECTION** of Representative RICHARDSON of Brunswick, was **REMOVED** from the Special Sentiment Calendar.

READ.

The Members of the House stood and joined in a moment of silence in honor of Sergeant First Class Shawn Dostie.

Subsequently, the Sentiment was **ADOPTED** in concurrence.

**REPORTS OF COMMITTEE
Divided Report**

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Establish a Maine Law Sunset Review Committee" (EMERGENCY)

(H.P. 464) (L.D. 631)

Signed:

Senators:

SCHNEIDER of Penobscot

ANDREWS of York

Representatives:

BARSTOW of Gorham
McFADDEN of Dennysville
MOULTON of York
HARLOW of Portland
BISHOP of Boothbay
CROSTHWAITE of Ellsworth
BLANCHARD of Old Town
MUSE of Fryeburg

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-738)** on same Bill.

Signed:

Representative:

SCHATZ of Blue Hill

READ.

On motion of Representative BLANCHARD of Old Town, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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. 703) (L.D. 1786) Bill "An Act to Allow Dragging in Lower Taunton Bay" (EMERGENCY)

No objections having been noted at the end of the Second Legislative Day, the Senate Paper was **PASSED TO BE ENGROSSED** 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 Establish the Midcoast Regional Redevelopment Authority" (EMERGENCY)

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

- In House, **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on January 10, 2006.

TABLED - January 12, 2006 (Till Later Today) by Speaker RICHARDSON of Brunswick.

PENDING - Motion of same Representative to **RECONSIDER.**

Representative RICHARDSON of Brunswick **WITHDREW** his motion to **RECONSIDER.**

Subsequently, the Bill was **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** and sent for concurrence.

Bill "An Act To Establish a Maternal and Infant Death Review Panel"

(H.P. 984) (L.D. 1420)

(C. "A" H-728)

- In House, **FAILED OF PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-728)** on January 10, 2006.

- In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-728)** in **NON-CONCURRENCE**.

TABLED - January 18, 2006 (Till Later Today) by Representative MILLER of Somerville.

PENDING - FURTHER CONSIDERATION.

On motion of Representative PINGREE of North Haven the House voted to **RECEDE**.

The same Representative **PRESENTED House Amendment "A" (H-739) to Committee Amendment "A" (H-728)**, which was **READ** by the Clerk.

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

Representative **TWOMEY**: Mr. Speaker, may I pose a question through the Chair?

The **SPEAKER**: The Representative may pose her question.

Representative **TWOMEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I would like to know if there are any federal funds attached to this bill.

The **SPEAKER**: The Representative from Biddeford, Representative Twomey has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from North Haven, Representative Pingree.

Representative **PINGREE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The fiscal note on the amendment and, I believe, the fiscal note on the bill both signify that the cross will be bourn by the Department of Health and Human Services Bureau of Health, or former Bureau of Health. The bill will be funded through a grant from the March of Dimes. That is my understanding. I don't believe that there are any federal funds attached to this bill.

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

Representative **TWOMEY**: Mr. Speaker, may I pose a question through the Chair?

The **SPEAKER**: The Representative may pose her question.

Representative **TWOMEY**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I guess I should have rephrased that. My question is will there be matching federal funds and how much would that be.

The **SPEAKER**: The Representative from Biddeford, Representative Twomey has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from North Haven, Representative Pingree.

Representative **PINGREE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bill, "An Act to Establish a Maternal and Infant Death Review Panel" which I also wish to speak on the amendment to, is funded through a grant from the March of Dimes. It is not part of Medicaid matchable. I don't believe that there are any funds coming from the federal government. It is funded through existing resources. There is a volunteer panel that will undertake the reviews and the specific program, and the process will be done through a grant by the March of Dimes.

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

Representative **GLYNN**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. While the amendment put forth by the good Representative from North Haven does improve the bill it does not in any way address my concerns and it is something that I will be opposing. Mr. Speaker when the vote is taken I request the yeas and nays.

Representative GLYNN of South Portland **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-739) to Committee Amendment "A" (H-728)**.

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 North Haven, Representative Pingree.

Representative **PINGREE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I was just wishing to speak to my motion for a while and am glad that I am back.

I wanted to give a little bit of background. I know that this was an incredibly emotional debate in the House here a couple of weeks ago and there were a lot of important arguments made on both sides. Since then Representative Lindell came to me and said that he interested in working on a compromise to this bill that would allay some of the fears that people had, that would answer some of the questions that I know people on both sides of the aisle were concerned about and yet still accomplish the important goals of the bill and of the panel of the March of Dimes.

So, just very quickly, I know that the number one concern was the idea that somebody from the department would be at people's doorsteps after the incredibly painful death of a child or a mother. One of the first parts of the amendment that I am offering today would be that there would be no contact of those parents or the family members for at least four months. We had a lot of discussion about the official grieving period and how long that takes and obviously a death like this would be incredibly painful and mourned for years, but we thought that a minimum of four months would at least give people some time before they have to think about whether or not they want to participate in a process like this. In addition, we wanted to make sure that the contact was clearly not about something that would be causing fault or blame, that it would be about asking people to participate in a process that would contribute to medicine. It is not about child protective. We thought that doing everything possible to keep it from being a DHHS person knocking on your door and having the feeling of whether you have done something wrong or not should be avoided. Again, I want to thank Representative Lindell, Representative Miller and Representative Saviello who all came together to work on this.

We decided that the first contact should be through a letter, and the amendment states that. The letter must come from the state public health officer on that person's letterhead and not on DHHS letterhead. Even Dora Mills said, when I get a letter from DHHS sometimes my heart jumps. That is not what we want these families to feel when they are first contacted about this, so the first contact will be a letter that is accompanied by a form letter. The bill is vague about that because we couldn't specifically name the March of Dimes, but the idea is that a form letter from the March of Dimes comes with that letter saying, "We hope that you will consider participating in this and we are trying not to invade your privacy and we are not trying to contribute to blame here. We really just want to review the facts of this case and ask your permission to review the medical records and if you are willing we would like to have an interview with you about what happened." So, that is specifically what is laid out in the amendment. Representative Lindell and I were going back and forth and one of his concerns was that we wanted to ensure absolute confidentiality of this information to ensure that the information collected by the panel would be used for medical purposes and system-wide purposes but would not be shared with anywhere else in the Department of Health and Human Services and it was not shared in any other types of proceedings. There was an amendment. The committee amendment lays out

that kind of level of confidentiality and I think that he was somewhat satisfied and the committee was, I think, very concerned that this information is not used to describe the process to anybody else, just specifically used for the medical purposes of the panel.

Lastly, the amendment specifically lays out that the process must give parents some follow up if they want it. Again, there is just some concern that however well meaning, parents could be interviewed and could want to participate in this process and then might want some feedback on what the panel discovered that year. The panel is required to offer people the yearly report, obviously if they don't want it that is fine. We wanted to ensure that there was some follow up so that parents didn't feel like the ball had been dropped after they had participated in what, for some people, could be a difficult process. Again, just the facts of this bill are that it is about collecting medical information to try to, in the future, prevent deaths like SIDS. Dora Mills talked about how these panels, over the past years have helped to contribute to information that we now have about SIDS.

You think that data would be collected in all sorts of ways, but these panels are how we get public health information that leads to information that can then be distributed to parents to prevent deaths like SIDS in the future.

Like Doris said several times, we still don't know what causes a death like SIDS. We know some of the contributing factors, but we don't know a cause and the March of Dimes and the medical community are still very committed to following these kinds of deaths and to trying to figure out their causes and preventing them in the future. I thank you Mr. Speaker and I thank Representative Lindell especially, for his willingness to work on this bill, and I urge its passage. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Hanley.

Representative HANLEY: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative HANLEY: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The question I pose would be that I understand the first contact would be a letter and, if I understand it correctly, the letter would state that if you wish to participate you may do so, if you wish not to you also make contact that you do not wish to participate, but that if you don't respond to the initial letter there can or will be additional contacts by phone or in person. Is that correct? Thank you Mr. Speaker.

The SPEAKER: The Representative from Gardiner, Representative Hanley has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative GLYNN: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. In response to the good Representative's question, my reading of the bill is that the person's privacy will be invaded and they will be contacted. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from North Haven, Representative Pingree.

Representative PINGREE: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. Just another attempt to answer the question, the first contact will be a letter. If parents, at that point, don't want to participate they have a phone number to call and say that they don't want to participate and they can ask to be left alone or they could send a letter. The idea was to give people a sense of what we were doing and why we were doing it and accompanying it with a letter from the March of Dimes. The follow up will most likely be a phone call from a

trained nurse who will be working on this program. The idea was that we all know that people often receive a letter and that letter goes in the trashcan. The point of the letter is to give people a sense of what Dora Mills office is trying to do and what the March of Dimes is trying to do. If people don't want to participate they will be given contact information to say that they don't want to participate. The idea to just not hit people out of the blue - I know that that was a lot of the concern that came up in the last debate. You would get a knock on your door and they would say that we want to talk to you about your infants or wife's death and that that would be really shocking and unfair to people. The idea of the letter is to give them some heads up and an ability to opt out and to give them the sense to know that they might be getting a phone call to ask them if they want to participate.

The SPEAKER: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative CAMPBELL: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Representative Pingree has been doing a lot of talking this morning so I thought that I would give her a break. I don't want to sound like a broken record, but I turned around and supported this bill because I sit beside a former physician, Dr. Thomas Shields, who supports this bill whole-heartedly. He and Representative Pingree just handed out a pink flyer that we should read before voting on this.

This isn't a Democratic or a Republican bill, this is a bill sponsored by the March of Dimes to do a study. The March of Dimes saved many children's lives when they overcame polio and this is another study. I think Dr. Shields is supporting this bill not as a politician, but as a physician. I would hope that when you vote for this you would vote your conscience and support this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Frankfort, Representative Lindell.

Representative LINDELL: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I would like to thank the Representative from North Haven, Representative Pingree for presenting this amendment. As those of you who were here when this bill initially failed engrossment in this chamber know, I made the motion and spoke very forcefully against this bill. I still have reservations, but I am satisfied that this amendment will, at the very least, soften that initial contact from the state. In a perfect world the state would have nothing to do with these studies whatsoever. In a perfect world the March of Dimes, undertaking its mission through voluntary donations, would be going out and serving parents and collecting information as a private non-profit entity, but, Mr. Speaker, we don't live in a perfect world unfortunately. The government encroaches on our lives every day and I feel that my privacy is invaded every time that I file an income tax return.

This amendment, at the very least, will soften that initial contact. It will prevent the assumption that many people will have that they have something to worry about when they are contacted by the Department of Health of Human Services - that their family is at stake here. The initial contact will be made on letterhead from the Department of Public Health. It will not be on DHS letterhead, that is a key ingredient in my mind to soften the blow and it will also contain a form letter from the March of Dimes explaining the process. The initial contact will clearly state that parents have the right to opt out. I know that we have talked about opt in and opt out on this floor before on different issues. While I would prefer an opt in provision myself, at least with the chance to opt out they have that opportunity and even if the second contact is made by a phone call at least they have been notified, they know what the deal is and they can, at that time if they feel that they don't want to enter into this process, ask the

Department to leave them alone and to go away. So, I am satisfied with this amendment, it softens this enough to make it acceptable. I am pleased that it is being funded by the March of Dimes even though under our current set of laws they can't engage in this process themselves, so I will be supporting this amendment, Mr. Speaker, and those of you who are opposed to this bill and may not want to see anything happen are urged to also support this amendment because it softens the bill and should we decide to recede and concur with the other body then this amendment will be attached.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Lewin.

Representative LEWIN: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I continue to be amazed with the things that I have seen here in three years. I must tell you that this bill doesn't resemble what initially came before Health and Human Services. The original bill was a bill to prevent abuse and now this is a data gathering organization that is going to come up with some stupendous report that is going to help to resolve the problem of infant death.

There are some 50 or less infant children that are unhappily lost in this state every year. There are well over 12,500 births in this state every year. It's a very tiny number that are lost and smaller than it was years ago thanks to organizations like the SIDS Foundation, that have made enormous strides in stopping infant deaths. You don't put babies on their face anymore and you don't put plush toys in cribs with babies. You don't put them in with big fluffy blankets that they can lose their faces in. A lot of things have been done nationally to help solve this problem. I must tell you that I am absolutely astounded that the state believes that it belongs in the middle of this. I am absolutely shocked at that and I do believe that although this bill doesn't vaguely resemble what was brought to us, it has been improved, but it does not alter the fact that all of these unfortunate death experiences are investigated. There is paperwork from a medical examiner's office. There are many, many government agencies that have their hands in this little pie.

There is information there and for those who say many parents don't know what to do and don't know how to find out why they lost their child, I must tell you that any thinking living being knows enough to pick up the phone and have a conversation with their doctor. If they don't get the right answer and are upset enough about it then they should go to the medical examiner and any other agency that they need to go to, but to inflict this on people who may well not want a charming and delightful letter that is not on state letterhead from the Director of Medical Services from this state is something that I don't believe is the right thing to do. I think it is invasive and that it is appalling that we would even consider doing a thing like this. So, while it has been softened, and softening is great, I still deplore this and cannot imagine why the State of Maine thinks that it needs to invade the privacy of people at the worst possible time in their lifetime. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Saviello.

Representative SAVIELLO: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is a very good bill. I have not suffered through this kind of loss, but I have suffered through something very similar to this. We need the information. The good Representative points out that we collect that already; I don't think so, not this kind of information. This is so critical when it is starting to help people and starting to help them understand, as the good Representative Pingree said about children with SIDS, it is sleeping them on their back and not on their stomach. It is good information that we don't have and we

try to balance it by putting it out four months so that the grieving process can have a good chance to go forward so that we are not trying to deal with that and we are trying to soften it so that those people will want to participate.

Again, my situation was different; however, I had no one to turn to. This would give people a chance if they want to participate and the bottom line to me is that if this saves one life it is worth it. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Harlow.

Representative HARLOW: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have experienced this, losing a child. Sitting around these tables I can understand why we could be so rational and know who to go to and who to look to for the information. I was a 22 year old and I did not really understand what had happened. I was hurt so bad that I didn't know what to do or what to follow up on. So, to stand here rationally and to say that you would find out the information is a something that I have problems with and that I couldn't find out the information because I was hurt so badly and my wife was hurt so badly. Thank you very much, Ladies and Gentlemen and Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Monmouth, Representative Smith.

Representative SMITH: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. When this bill came to my attention about two weeks ago when it first came onto the Calendar, I was remembering the work that I did last year and last fall with the infant and pregnancy loss remembrance issue. I contacted the two women that I worked with on that who outreach to people who have suffered losses and asked them what they thought of the bill and they were absolutely in full support. One of the things that they have learned from the families that they work with is that they want some good to come from their loss and they feel that this is a way to help families find closure and deal with a loss that they have suffered. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Glynn.

Representative GLYNN: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. When this bill came in front of our committee, the Health and Human Services Committee, we got a lot of information and I have had the opportunity to go back and reread several pieces of information and this amendment and have to say that the attitude of this amendment that we are debating today is not dissimilar to the bill that the House rejected and the attitude is that the government, somehow or other, has a right to come in and intrude during this period of time and ask a series of questions. It is not at all necessary.

If this amendment were presented in a different manner it would gain my support. Let me explain that. This amendment doesn't say that if somebody wants to participate in this type of a survey that they were sent a letter and invited to participate if they choose. That isn't what it says at all. It says an invasive letter will be sent to them, if they choose to ignore it and throw it away they are going to be contacted anyway and I don't believe that that improves this bill at all. If the bill instead asked to have a letter be sent inviting someone to participate and someone chose to put their life out there and talk about their situation, that is very, very, very different than to have the government just assume that unless you call a number and say stop bothering me in my time of mourning then you will be contacted and will have to participate in this. That is what is being debated right now and that is why this amendment is as intrusive and repugnant to me

as the original bill and the amendment that was reported out by our committee. Thank you.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Shields.

Representative SHIELDS: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is really a touchy issue. I think people in this state are a lot better able to cope and are a lot tougher than we give them credit for. The total intent of the bill is to gather the scattered bits and pieces of information, put them together through a group of experts and see if there is anything identifiable there that can be done to prevent this from happening to somebody else. I think that memories are going to be blurred after four months. Unfortunately, I don't know the right time. It is a very individual case. Some people would welcome this the next day and other people will never want to talk about it. I am a little disturbed by the amendment because I really want this thing to happen and I want it to happen accurately so that we can do a good job with it.

The other thing is that everybody is painting the Department of Health and Human Services with a terrible paintbrush, as though they are a bunch of unfeeling, callous individuals who are going to attack grieving parents. That is not the case. They take care of thousands of people very well and the only time that you every hear about anything that they have done is when somebody has done something wrong and there are a lot of people that are being served very well. There are always a lot of people in this Department and there are always going to be some that are going to make mistakes, so I can't support the amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from North Haven, Representative Pingree.

Representative PINGREE: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I just wanted to clarify one small point that the Representative from South Portland brought up and that is that we would force people to participate in this process. While if they don't opt out when the letter comes, they can at any other point the parent will obviously never be forced to participate in this. If they are not interested then they are not interested and that is completely acceptable and likely to happen in some cases, so I just wanted to clarify that at no point would the state force people to participate. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waldoboro, Representative Trahan.

Representative TRAHAN: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this amendment and to the bill that it tries to amend for a couple of reasons. Because no one had spoken to them I wanted to bring them to your attention.

Having law enforcement in my family I am uniquely aware of what happens when there is an unexplained death. This testimony here is almost of the implication that these unexplained deaths go uninvestigated and that is just not true. Professionals come in and review the scene, an autopsy is performed and professional people trained around these issues comes in and does a very complex investigation.

When you apply this legislation and its intent you have to ask what you are trying to achieve, not just what the bill does, but what you are trying to achieve. When I was lobbied on this legislation I was told by the person who was behind this bill, who I had a call from at home, that in most cases in other states and in other programs only 30 percent of the people respond. When you gather this information can you achieve some kind of conclusion from 30 percent of the people responding? And, when you do gather this information, what kind of conclusion are you coming to and what will that impact have on the previous

investigations? In other words, does a nurse or a panel member know better than those professionals who first investigated the scene about what happened? I don't think that they do. The only conclusions that you are going to come to will be statistical and they won't be based in fact, they won't be based in the case, all we will be coming to are conclusions that are an analysts conclusion and not an investigators conclusion and, for that reason, I am going to be opposing this and I hope that this Chamber will bring some common sense to this issue. It is a horrible tragedy, but it is a tragedy and we can't change that no matter how much information we have.

The SPEAKER: The Chair recognizes the Representative from Somerville, Representative Miller.

Representative MILLER: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I would like to clarify a bit the comments of the good Representative from Waldoboro's questions. My husband is a medical examiner and, as I said before many times, he is a country doc. He goes and pronounces deaths out in the country. The level of information that a medical examiner gets for an on site death is very limited. It doesn't get at information that this kind of an examination could get at. I also want to remind people that about 50 percent of infant deaths occur in the hospital and not out of the hospital. These aren't out of the hospital deaths, and part of what the medical system is trying to get at is how they can make their systems better to preserve life among these children and where have their systems broken down. Where have things perhaps been not flowing well between the household, the emergency medical responders, the trip to the hospital, the ER visit, the death and what other information can we weave together to prevent those future deaths. Yes, there probably won't be massive statistical information. This is not statistical in a sense; it is quality of care information that is trying to improve the future for other babies in these situations. So, it is not all what happens at homes off site. Some of this information also feeds into hospital examinations. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative PERRY: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am supporting this because this is really about hitting at what we can do to improve our infant mortality rate. I am not just talking about the State of Maine. The United States has one of the higher infant mortality rates of any industrialized nation. We have some real health issues when it comes to our infant mortality rate. Maine is doing some good stuff and the information doesn't always talk about what we are doing wrong, but it may also help us look at this and find out what is going right and share that with other national statistics that are coming up because what we are really looking to do is to get the information that is going to help our infants and children survive. Sometimes the only way that we can do that is by looking back and I ask for support of this amendment. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Oxford, Representative Hamper.

Representative HAMPER: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I will not recount my testimony from before. Monday I was at my dentist's and my hygienist put her fingers in my mouth and in between when I got the opportunity to speak I told her about this bill not knowing her situation and she recounted to me the story of a stillbirth that she had had 27 years earlier – a seven month old. The way she saw it was to stay out of her life State of Maine. Thank you very much Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from North Haven, Representative Pingree.

Representative **PINGREE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I want to make one thing clear, and it was just brought up by my good colleague, this bill would not apply to stillbirths. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-739) to Committee Amendment "A" (H-728). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 358

YEA - Adams, Ash, Babbidge, Beaudette, Blanchard, Blanchette, Bliss, Brannigan, Brautigam, Bryant, Burns, Cain, Campbell, Canavan, Clark, Craven, Cummings, Daigle, Davis G, Driscoll, Duchesne, Dudley, Dunn, Duplessie, Eberle, Farrington, Finch, Fischer, Fisher, Flood, Gerzofsky, Goldman, Greeley, Harlow, Hogan, Hutton, Jackson, Jacobsen, Jennings, Koffman, Lerman, Lindell, Makas, Marley, Mazurek, Merrill, Miller, Moody, Moulton, Norton, O'Brien, Paradis, Percy, Perry, Pilon, Pingree, Piotti, Rector, Saviello, Schatz, Simpson, Smith N, Smith W, Stedman, Tardy, Thompson, Valentino, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Berube, Bierman, Bishop, Bowen, Bowles, Brown R, Browne W, Bryant-Deschenes, Carr, Cebra, Churchill, Clough, Collins, Cressey, Crosby, Crosthwaite, Curley, Curtis, Davis K, Dugay, Duprey, Eder, Edgecomb, Fitts, Fletcher, Glynn, Hall, Hamper, Hanley B, Hanley S, Jodrey, Joy, Lansley, Lewin, Lundeen, Marean, McCormick, McFadden, McKane, McKenney, McLeod, Millett, Moore G, Muse, Nass, Nutting, Pinkham, Plummer, Richardson D, Richardson E, Richardson M, Richardson W, Robinson, Rosen, Sampson, Seavey, Sherman, Shields, Sykes, Thomas, Trahan, Twomey, Vaughan.

ABSENT - Barstow, Emery, Faircloth, Grose, Hotham, Kaelin, Marraché, Mills, Ott, Patrick, Pineau, Rines, Tuttle.

Yes, 73; No, 65; Absent, 13; Excused, 0.

73 having voted in the affirmative and 65 voted in the negative, with 13 being absent, and accordingly **House Amendment "A" (H-739) to Committee Amendment "A" (H-728) was ADOPTED.**

Committee Amendment "A" (H-728) as Amended by House Amendment "A" (H-739) thereto was ADOPTED.

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-728) as Amended by House Amendment "A" (H-739) thereto in NON-CONCURRENCE** and sent for concurrence.

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

SENATE PAPERS

The following Joint Order: (S.P. 763)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, January 31, 2006, at 10:00 in the morning.

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

READ and **PASSED** in concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 649) (L.D. 1695) Bill "An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Allow the Operation of Snowmobiles Registered outside the State at Special Events Occurring in the State" (EMERGENCY) Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-435)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence. **ORDERED SENT FORTHWITH.**

SENATE PAPERS

Non-Concurrent Matter

An Act To Clarify the Laws Governing Agricultural Composting Operations

(S.P. 381) (L.D. 1064)

(C. "A" S-256)

PASSED TO BE ENACTED in the House on June 2, 2005.

Came from the Senate with the Bill and accompanying papers **COMMITTED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in **NON-CONCURRENCE.**

The House voted to **RECEDE AND CONCUR. ORDERED SENT FORTHWITH.**

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

On motion of Representative **MOORE** of Standish, the House adjourned at 11:39 a.m., until 10:00 a.m., Tuesday, January 31, 2006 pursuant to the Joint Order (S.P. 763) and in honor of lasting tribute to Melvin Francis, of Passamaquoddy Tribe and Roland P. Richard, of Sanford.