

MAINE STATE LEGISLATURE

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

Volume I

First Regular Session

December 6, 2006 - June 5, 2007

Pages 1-681

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
 FIRST REGULAR SESSION
 1st Legislative Day
 Wednesday, December 6, 2006

Pursuant to Article IV, Part 3, Section 1 of the Constitution of the State of Maine, the Representatives-Elect to the One Hundred and Twenty-Third Legislature assembled in the Hall of the House and were called to Order by MILLICENT M. MacFARLAND of Augusta, Clerk of the House of the One Hundred and Twenty-Second Legislature.

Prayer by Rabbi Harry Sky, Falmouth (retired).

National Anthem by Honorable Emily Ann Cain, Orono.

Pledge of Allegiance.

Doctor of the day, Jerry J. Appelbaum, M.D., F.A.C.P., Denver, Colorado.

COMMUNICATION

The Following Communication: (H.C. 1)

STATE OF MAINE

Office of the Secretary of State

December 6, 2006

To Millicent M. MacFarland, Clerk of the House in the One Hundred and Twenty-second Legislature:

I, MATTHEW DUNLAP, Secretary of State, pursuant to the provisions of Title 3 MRSA, Section 1, hereby certify that the following are the names and residences of the Representatives-elect to the One Hundred and Twenty-third Legislature, in accordance with the tabulation submitted to the Governor on November 27, 2006:

District 1 TROY DALE JACKSON, Allagash
 District 2 C. KENNETH THERIAULT, Madawaska
 District 3 BERNARD L.A. AYOTTE, Caswell
 District 4 PETER EDGECOMB, Caribou
 District 5 JEREMY R. FISCHER, Presque Isle
 District 6 JACQUELINE A. LUNDEEN, Mars Hill
 District 7 PATRICIA B. SUTHERLAND, Chapman*
 District 8 RICHARD C. CLEARY, Houlton
 District 9 HENRY L. JOY, Crystal
 District 10 HERBERT E. CLARK, Millinocket
 District 11 EVERETT W. MCLEOD, SR., Lee
 District 12 JEFFERY A. GIFFORD, Lincoln
 District 13 ROBERT S. DUCHESNE, Hudson
 District 14 RICHARD D. BLANCHARD, Old Town
 District 15 JACQUELINE R. NORTON, Bangor
 District 16 PATRICIA A. BLANCHETTE, Bangor
 District 17 SEAN FAIRCLOTH, Bangor
 District 18 MICHAEL E. DUNN, Bangor
 District 19 EMILY ANN CAIN, Orono
 District 20 BENJAMIN MARRINER PRATT, Eddington
 District 21 CHARLES D. FISHER, Brewer
 District 22 CHRISTIAN D. GREELEY, Levant
 District 23 DAVID E. RICHARDSON, Carmel
 District 24 DOUGLAS A. THOMAS, Ripley
 District 25 JOSHUA A. TARDY, Newport
 District 26 JAMES D. ANNIS, Dover-Foxcroft
 District 27 EARL E. RICHARDSON, Greenville
 District 28 DEAN A. CRAY, Palmyra
 District 29 STACEY ALLEN FITTS, Pittsfield
 District 30 HOWARD E. MCFADDEN, Dennysville
 District 31 ANNE C. PERRY, Calais
 District 32 HAROLD IAN EMERY, Cutler
 District 33 JOSEPH L. TIBBETTS, Columbia

District 34 ROBERT N. EATON, Sullivan
 District 35 THEODORE S. KOFFMAN, Bar Harbor
 District 36 HANNAH M. PINGREE, North Haven
 District 37 JAMES M. SCHATZ, Blue Hill
 District 38 ROBERT H. CROSTHWAITE, Ellsworth
 District 39 BRIAN M. DUPREY, Hampden
 District 40 KIMBERLEY C. ROSEN, Bucksport
 District 41 LANCE WEDDELL, Frankfort
 District 42 MICHAEL THIBODEAU, Winterport
 District 43 JAYNE CROSBY GILES, Belfast
 District 44 ROBERT P. WALKER, Lincolnville
 District 45 JOHN F. PIOTTI, Unity
 District 46 DAVID MIRAMANT, Camden
 District 47 EDWARD J. MAZUREK, Rockland
 District 48 CHRISTOPHER W. RECTOR, Thomaston
 District 49 WESLEY E. RICHARDSON, Warren
 District 50 WENDY PIEH, Bremen
 District 51 JONATHAN B. MCKANE, Newcastle
 District 52 ELIZABETH S. MILLER, Somerville
 District 53 PETER L. RINES, Wiscasset
 District 54 KENNETH C. FLETCHER, Winslow
 District 55 H. DAVID COTTA, China
 District 56 KIMBERLY E.W. SILSBY, Augusta
 District 57 PATSY GARSIDE CROCKETT, Augusta
 District 58 WILLIAM P. BROWNE, Vassalboro
 District 59 STEPHEN P. HANLEY, Gardiner
 District 60 KERRI L. PRESCOTT, Topsham
 District 61 W. BRUCE MACDONALD, Boothbay
 District 62 THOMAS R. WATSON, Bath
 District 63 CHARLES R. PRIEST, Brunswick
 District 64 LEILA JANE PERCY, Phippsburg
 District 65 CAROL ANN GROSE, Woolwich
 District 66 STANLEY J. GERZOFISKY, Brunswick
 District 67 SETH A. BERRY, Bowdoinham
 District 68 MICHAEL GARY BEAULIEU, Auburn
 District 69 DEBORAH L. SIMPSON, Auburn
 District 70 MARK PAUL SAMSON, Auburn
 District 71 ELAINE C. MAKAS, Lewiston
 District 72 WILLIAM R. WALCOTT, Lewiston
 District 73 RICHARD V. WAGNER, Lewiston
 District 74 MARGARET M. CRAVEN, Lewiston
 District 75 SCOTT E. LANSLEY, Sabattus
 District 76 MARILYN E. CANAVAN, Waterville
 District 77 PAMELA JABAR TRINWARD, Waterville
 District 78 JILL M. CONOVER, Oakland
 District 79 SHARON TREAT, Farmingdale
 District 80 NANCY E. SMITH, Monmouth
 District 81 L. GARY KNIGHT, Livermore Falls
 District 82 PATRICK S. FLOOD, Winthrop
 District 83 ABIGAIL HOLMAN, Fayette
 District 84 EDWARD D. FINCH, Fairfield
 District 85 DONNA W. FINLEY, Skowhegan
 District 86 PHILIP A. CURTIS, Madison
 District 87 RAYMOND G. PINEAU, Jay
 District 88 WRIGHT H. PINKHAM SR., Lexington Twp.
 District 89 JANET T. MILLS, Farmington
 District 90 THOMAS B. SAVIELLO, Wilton
 District 91 TIMOTHY A. CARTER, Bethel
 District 92 JOHN L. PATRICK, Rumford
 District 93 RANDY E. HOTHAM, Dixfield
 District 94 TERESEA M. HAYES, Buckfield
 District 95 H. SAWIN MILLETT JR., Waterford
 District 96 LAWRENCE G. SIROIS, Turner
 District 97 ROBERTA M. MUSE, Fryeburg
 District 98 RICHARD M. SYKES, Harrison

- District 99 PHILIP CRESSEY, Cornish
- District 100 JAMES M. HAMPER, Oxford
- District 101 RICHARD M. CEBRA, Naples
- District 102 MICHAEL A. SHAW, Standish**
- District 103 JOHN C. ROBINSON, Raymond
- District 104 ROBERT A. BERUBE, Lisbon
- District 105 MICHAEL A. VAUGHAN, Durham
- District 106 DAVID C. WEBSTER, Freeport
- District 107 RICHARD WOODBURY, Yarmouth
- District 108 MEREDITH STRANG BURGESS, Cumberland
- District 109 SUSAN M. AUSTIN, Gray
- District 110 MARK E. BRYANT, Windham
- District 111 GARY E. PLUMMER, Windham
- District 112 DAVID G. SAVAGE, Falmouth
- District 113 JOHN BRAUTIGAM, Falmouth
- District 114 BOYD P. MARLEY, Portland
- District 115 GLENN A. CUMMINGS, Portland
- District 116 CHARLES W. HARLOW, Portland
- District 117 ANNE M. HASKELL, Portland
- District 118 JON HINCK, Portland
- District 119 HERBERT C. ADAMS, Portland
- District 120 ANNE M. RAND, Portland
- District 121 CYNTHIA A. DILL, Cape Elizabeth
- District 122 LAWRENCE BLISS, South Portland
- District 123 JANE E. EBERLE, South Portland
- District 124 BRYAN T. KAENRATH, South Portland
- District 125 ANN E. PEOPLES, Westbrook
- District 126 TIMOTHY E. DRISCOLL, Westbrook
- District 127 JOHN F. MCDONOUGH, Scarborough
- District 128 PEGGY A. PENDLETON, Scarborough
- District 129 CHRISTOPHER R. BARSTOW, Gorham
- District 130 DAVID W. FARRINGTON, Gorham
- District 131 DONALD G. MAREAN, Hollis
- District 132 GEORGE W. HOGAN, Old Orchard Beach
- District 133 DONALD E. PILON, Saco
- District 134 LINDA M. VALENTINO, Saco
- District 135 PAULETTE G. BEAUDOIN, Biddeford
- District 136 STEPHEN R. BEAUDETTE, Biddeford
- District 137 ALAN M. CASAVANT, Biddeford
- District 138 JAMES J. CAMPBELL SR., Newfield
- District 139 LAWRENCE E. JACOBSEN, Waterboro
- District 140 GARY A. CONNOR, Kennebunk
- District 141 CHRISTOPHER W. BABBIDGE, Kennebunk
- District 142 ANDREA M. BOLAND, Sanford
- District 143 JOHN L. TUTTLE JR., Sanford
- District 144 JOAN M. NASS, Acton
- District 145 RICHARD JOHN BURNS, Berwick
- District 146 BONNIE S. GOULD, South Berwick
- District 147 KATHLEEN D. CHASE, Wells
- District 148 SARAH O. LEWIN, Eliot
- District 149 DAWN HILL, York
- District 150 WINDOL C. WEAVER, York
- District 151 WALTER A. WHEELER SR., Kittery

*On election night, Patricia B. Sutherland led John W. Churchill 1,419 to 1,415. At the conclusion of the recount, the election remains in dispute.

**On election night, Michael A. Shaw led Gary W. Moore 1,601 to 1,588. At the conclusion of the recount, the election remains in dispute.

In Testimony Whereof, I have caused the Great Seal of the State to be affixed, given under my hand at Augusta this sixth day of December in the year Two Thousand and Six.

S/MATTHEW DUNLAP
Secretary of State

READ and ORDERED PLACED ON FILE.

For the purpose of ascertaining the presence of a quorum, a certified roll of the Representatives-elect was called by the Clerk of the House of the One Hundred and Twenty-Second Legislature.

The elected membership of the House being 151 and 149 members-elect having answered to their names, a quorum was found to be present.

Those absent were: Representative-Elect EMERY of Cutler
Representative-Elect SMITH of Monmouth

COMMUNICATION

The Following Communication: (H.C. 2)

**BUREAU OF CORPORATIONS, ELECTIONS AND
COMMISSIONS
DEPARTMENT OF
THE SECRETARY OF STATE**

December 1, 2006

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333-0002

Dear Clerk MacFarland:

At the conclusion of the recount for Representative to the Legislature, District 7, on November 17 and 27, 2006, the candidates did not agree on a final result. The Election Night results were as follows:

John W. Churchill	1,415
Patricia B. Sutherland	1,419

The results at the end of the recount were as follows:

John W. Churchill	1,416
Patricia B. Sutherland	1,421
Disputed ballots	2

Candidate Churchill disputes the election result, however, based on the fact that the total number of ballots counted in Presque Isle is less than the number of voters who were checked off the Incoming Voting List as having voted in person or by absentee, and this discrepancy is greater than the current margin between the two candidates. A note to this effect was placed on the document reflecting the conclusion of the recount, which was signed by representatives for both candidates.

Because there are enough ballots and issues in dispute to affect the result of the election, the Maine Constitution, Article IV, Part First, Section 5, requires that the Maine House of Representatives determine the outcome of the election.

The State Police are in custody of the materials related to this election. You may contact me at 624-7734 at your earliest convenience to make arrangements for the transmittal of the recount materials.

Sincerely,

S/Julie L. Flynn

Deputy Secretary of State

2006 General Election Recount Supervisor

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 3)
**BUREAU OF CORPORATIONS, ELECTIONS AND
 COMMISSIONS
 DEPARTMENT OF
 THE SECRETARY OF STATE**

December 1, 2006
 Honorable Millicent M. MacFarland
 Clerk of the House
 2 State House Station
 Augusta, ME 04333-0002

Dear Clerk MacFarland:

At the conclusion of the recount for Representative to the Legislature, District 102, on November 20 and 27, 2006, the candidates did not agree on a final result. The Election Night results were as follows:

Gary W. Moore	1,588
Michael A. Shaw	1,601

The results at the end of the recount were as follows:

Gary W. Moore	1,641
Michael A. Shaw	1,635
Disputed ballots	2
Unopened absentee ballots	2

Candidate Shaw disputes the election result, however, based on the fact that the total number of ballots counted in Standish is greater than the number of voters who were checked off the Incoming Voting List as having voted in person or by absentee, and this discrepancy is greater than the current margin between the two candidates. A note to this effect was placed on the document reflecting the conclusion of the recount, which was signed by representatives for both candidates.

Because there are enough ballots and issues in dispute to affect the result of the election, the Maine Constitution, Article IV, Part First, Section 5, requires that the Maine House of Representatives determine the outcome of the election.

The State Police are in custody of the materials related to this election. You may contact me at 624-7734 at your earliest convenience to make arrangements for the transmittal of the recount materials.

Sincerely,

S/Julie L. Flynn

Deputy Secretary of State

2006 General Election Recount Supervisor

READ and ORDERED PLACED ON FILE.

ORDER

On motion of Representative-Elect PINGREE of North Haven, the following House Order: (H.O. 1)

WHEREAS, at the conclusion of the recounts of election results in Districts 7 and 102 there were enough disputed ballots to affect the result of the elections; and

WHEREAS, the Maine Constitution, Article IV, Part First, Section 5, therefore requires that the Maine House of Representatives determine the outcome of the elections; and

WHEREAS, the House does not now determine these disputed elections and does not now declare that any candidate was duly elected to the House seats in Districts 7 and 102; now, therefore, be it

ORDERED, that Patricia B. Sutherland of Chapman, District 7, and Michael A. Shaw of Standish, District 102 be administered an oath of office and be permitted to temporarily assume a seat pending further action and determination and declaration of that determination by majority vote of the House, after further

consideration by this House, determination of the disputed elections, and declaration of the results thereof.

READ and PASSED.

On motion of Representative-Elect PINGREE of North Haven, Representative-Elect ADAMS of Portland, Representative-Elect SILSBY of Augusta, Representative-Elect CRAVEN of Lewiston, Representative-Elect JACKSON of Allagash, Representative-Elect BERUBE of Lisbon, Representative-Elect CHASE of Wells, Representative-Elect AUSTIN of Gray and Representative-Elect SAVAGE of Falmouth were appointed a Committee to wait upon the Governor and inform him that a quorum of the members of the House of Representatives-Elect had assembled in the Hall of the House of Representatives and requested his attendance to administer to them the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

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

The Governor, the Honorable JOHN E. BALDACCI, entered and administered to the members-elect and they subscribed the oaths required by the Constitution to qualify them to discharge their official duties.

Governor **BALDACCI**: Thank you very much and again, congratulations to each and every one of you. Your families, I know, are very proud. They are standing beside you and around you and throughout this Chamber, as all the citizens of the state are focused here today to recognize that we have a wonderful opportunity in front of us. There is a tremendous amount of optimism and hope. There is an awful lot of willingness to teach across the aisle and to work together. And for that I thank you. And I know our citizens thank you in putting their interests first, as you are. I want to also recognize your families who will carry this responsibility home with them, to be your conduit to reality. And we're so fortunate to have the support that we do. So I'd like to give them a big round today, also.

I also just wanted as a point of information, to make you aware as I know that you are, the flags are at half-staff today and they will be tomorrow, in remembrance today of Captain Keating who lost his life in Afghanistan. And the services are today. I know that we all have heartfelt wishes and sympathy for his family and his friends. And also, it reminds us of how fortunate we to have the young men and women that we do have, that serve us all so ably here in Maine and throughout the country. And to recognize, while we may not have everything in our state, the things that are important like extending ourselves to our neighbors and friends in times of trials and tribulations, is something that is totally unique to this state, and something that we are all very proud about.

I would like to ask you also, I know that you've been aware that we have a new addition across the street. So if you are there and you find a little puppy running under foot, don't encourage her whatsoever. It was an early Christmas gift, but as I found out at quarter to five this morning, it was a shared responsibility. And my son has done a very good job of keeping his door closed at quarter to five in the morning. But I really am excited about welcoming you to the Blaine House, and your families there, and I ask you to make sure that you get to enjoy the times. Because it is a difficult, challenging responsibility that

we have and it's a time for you to enjoy it with your family members and have some really good memories here.

I would ask you all to rise and be prepared to be sworn into office. I will be asking you to please raise your right hand and repeat after me and state your name at the appropriate points.

I, (members stated their names) do swear, that I will support the Constitution of the United States and of this state, so long as I shall continue a citizen thereof. So help me God.

I, (members stated their names) do swear, that I faithfully discharge to the best of my abilities, the duties incumbent upon me as a Representative of the 123rd Legislature of the State of Maine, according to the Constitution and the laws of this state. So help me God.

Congratulations!

On motion of Representative PINGREE of North Haven, Representative FAIRCLOTH of Bangor, Representative WHEELER of Kittery, Representative PINEAU of Jay, Representative GERZOSKY of Brunswick, Representative GROSE of Woolwich, Representative HOTHAM of Dixfield and Representative ROSEN of Bucksport were appointed a Committee to receive, sort and count votes for the Speaker.

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

Representative **PINGREE**: Thank you Madam Clerk. It is wonderful to see you up there today. And it is a great day for all of us. It's a great day, it's about hope and optimism, about what is possible in the 123rd Legislature.

It is my honor to nominate Glenn Cummings for Speaker of the House. But before I talk a little bit about Glenn, I want to thank again, as the Governor did, all of our families. I think for all of us, it's a relief to be here. We are officially Representatives. The Election season is behind us. And it's time to get to work.

But this is an exciting day because all the people who stood by us during a very difficult election season are here to honor us. And those people, all of our friends and family who made it possible for us to be here, know what sacrifices we had to make to run for office. And they are people who will be very important in your lives in the coming months.

Especially for Glenn, I can't see his family, they are all the way on the other side of Millie, but for Leslie, Skyler, and Kiernan, we are especially happy to have them here today. They as a family have really made a sacrifice to have Glenn run for this office and become the Speaker of the House. I will say, I asked Kiernan and Skyler just before we came in here, "What do you think I should say about your dad today, I have to nominate him?" Kiernan said, "Well my dad has a really cool cell phone." And then I said, "Skyler, what do you think?" She said, "Well he does talk a lot on his cell phone." I said, "Anything else?" And they said, "Well, he is a great dad." So, it really is, for him to put himself out there to offer, to be our Speaker of the House, it's a sacrifice for his family. I'm sure they are very proud of him. And we are very proud of him today.

I just want to speak briefly about Glenn. And there are a couple of people behind me who will also talk about him and we have a busy day so I don't want to go on and on, but I want to tell you a little bit about Glenn Cummings, a person who I'm very proud of and I'm very proud to be nominating here today.

Glenn has committed his entire life to public service, improving the lives of others. He started out as a public school teacher. All of you may not know that the good Representative from Gorham, Representative Barstow, was actually one of Glenn's first students. He was a high school Social Studies teacher, and I don't know how many of you know Representative

Barstow, but without making any cracks I actually think Glenn did a pretty good job. When you have some of your students following you in the Legislature, that's something to be proud of.

He is now a professor at Southern Maine Community College, in addition to serving for the past six years as a member of the Maine House. As I said to the freshmen Representatives the other night, everybody who serves in this House, knows that we don't do this for the money and we don't do it for the fame and fortune. We choose to come here because we believe that we can make this state better and we have a commitment to public service.

There are a couple of qualities that I think most of you would probably agree are most important for Speaker. For me, those sets of values, first, are fairness and respect. The others are vision and optimism. And I have to say in Glenn Cummings, we have somebody who really highlights all of those features.

I've observed Glenn for four years. My first two years in the Legislature he was the Chair of the Education Committee. He was fair, he was tough, he was outspoken, and he did an incredible job managing difficult issues in his first two years as Education Chair. But I've really seen him take more hits as the Majority Leader. He spent the last two years as the Majority Leader of this House. He was in a very tight majority and it really required somebody who was willing to respect people of all sorts of opinions. All opinions on our side of the caucus, all sorts of opinions on the other side. He always set a playing field that was fair, where everybody could be heard, where he was respectful. He worked together to solve very tough problems. He had the ability to listen and above all other qualities, to be respectful.

I know that we are sad to say goodbye to Representative John Richardson, who has retired as a member of this body because of term limits. And he set a real standard, I believe, in the past two years for fairness and respect. I think the only way we're going to get things done in this body is if we continue that. And I have the up most confidence that Glenn will do that.

And the other two things that are most important are vision and optimism. We all spent a couple of tough months on the campaign trail and we know that Maine has very difficult issues that need to be dealt with. But we need optimism for the future and we need a vision for how to make Maine a better place. Glenn has shown that. He has expressed the commitment to education. I've been very impressed with his plan for prosperity, a way to bring jobs back to Maine. Investment in the future, especially investment in our young people.

Glenn worked very hard as Majority Leader, as a Representative from Portland, to reach out to all parts of the state, I feel very confident that Glenn will work hard, to represent the cities the same as he represents the rural areas. To even work with us who represent the off-shore islands.

I think the most important thing, in addition to being fair, respectful, and having vision and optimism, is that Glenn is really a kind man with a good heart. I think you're all going to, those of you who are new members, are really going to look forward to getting to know Glenn. He is a fun guy, he has a sense of humor, and I think he is going to be a fabulous Speaker.

So, it's with that I encourage you all to support Glenn Cummings for Speaker of the House. And it will be certainly an honor to call him my Speaker. Thank you.

Representative PINGREE of North Haven moved that the name of GLENN CUMMINGS of Portland be placed in nomination for Speaker of the House.

The Clerk: The Chair recognizes the Representative from Newport, Representative Tardy.

Representative **TARDY**: Thank you Madam Clerk and members of the House. The people of Maine have sent 153 of us here to Augusta to represent them in the Legislature, and we have been entrusted to do the people's work and to govern to the best of our abilities. And as I look around this Chamber, I can tell you that I'm very impressed with the individual and collective talents on both sides of the aisle.

I just want to say that the members of the Republican Caucus stand ready to focus on the good that can be achieved by working together. Representative Cummings and I have had an open line of communication over the past few weeks and our discussions have been forthright and productive. And I am very confident that we are going to be able to work together and achieve a great deal this session. In supporting the nomination of my good friend, the Republican Caucus has entrusted him to lead this institution with the fairness and the integrity that is in the tradition of this great institution. And personally, I am confident in the abilities of my good friend.

Madam Clerk, I second the nomination of Representative Cummings as Speaker of the House and I voice the intention and the desire of the Republican Caucus to work with our Democrat and Independent colleagues to do what is the best for the people of Maine. Thank you.

The Clerk: The Chair recognizes the Representative from Unity, Representative Piotti.

Representative **PIOTTI**: Glenn Cummings has the experience, he has the temperament, and he has the character to excel in the job as Speaker of the House. He has proven his worth, as you've heard, during three terms of increasing responsibilities and success. He was, of course, the Majority Leader during the last two years. And we Democrats, who have served under him, have great respect, appreciation, and admiration for his leadership. But most of the Legislators in this Chamber today, have not served under him. So let me just spend a moment to tell you a little bit about Glenn.

As Majority Leader, he displayed impressive degree of tact, intelligence, vision, and focus. Exactly what was needed during a time when the Caucus was fragile. Because of Glenn's leadership style, the Caucus was always informed and always involved. I never saw Glenn lose his cool. I never saw him not listen. I never saw him not try to accommodate a valid concern whenever possible. He was always fair. And yet he was firm when necessary. And always forward looking, a rare combination.

In short, Glenn displayed as Majority Leader, exactly what we need in a Speaker. Glenn's leadership style is collaborative and consensus building. This is natural for somebody who has been an educator and is exactly what I believe the Legislature needs right now in a Speaker. I say all of this because I am extremely excited about having Glenn as Speaker. I admire what he has done, but I am most excited by what I know he will do. I think we all sense that this session could be historic. Perhaps for some of us, it is a sense that this session has to be historic. We must at last come forward with the ideas that will propel this state forward. We must at last enact comprehensive tax reform. We must at last provide needed investments in education, in economic development, and in the quality place that is Maine's signature and our great strength.

We must in short come together and create our future. I've been impressed by Glenn's commitment to what he calls the Prosperity Plan. He understands that Maine is poised to surge forward, provided we show some political courage and provided that we dare to dream some big dreams. But I also know that

Glenn, of a seventh generation Mainer of working class roots, is if anything a practical and level headed. He knows that our plans must be groundbreaking, but they must also be grounded. Glenn is the perfect person to ensure that. He is at once, both intellectual and full of common sense, principled and practical, hardworking and easy going. I know he will lead us down the right path. He will conduct himself and conduct this Legislature in a way that will enable us to be our best and to do our best.

For some people, I know the political process is a game. It's about us and them. It's about winning and losing. And more often than perhaps should be the case, we fight over a bill to win rather than because of what is in it. I don't view it that way, I know Glenn doesn't as well. He is all about enacting good policy, about making Maine a better place.

Many people talk about bipartisanship. With Glenn it is not just talk. He is first and foremost someone who cares deeply about the State of Maine and deeply about creating a better future for our children. His party affiliation is of course important to him, but secondary to his loyalty to Maine and to Maine people, his is an example for all of us. We have a chance this Legislative session to make a lasting impact. I hope you share my excitement. Excitement in the opportunity to serve with all of you. Excitement to make a real difference. And excitement in having Glenn Cummings to lead us. Please join me in supporting Glenn as our next Speaker. Thank you.

Representative TARDY of Newport and Representative PIOTTI of Unity seconded the motion.

Representative TUTTLE of Sanford moved that nominations cease.

On motion of Representative WHEELER of Kittery, the Committee cast one vote for the House for GLENN CUMMINGS.

The Honorable MILLICENT M. MacFARLAND, Clerk of the House of the 122nd Maine Legislature, administered the necessary oath of office to qualify the Speaker of the House to enter upon the discharge of his official duties.

The House was called to order by Speaker Glenn Cummings, of Portland.

At this point, pursuant to House Rule 201, the Speaker addressed the House.

Speaker **CUMMINGS**: Pursuant to House Rule 201, it is my honor to address the Maine House of Representatives.

First of all, thank you all of you for this honor. Since I was a young man in my early teens, when I used to come here to be a page or work with the document clerk, I always even felt then that the idea of the men and women of Maine coming across the hills and valleys everyday to come to this body and the other body to make Maine better, was not just a romantic idea, but it's a valuable in it's own ideal of serving the state. And I want to thank you for the honor you have placed in me today. I also want to specifically say thank you to the Representative from North Haven, Representative Pingree, the Representative from Newport, Representative Tardy, and the Representative from Unity, Representative Piotti.

First of all, I do want to say about Representative Pingree, that the best compliment that I have ever heard about her came from her mother, and she said just a few years ago to me, "Do you fear Hannah as much as I do?" And at first, I didn't know

what she meant. But after a few months, I realized anybody that smart, that capable, that charming, and that effective, ought to be a little bit feared. So, I want to say thank you and look forward to working with you.

In terms of the Representative from Newport, Representative Tardy, I want to say that he has already shown enormous bipartisan spirit and cooperation and a true gesture of friendship – he offered to return most of my stolen stationery from last year. On a serious note, he has been terrific to work with and he has been honest and upfront from the moment I met him, and I look forward tremendously to working with him.

And finally, Representative Piotti, who is just a born and natural leader. We're so lucky to have him in the Maine House. And I want to say that we should all, just for our own entertainment, encourage him to be small, petty, and partisan, because he is just unconstitutionally incapable of doing that. And, therefore, we can enjoy ourselves just by teasing him. And I want to say thank you to John as well.

Let me say also that I will be brief today, not just for those who are standing here, but I'll tell you why I tend to try to do short speeches. And it comes from when I was graduating from undergraduate school. Somebody a few years ago had said to me, "Do you ever remember anything from any speech that I ever heard?" At first, I was going to say, "Well, no." And then I remembered that when I graduated from college, the speaker at that time was Admiral Crowe and the Head of NATO forces in Europe, he came to speak to us and he said "Think great thoughts – because whatever you think about most is what you become." And the fraternity brother next to me leaned over and said: "Great – I'm going to be a girl or a sports channel." And that's why I remember that.

Before I begin today, please also allow me to say thank you to our members, all of you who have given me this great opportunity and have worked yourselves – all sides of the aisle, our Independents, all of you who have worked so hard to be here. I congratulate you. I want to thank my staff, led by the very capable Toby McGrath, who continually exceeds already-high expectations; I want to thank him personally and our staff. The many friends, the relatives, and advisors who have provided me with counsel.

The most important of those, is a woman who I have to say, has made this possible. Having taught with her, dozens of students used to come to me and say, without hurting my feelings, mostly, "She's the best teacher I ever had." Well, she is. And she has taught me all the greatest lessons in life – lead with your heart, be fair, be strong, have fun and protect the ones you love; and "For God sakes Glenn, don't be afraid of getting a real job." My lovely wife, Leslie Appelbaum. And the two greatest gifts, of course, that she has ever given me, Sir Kiernan and Madam Skyler, as they like to be called. I want thank you for all the sacrifices for the many things that you've done. Please recognize my lovely children, who have sacrificed a lot.

I also need to thank my mother, my father, my stepfather, my brother and sister are here. They have believed in me for so long that I couldn't help but believe in myself. I specifically want to say thank you to my mother, who raised three children, much of it as a single mom, and she never missed a day of work and she never missed a chance to say how proud she was of us, every day. And I just want to say thank you to my lovely mother.

I have three things that I want to do today: I want to introduce you to two people, who I think will guide us over the next two years to success. Secondly, I want to talk about what I think is the work ahead. And third, I want to tell you why I'm absolutely confident that you will do it.

The first person I want to introduce you to is a 28 year-old man. He has had two failed businesses, one unsuccessful bid for state office, his mother died when he was nine, and there were suspicions of physical abuse through his childhood from his father, from whom he is essentially estranged. He is largely in debt and suffers from depression, at times so severe, that he can't get out of bed for weeks at a time. He has no formal education and the one woman that he was in love with has informed him that she plans to move to another state.

Some of you, who know your history well, know that I'm speaking of perhaps the greatest Republican of all time – Abraham Lincoln. And I want to tell you today that the values of the Republican Party are reflected in just that. Twenty years later, he would be President of the United States and he would move us through what is the most painful years, perhaps in our history. But he reminds us of that core Republican value that is part and inherent in our American dream. That there is no greater power than an honest man or woman determined to improve themselves. That one individual that is committed to their own betterment is the embodiment of American principles and ideals. And that all the handouts in the world cannot make up for desire for somebody to improve. And with that value, I ask us to think about the importance of that value, which our Republican brothers and sisters give us.

I want to introduce you to a second man. This man has been valuable to me personally and his inspiration. I want to tell you specifically about a time in 1921. Just a few hours east of here, in the cold waters off Lubec, where a man got out on a beautiful July day, out of the waters and he began to feel a numbness and a tiredness in his legs.

This man was in the prime of his life, he was Harvard educated, he was handsome, and he was athletic. He lived a childhood that any of us could not even fantasize about. If there was anybody who lived an opposite childhood than Abraham Lincoln, it was this man. Private tutors, European, reared in the context of several summer homes, massive estates, and his own yacht at the age of 16.

He was the up and coming star of the Democratic Party – discussed as a future Governor of New York and previously the Secretary of the US Navy. But on this day, after he got out of these cold waters, he had to lie down. His wife brought him by train immediately back to New York where his doctors confirmed what the Maine doctors had already told him, that he had been struck with adult-onset polio. This man was Franklin Delano Roosevelt, as you know, and he was the one who would go on to lead our country through the humiliation of the Great Depression and the suffering of the Great Depression and the fight against the depravity of Nazism.

Of all the things he had in life, he would later say, "Perhaps the thing that meant the most to me is the loss of my legs. Because strangely enough, although I have been born into luxury, I knew the power of compassion. I knew the power of commitment, and I understood the importance of a sense of belonging." These, I believe, are the core Democratic Party values, and they too, are at the center of the American dream. That nobody lives alone and the desire to self improve must be matched with a community that offers opportunity.

Today, I would ask each of you, on every side of the aisle, to please put both of those values in your hearts as equal. Because together if we hold those two values, we can succeed and do anything and we can uphold that promise that has been so old and so important to this Country.

I'd like to now say that the work ahead we have is important and I believe as many of you believe that we are at a crossroads. Our state is changing quickly. My mother, who I just introduced,

when I was first born and what I'd like to think was just a half of lifetime, just a few years ago, really in the context of our history, she worked in the Auerbach Shoe Company at Fort Andross, in Brunswick, Maine. My great grandfather was a fisherman out on the Georges Banks, where the fish were plentiful on Georges Banks. When I was first born, the hills and valleys of Maine were full of textile mills, shoe manufacturing, and pulp and paper. In one half a lifetime that has changed. We have no reason to easily disparage our state, however, in which we live. There are reasons for optimism and they are important and they are real. Our incomes are on the rise, population is growing, the number of Mainers attaining college degrees has improved, and our amazing landscape and our people, our quality of life have earned us a tremendous reputation. But it would be fair to say, Maine has not reached its full potential.

Today, I say we have several challenges that are important for us to move forward on. One, is an antiquated tax system in which the bricks are not only too heavy on our shoulders, but badly aligned. This is a task we must all share in. And though we have a long tradition of local control, we must work to correct a tax system that rewards duplication and inefficiency. Not for the sake of cutting, but because it may not be the best and highest use of that money to propel the next generation to prosperity.

Secondly, we are entering an opportune time, in an economy where knowledge is the single greatest resource, and the most valuable asset a worker can gain. Yet Maine is 11 percentage points behind the rest of New England in the attainment in a college degree. And last year 4,200 jobs, well-paid, skilled jobs, went unfilled because we could not move people fast enough through the community college system and the universities to fulfill them. Our duties as legislators are to make college accessible, affordable, and doable.

Third, Maine has seen rapid sprawl and rapid increase in development in ways that ought to be disconcerting. Thirteen-hundred square miles of Maine landscape has been developed in half a decade – an area the size of Rhode Island. In some areas of the state, a quarter of an acre an hour is being destroyed under our feet. Today, poorly planned development and sprawl are endangering these valuable assets and it may be our most competitive, international edge, and we cannot lose it.

Fourth, our country faces a national crisis in health care. There are many options, there are many ideas, but we will not be able to carry out a major crisis in the failure to take care of the health of our people and still move into prosperity without work. And that is before us. I know this agenda, these challenges may seem daunting, but I want to bring up a quote from the Talmud that tells us, "It is not up to you or me to finish the work, but neither are we free to ignore it." And that is what I ask you today. Let us lay down the first granite stones of a foundation for future prosperity and let us do it together.

I also say that today we have to assert ourselves as legislators, put down the things that might separate us and move forward. In the spirit of doing that, the President of the Senate and I, and members of both bodies I hope, will join us in creating a Special Select Committee specifically on Maine's Prosperity to deal with the issues we have outlined. This Committee will rely directly on the input of joint standing committees, for their knowledge base is deep and must be paramount in our work. Through their work, they will report back to the Legislature, and to the people of this great state, with a thoughtful plan that will chart a course for economic growth and broad prosperity for our people.

This roadmap for prosperity will be bipartisan and it will focus on spreading economic development to all parts of the state. It will be the responsibility of every member of this Legislature to

contribute to this plan and be successful. And speaking of success let me finish by telling you why I am confident that we will in fact accomplish what we set up. I want to tell you that we, and as you know, we have an inheritance that was bestowed upon us as Americans over 200 years ago. It remains a promise unfulfilled, but it is a promise, the most important promise made to any people at any time and at its core is opportunity.

It says to us, "You will never be chained by the status of your father, condemned by the substance of your beliefs, or denied the fruits of this world by the color of your skin or the gender of your body. But rather, you will be judged in this world of America by the quality of your character, by the skills of your hands and mind, and the strength of your work ethic." The promise of equal opportunity is the greatest promise ever made to any people and if we don't believe it, we should read about the millenniums of people on this earth that were denied it.

Today as Mainers, I tell you that we have sacrificed deeply for that opportunity. We sacrificed thousands of our native children to keep that promise alive in the fight to eliminate slavery and to unite the Union. In the years after the Civil War, so many small hamlets and villages along the Maine coast were abandoned, left hollow and deserted, because so few men returned to pull the nets, or cut the timber, or to plow the fields of our communities. It was a sacrifice unparalleled.

In the tiny village of Deer Isle, Maine over half of the men between 18 and 40 returned home in caskets. They are buried today in the south cemeteries of Penobscot Bay and across Maine. And we can take just a moment to think what it must have been like to see those wooden caskets come back on Army wagons. And see even solid northern New Englanders crying like babies at the amount of sacrifice – a micro holocaust in their own communities as a commitment to that opportunity.

When we look forward today, we might ask them if we could reach into the grave and say, "Why would you leave this beautiful, quiet northern New England village? Why would you kiss goodbye the hands of your children, the lips of your wives?" And I believe they would tell you, and they would tell us, because that promise was so good and so real and so long in coming.

Today, our generation, this legislature, are the stewards of that kind of promise. And we are descendants, whether you came here from the suburbs of New Jersey, or the villages of Campuchia, or like my family, have been here for 300 years, you are part of that kind of heritage. That's the kind of people that you are from. So when people put big challenges in front of you like tax reform, and health care, and open space, I am confident that we can do it.

Our generation, this Legislature, has stewards of that promise, will hold both of those values that Franklin Delano Roosevelt and Abraham Lincoln have already donated to us. We can honestly face those challenges and put forth the best of our talents, and in this room there are many. We are destined for success.

And with that, I want to thank you for this tremendous opportunity to serve you as Speaker, and I hope that I will do it well. It is the one of the greatest opportunities of my life. I offer you my determination, my full commitment, and a promise to hold strong the Maine values as we push forward in crafting a lasting legacy of the state. I thank you.

At this point, a message was received from the Senate, borne by Senator MITCHELL of Kennebec of that body, that the Senate had been duly organized by the election of the Honorable BETH EDMONDS of Cumberland as President, JOY J. O'BRIEN as Secretary and JUDI DELFRANCO as Assistant Secretary, and

the Senate was ready to transact such business as might come before it.

At this point, a message came from the Senate, borne by Senator MITCHELL of Kennebec of that body, proposing a Convention of both branches of the Legislature to be held at 2:00 o'clock in the Hall of the House for the purpose of electing an Attorney General, a Secretary of State and a State Treasurer.

On motion of Representative FAIRCLOTH of Bangor, Representative PERCY of Phippsburg, Representative SILSBY of Augusta, Representative RINES of Wiscasset, Representative CAMPBELL of Newfield and Representative ROSEN of Bucksport were appointed a Committee to receive, sort and count votes for the Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Crockett.

Representative **CROCKETT**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I am pleased and proud today to have the distinct privilege of placing the name of my friend and constituent Millicent M. MacFarland of Augusta in nomination for Clerk of the House.

Millie began her service to the House in 1978 as Calendar Clerk of the House, preparing the daily agenda each night before session. In 1992, she ran unopposed for Assistant Clerk of the House and served in that capacity for eight years. For the past six years, Millie has served this Chamber as Clerk of the House. She knows our names, she knows our towns, and she knows the citizens that we serve. Everyone has her respect. She goes out of her way to make sure that every member of this body is treated with fairness. Millie is professional, she is dignified, she is calm under pressure, and she works extremely hard so that every member of this body looks good. Millie has demonstrated her competence and her expertise over the years. She has risen within the ranks and deserves to be re-elected to the position of Clerk of the 123rd House of Representatives.

On the national level, Millie currently serves as a Secretary/Treasurer of the American Society of Legislative Clerks and Secretaries, which is one of the staff sections of the National Conference of State Legislators. She is also a member of the Mason's Manual Commission, which is the parliamentary authority of this Chamber and most chambers throughout the United States. The Manual is updated every ten years and the Commission is currently working towards completion of its 2010 edition. Millie has spent countless hours reviewing court cases to ensure that the parliamentary principles as cited are correct. Millie brings us 28 years of experience with the Legislative branch of government and I am pleased today to nominate her for Clerk of the House. Please join me in supporting my good friend Millicent M. MacFarland.

Representative CROCKETT of Augusta moved that the name of MILLICENT M. MacFARLAND of Augusta be placed in nomination for the Clerk of the House.

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

Representative **PINGREE**: Thank you and congratulations again to you Mr. Speaker. It is a pleasure to see you up there.

I have some bad news for everybody in the House. If you are hoping to be the favorite person working in this body, the most popular, the kindest, the most valuable player, I have to tell you, you are in for some very difficult competition. Millie MacFarland, I think for those of you who have served in this House you know this, for those of you who are new to this House, you'll soon find

this out. She is one of the most wonderful people you will get to know working in Augusta.

She is kind, she is patient, and she is fair. She is the person that those of us, who especially in the age of term limits, will turn to for virtually every hard question about how you procedurally get your bill through this House, how you navigate a difficult issue. You will see her on a very regular basis conferring with the Speaker about how he goes about the difficult decisions and choices that he must make. All I can say to you is that we are incredibly lucky to have Millie MacFarland in this House.

As Patsy told you so eloquently, Millie has been an institution in this building for a very long time. She has worked in the Clerk's Office for 28 years. If you take a good look at Millie, it's hard to believe she has even been around this body for 28 years, but she has served as the Clerk and Assistant Clerk for 14 of those 28 years. To have somebody with her level of experience and understanding, especially of the rules, is invaluable to us and makes us all keep from getting embarrassed on a daily basis. As you heard, she is a national leader when it comes to parliamentary procedure, which again comes in very handy.

I just encourage all you, whether you are incumbents or you are new, to get to know Millie. She has an incredible strength of character. I'm sure everybody knows, or if you don't know you probably will find out soon, she is seeking this job as she battles cancer. We are with her in this fight. We appreciate that during this difficult time she is willing to serve us. I stand to second your nomination Millie. And I really stand to honor and to thank you. This body is elevated by your presence and we couldn't do what we do without you. Thank you.

Representative PINGREE of North Haven seconded the motion.

Representative KOFFMAN of Bar Harbor moved that nominations cease.

On motion of Representative CROSTHWAITE of Ellsworth, the Committee cast one vote for the House for MILLICENT M. MacFARLAND.

The Speaker of the House administered the necessary oath of office to qualify the Clerk of the House to enter upon the discharge of her official duties.

Oh motion of Representative FAIRCLOTH of Bangor, Representative GERZOFKY of Brunswick, Representative WATSON of Bath, Representative FISHER of Brewer, Representative WHEELER of Kittery and Representative WOODBURY of Yarmouth were appointed a Committee to receive, sort and count votes for Assistant Clerk of the House.

The SPEAKER: The Chair recognizes the Representative from Woolwich, Representative Grose.

Representative **GROSE**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I rise today to nominate Michael J. Cote of Windsor to continue to serve as our Assistant Clerk of the House.

For those of us who have returned to the House, Michael Cote is a fixture in the State House having served as Sergeant-at-Arms and as a member of the chamber staff for nearly 20 years. Like each of us being sworn into office today, Michael felt the call to public service from an early age. He grew up here in Augusta, literally in the shadow of the Capitol dome. Michael was always fascinated in the inter-workings of the Legislature and was perhaps the most frequent honorary page this body has ever seen as a result.

After high school, Michael served in the military and then returned to the Augusta area to come back to our home here in the Maine House of Representatives. Michael's extensive experience, knowledge of the legislative process, and understanding of how to efficiently manage the Chamber, make him an ideal choice on paper for continuing as Assistant Clerk.

But it is how Michael conducts himself, his work ethic and empathy, for the balance that we try to maintain as citizen legislators that make him the right choice for this position. There is never a concern that Michael doesn't address and he is one of the most hardworking individuals I have ever met. Moreover, Michael loves the Legislature and is passionate about making this a place where we can effectively put people first to move Maine forward.

In the age of term limits, we legislators come and go, but its women and men like Millie MacFarland and Michael Cote, with their experience, knowledge, and sincere appreciation for our work that keep the Maine House of Representatives the people's home. Please join me today in supporting Michael Cote for Assistant Clerk of the House. Thank you.

Representative GROSE of Woolwich moved that the name of MICHAEL J. COTE of Windsor be placed in nomination for Assistant Clerk of the House.

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

Representative HASKELL: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. It is my pleasure to second the nomination of Mike Cote for Assistant Clerk of the House.

Early in 1988, I came to the Maine House of Representatives as a freshman for the first time. As I began to sort out who was who and who did what, it quickly became very clear to me that Mike Cote would be a trusted professional and a friend. As he went about his work, I always admired his calm competent style. He was a person to be trusted and entrusted. And no time was that any more evident than during the very difficult period where State government was shut down. Mike was serving as Sergeant-at-Arms. It was a frightening time, it was full of uncertainty, and Mike handled every tense situation professionally and with an assurance that provided us with comfort and a sense of security by his very steadfast presence.

On a lighter note, he also confiscated some unnamed suspicious items from me at the request of then Speaker Martin, which he did professionally and with great good humor. And we haven't forgotten that day. I had served for six years at that time. I worked for the Governor for an additional 3 years and I've been in the halls of this House as a legislative liaison and during that time I have watched Mike grow professionally. I have seen his commitment and I have admired his steady and competent work serving the Legislature and thereby all of the people of the State of Maine. I am confident he will continue to provide that same excellent level of service to all of you. Please join me in voting for Mike Cote for Assistant Clerk of the House, a position he is well qualified for and richly deserves. Thank you.

Representative HASKELL of Portland seconded the motion.

Representative JOY of Crystal moved that nominations cease.

On motion of Representative BURNS of Berwick that the Committee cast one vote for the House for MICHAEL J. COTE.

The Speaker of the House administered the necessary oaths of office to qualify the Assistant Clerk of the House to enter upon the discharge of his official duties.

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

COMMUNICATIONS

The Following Communication: (H.C. 11)

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

December 6, 2006

Mr. Ron S. Wheelock

2 State House Station

Augusta, ME 04333-0002

Dear Ron:

Pursuant to House Rule 201.1I (b), I am pleased to appoint you as the Sergeant-at-Arms for the 123rd Legislature.

On behalf of the entire House membership, I would like to express our gratitude to you for the professional manner in which you carry out your duties and responsibilities.

Sincerely,

S/Glenn Cummings

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Speaker of the House administered the necessary oaths of office to qualify the Sergeant-at-Arms and the Assistant Sergeant-at-Arms to enter upon the discharge of their official duties.

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

ORDERS

On motion of Representative PINGREE of North Haven, the following House Order: (H.O. 3)

ORDERED, that Representative Glenn Cummings of Portland be declared Speaker of the House of Representatives for a term to expire on December 3, 2008; and be it further

ORDERED, that Millicent M. MacFarland of Augusta be declared Clerk of the House of Representatives for a term to expire on December 3, 2008; and be it further

ORDERED, that Michael J. Cote of Windsor be declared Assistant Clerk of the House of Representatives for a term to expire on December 3, 2008.

READ and PASSED.

On motion of Representative FAIRCLOTH of Bangor, Representative BLANCHETTE of Bangor, Representative CONOVER of Oakland, Representative BOLAND of Sanford, Representative PRATT of Eddington, Representative WEBSTER of Freeport, Representative AUSTIN of Gray, Representative CRAY of Palmyra and Representative JOY of Crystal were appointed a Committee to notify the Governor of the organization of the House.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 2:00 o'clock and the Speaker appointed Representative PINGREE of North Haven to convey this message to the Senate.

LEGISLATIVE RECORD - HOUSE, December 6, 2006

Subsequently, Representative PINGREE of North Haven reported that she had delivered the message with which she was charged.

ORDER

On motion of Representative PINGREE of North Haven, the following House Order: (H.O. 2)

ORDERED, that the House Rules of the 122nd Maine House of Representatives shall be the House Rules of the 123rd Maine House of Representatives.

READ and PASSED.

COMMUNICATIONS

The Following Communication: (H.C. 4)

STATE OF MAINE

OFFICE OF THE SECRETARY OF STATE

December 6, 2006

To the Speaker of the House in the One Hundred and Twenty-third Legislature:

I, MATTHEW DUNLAP, Secretary of State, in accordance with the Constitution and laws of the State of Maine, having tabulated the returns of the votes cast for State Representatives at the General Election held on the seventh day of November in the year Two Thousand and Six;

REPORT AS FOLLOWS; that the following named persons having received a plurality of the votes cast, appear to have been elected:

REPRESENTATIVE TO THE LEGISLATURE

District 1

JACKSON, TROY DALE, Allagash 2,826

District 2

THERIAULT, C. KENNETH, Madawaska 3,133

District 3

AYOTTE, BERNARD L.A., Caswell 1,715
LEARNARD, ROBERT C., Van Buren 1,187

District 4

BERNARD, CHARLES R. JR., Caribou 813
EDGEComb, PETER, Caribou 1,902

District 5

FISCHER, JEREMY R., Presque Isle 2,150
SMITH, ZACHARY E., Presque Isle 710

District 6

CLARK, TYLER A., Easton 1,122
LUNDEEN, JACQUELINE A., Mars Hill 1,881

District 7

CHURCHILL, JOHN W., Washburn 1,415
SUTHERLAND, PATRICIA B., Chapman 1,419

District 8

CLEARY, RICHARD C., Houlton 1,430
FLEWELLING, DALE L., Houlton 1,311
Others 24

District 9

CAMERON, JEANNE M., Merrill 1,078

JOY, HENRY L., Crystal 1,918

District 10

ANDERSON, KENNETH F., Millinocket 671
CLARK, HERBERT E., Millinocket 2,942

District 11

MCLEOD, EVERETT W. SR., Lee 1,817
TURNER, BETH PELOQUIN, Burlington 1,251

District 12

GIFFORD, JEFFERY A., Lincoln 1,953
KIRKPATRICK, DAVID F., Lincoln 1,145

District 13

DUCHESNE, ROBERT S., Hudson 1,687
GAVETT, ANDREW WILLARD III, Milford 1,550

District 14

BLANCHARD, RICHARD D., Old Town 2,105
DONOVAN, RILEY T., Old Town 963

District 15

DUNBAR, SCOTT, Bangor 1,118
NORTON, JACQUELINE R., Bangor 1,841

District 16

BLANCHETTE, PATRICIA A., Bangor 1,441
STIMPSON, TINA MARIE, Bangor 753

District 17

FAIRCLOTH, SEAN, Bangor 1,890
KASTEN, JOHN L., Bangor 1,132
TURCOTTE, MICHAEL, Bangor 208

District 18

DUNN, MICHAEL E., Bangor 1,852
SIMPSON, JOHN I., Bangor 1,702

District 19

CAIN, EMILY ANN, Orono 2,332
COWAN, LANCE, Orono 640

District 20

HALL, DARREN M., Holden 2,073
PRATT, BENJAMIN MARRINER, Eddington 2,094

District 21

FISHER, CHARLES D., Brewer 2,188
ROGERS, WILLIAM T., Brewer 1,494

District 22

GREELEY, CHRISTIAN D., Levant 2,527
LAMBORN, BEN ERIK, Levant 1,066

District 23

RICHARDSON, DAVID E., Carmel 2,399
SHEPLEY, DONALD E., Hermon 1,597

District 24

DENIS, CRAIG, Athens 1,186
THOMAS, DOUGLAS A., Ripley 1,995

LEGISLATIVE RECORD - HOUSE, December 6, 2006

<u>District 25</u>		<u>District 41</u>	
DORT, RICHARD RYAN, Plymouth	796	LINDELL, R. KENNETH, Frankfort	1,753
TARDY, JOSHUA A., Newport	2,718	WEDDELL, LANCE, Frankfort	2,115
<u>District 26</u>		<u>District 42</u>	
ANNIS, JAMES D., Dover-Foxcroft	2,271	GILBERT, DONNA M., Winterport	1,651
PHILBRICK, DANIEL J., Dover-Foxcroft	1,187	THIBODEAU, MICHAEL, Winterport	1,940
<u>District 27</u>		<u>District 43</u>	
ERDO, JULIUS L., Willimantic	1,330	ASH, WALTER E. JR., Belfast	2,049
RICHARDSON, EARL E., Greenville	2,565	GILES, JAYNE CROSBY, Belfast	2,067
<u>District 28</u>		<u>District 44</u>	
CRAY, DEAN A., Palmyra	2,116	MISLUK, PETER P. JR., Searsport	2,100
HOGATE, JEANNE, Cornville	1,465	WALKER, ROBERT P., Lincolnville	2,118
<u>District 29</u>		<u>District 45</u>	
CLEMENT, ARTHUR HANSON, Clinton	1,200	HARMON, R. RYAN, Palermo	1,322
FITTS, STACEY ALLEN, Pittsfield	1,827	PIOTTI, JOHN F., Unity	2,232
<u>District 30</u>		<u>District 46</u>	
GOODWIN, ALBION D., Pembroke	1,407	BOWEN, STEPHEN L., Rockport	2,186
MCFADDEN, HOWARD E., Dennysville	2,133	MIRAMANT, DAVID, Camden	2,295
<u>District 31</u>		<u>District 47</u>	
ALEXANDER, JUDITH A., Calais	1,332	MAZUREK, EDWARD J., Rockland	2,130
PERRY, ANNE C., Calais	1,522	RAYE, JAMES, Rockland	1,016
<u>District 32</u>		<u>District 48</u>	
EMERY, HAROLD IAN, Cutler	1,670	GLOVER, NANCY, South Thomaston	1,672
PRESCOTT, HAROLD A. SR., Whiting	1,617	RECTOR, CHRISTOPHER W., Thomaston	2,160
<u>District 33</u>		<u>District 49</u>	
NORTON, CLIFFORD III, Jonesport	1,534	COWAN, DIANE F., Friendship	1,860
TIBBETTS, JOSEPH L., Columbia	1,709	RICHARDSON, WESLEY E., Warren	1,949
<u>District 34</u>		<u>District 50</u>	
BIERMAN, L. EARL, Sorrento	1,713	PIEH, WENDY, Bremen	2,061
EATON, ROBERT N., Sullivan	1,976	TAINTER, ARTHUR E. JR., Waldoboro	1,858
<u>District 35</u>		<u>District 51</u>	
KOFFMAN, THEODORE S., Bar Harbor	2,693	DICKENS, ELLEN E., Newcastle	2,312
PARTRIDGE, DAVID A., Bar Harbor	1,293	MCKANE, JONATHAN B., Newcastle	2,559
<u>District 36</u>		<u>District 52</u>	
JOY, SETH G., Swan's Island	1,346	MCKEEN, WILLIAM C., Whitefield	1,584
PINGREE, HANNAH M., North Haven	2,920	MILLER, ELIZABETH S., Somerville	2,131
<u>District 37</u>		<u>District 53</u>	
BAUER, F. ROBERT, Blue Hill	901	RINES, PETER L., Wiscasset	2,139
SCHATZ, JAMES M., Blue Hill	2,267	SUTTER, WILLIAM C., Wiscasset	1,841
SULLIVAN, KERRY ANN, Surry	1,213	<u>District 54</u>	
<u>District 38</u>		FLETCHER, KENNETH C., Winslow	
CROSTHWAITE, ROBERT H., Ellsworth	2,075	FREDETTE, KEVIN P., Winslow	
SAVAGE, STEVEN B., Trenton	1,875	<u>District 55</u>	
<u>District 39</u>		COTTA, H. DAVID, China	
DUPREY, BRIAN M., Hampden	2,232	THOMPSON, JUDD D., China	
HIGGINS, DAVID ANDERSON, Hampden	2,214	<u>District 56</u>	
<u>District 40</u>		DAVIS, KIMBERLY J., Augusta	
LECLERC, BRENDA R., Orrington	1,589	SILSBY, KIMBERLY E.W., Augusta	
ROSEN, KIMBERLEY C., Bucksport	2,151		

LEGISLATIVE RECORD - HOUSE, December 6, 2006

<u>District 57</u>		HUGHES, DAVID, Lewiston	751
CROCKETT, PATSY GARSIDE, Augusta	1,794	WALCOTT, WILLIAM R., Lewiston	1,116
ELLIS, RACHEL Y., Augusta	1,289		
<u>District 58</u>		<u>District 73</u>	
BROWNE, WILLIAM P., Vassalboro	2,401	LACHANCE, LAURIER P., Lewiston	955
LEGENDRE, ALEXIS, Vassalboro	1,119	WAGNER, RICHARD V., Lewiston	1,581
<u>District 59</u>		<u>District 74</u>	
HANLEY, STEPHEN P., Gardiner	2,165	CRAVEN, MARGARET M., Lewiston	2,292
SOULE, LAURA K., Gardiner	1,045	PAINTER, JOHN L., Lewiston	868
<u>District 60</u>		<u>District 75</u>	
PRESCOTT, KERRI L., Topsham	2,113	GREFER-KIRKLAND, KATHRYN MARIE, Greene	1,636
SCEASE, JANE, Topsham	1,865	LANSLEY, SCOTT E., Sabattus	1,932
<u>District 61</u>		<u>District 76</u>	
BAILEY, WILLIAM A., Boothbay	2,030	CANAVAN, MARILYN E., Waterville	1,797
MACDONALD, W. BRUCE, Boothbay	2,680	TYLER, MARK A., Oakland	811
<u>District 62</u>		<u>District 77</u>	
GETHICKER, SHAWN A., Bath	1,250	DUPERRY, CHRISTOPHER M., Waterville	988
WATSON, THOMAS R., Bath	2,025	TRINWARD, PAMELA JABAR, Waterville	1,964
<u>District 63</u>		<u>District 78</u>	
MCKENNA, AMY L., Brunswick	1,457	CONOVOR, JILL M., Oakland	2,165
PRIEST, CHARLES R., Brunswick	2,174	FISHER, MARK D., Oakland	183
<u>District 64</u>		PURNELL, KEVIN ALBERT II, Oakland	1,421
GARRISON, CHESTER L., West Bath	1,756	<u>District 79</u>	
PERCY, LEILA JANE, Phippsburg	2,861	SIROIS, DAVID, Farmingdale	1,586
<u>District 65</u>		TREAT, SHARON, Farmingdale	2,550
GROSE, CAROL ANN, Woolwich	2,219	<u>District 80</u>	
WASSEROTT, SUSAN H., Woolwich	1,664	SMITH, NANCY E., Monmouth	2,025
<u>District 66</u>		THOMSON, GEORGE RAWLINGS, Litchfield	1,774
FRANS, DAVID, Brunswick	363	<u>District 81</u>	
GERZOFISKY, STANLEY J., Brunswick	2,118	KNIGHT, L. GARY, Livermore Falls	1,877
RIDER, TODD, Brunswick	957	SOUTHER, CLARK L., Livermore Falls	1,853
<u>District 67</u>		<u>District 82</u>	
BERRY, SETH A., Bowdoinham	2,452	FLOOD, PATRICK S., Winthrop	2,893
HOBART, BRIAN D., Bowdoinham	1,772	JENKINS, PRISCILLA J., Winthrop	1,256
<u>District 68</u>		<u>District 83</u>	
BEAULIEU, MICHAEL GARY, Auburn	2,173	HOLMAN, ABIGAIL, Fayette	2,541
DESGROSSEILLIERS, SHELIA M., Auburn	1,743	JONES, DEANE E., Mount Vernon	2,004
<u>District 69</u>		<u>District 84</u>	
POTVIN, RONALD W., Auburn	866	FINCH, EDWARD D., Fairfield	1,771
SIMPSON, DEBORAH L., Auburn	1,285	RENY, JOSHUA J., Fairfield	1,643
<u>District 70</u>		<u>District 85</u>	
CARRIER, GUY R., Auburn	1,726	FINLEY, DONNA W., Skowhegan	1,741
SAMSON, MARK PAUL, Auburn	1,886	HATCH, PAMELA H., Skowhegan	1,406
<u>District 71</u>		<u>District 86</u>	
BABINE, JOHN G., Lewiston	1,106	CURTIS, PHILIP A., Madison	1,836
MAKAS, ELAINE C., Lewiston	2,111	SUSI, TED, Norridgewock	1,724
<u>District 72</u>			

LEGISLATIVE RECORD - HOUSE, December 6, 2006

<u>District 87</u>		<u>District 103</u>	
PINEAU, RAYMOND G., Jay	2,312	BAUER, LU, Standish	1,846
REID, WILLIAM L., New Sharon	1,771	ROBINSON, JOHN C., Raymond	2,141
<u>District 88</u>		<u>District 104</u>	
PINKHAM, WRIGHT H. SR., Lexington Twp.	1,981	BERUBE, ROBERT A., Lisbon	1,833
TESSIER, PAUL LEO, Rockwood Twp.	1,621	GRANT, PRUDENCE, Lisbon	1,623
<u>District 89</u>		<u>District 105</u>	
HARVELL, LANCE, Farmington	1,748	RHEAULT, CHRISTOPHER S., New Gloucester	1,824
MILLS, JANET T., Farmington	2,202	VAUGHAN, MICHAEL A., Durham	2,276
<u>District 90</u>		<u>District 106</u>	
COLLINS, MAXINE B., Wilton	964	MIGLIACCIO, MARGUERITE, Freeport	1,718
SAVIELLO, THOMAS B., Wilton	2,940	WEBSTER, DAVID C., Freeport	2,479
<u>District 91</u>		<u>District 107</u>	
BESSEY, NANCY J., Dallas Plt.	2,116	BICKNELL, BRIAN P., Yarmouth	1,524
CARTER, TIMOTHY A., Bethel	2,173	WOODBURY, RICHARD, Yarmouth	2,849
<u>District 92</u>		<u>District 108</u>	
PATRICK, JOHN L., Rumford	2,510	DAMON, DONNA M., Cumberland	2,266
SMITH, PAULA P., Andover	1,248	STRANG BURGESS, MEREDITH, Cumberland	2,663
<u>District 93</u>		<u>District 109</u>	
ARSENAULT, REGINALD W. JR., Mexico	1,516	AUSTIN, SUSAN M., Gray	2,198
HOTHAM, RANDY E., Dixfield	1,992	GRAHAM, ANNE P., North Yarmouth	1,979
<u>District 94</u>		<u>District 110</u>	
HANLEY, BRUCE Q., Paris	1,883	BRYANT, MARK E., Windham	2,053
HAYES, TERESEA M., Buckfield	1,898	HASKELL, CLAYTON W., Windham	1,553
<u>District 95</u>		<u>District 111</u>	
GEDAT, ROY G., Norway	1,796	HECKMAN, GEOFFREY W., Windham	1,271
MILLETT, H. SAWIN JR., Waterford	1,960	PLUMMER, GARY E., Windham	2,424
<u>District 96</u>		<u>District 112</u>	
BRYANT-DESCHENES, JOAN, Turner	1,701	ELLIOTT, DEBORAH J., Falmouth	2,107
SIROIS, LAWRENCE G., Turner	2,062	SAVAGE, DAVID G., Falmouth	2,270
<u>District 97</u>		<u>District 113</u>	
MUSE, ROBERTA M., Fryeburg	2,124	BRAUTIGAM, JOHN, Falmouth	2,251
TURNER, MARLEE, Brownfield	1,642	ELOWITCH, DAVID W., Portland	1,888
<u>District 98</u>		<u>District 114</u>	
ROLLINS, SHEILA H., Harrison	1,793	FORBIS, SHARON L., Portland	1,011
SYKES, RICHARD M., Harrison	2,291	MARLEY, BOYD P., Portland	2,710
<u>District 99</u>		<u>District 115</u>	
CRESSEY, PHILIP, Cornish	1,978	CUMMINGS, GLENN A., Portland	2,429
SMITH, KATHERINE MARIE, Sebago	1,849	LORING, MELINDA, Portland	615
<u>District 100</u>		<u>District 116</u>	
BRADLEY, JAMES F., Mechanic Falls	1,248	GAUGER, JANETTE E., Portland	724
HAMPER, JAMES M., Oxford	2,104	HARLOW, CHARLES W., Portland	2,058
<u>District 101</u>		<u>District 117</u>	
BOSSIE, THOMAS J., Casco	1,738	HASKELL, ANNE M., Portland	2,694
CEBRA, RICHARD M., Naples	2,211	PELLETIER, DAVID E., Portland	878
<u>District 102</u>		SAFARIK, JOHN W., Portland	
MOORE, GARY W., Standish	1,588		356
SHAW, MICHAEL A., Standish	1,601		

LEGISLATIVE RECORD - HOUSE, December 6, 2006

<u>District 118</u>		HOGAN, GEORGE W., Old Orchard Beach	2,661
EDER, JOHN M., Portland	1,534		
HINCK, JON, Portland	1,631		
<u>District 119</u>		<u>District 133</u>	
ADAMS, HERBERT C., Portland	1,004	PILON, DONALD E., Saco	2,843
LAVOIE, JASON M., Portland	168	<u>District 134</u>	
READING, MATTHEW G., Portland	845	CUSHING, JOHN W., Saco	1,264
<u>District 120</u>		VALENTINO, LINDA M., Saco	2,459
MEIKLEJOHN, BENJAMIN J., Portland	1,190	<u>District 135</u>	
RAND, ANNE M., Portland	1,574	BEAUDOIN, PAULETTE G., Biddeford	2,541
<u>District 121</u>		<u>District 136</u>	
DILL, CYNTHIA A., Cape Elizabeth	2,345	BEAUDETTE, STEPHEN R., Biddeford	1,240
DUDDY, JENNIFER J., Cape Elizabeth	2,201	MILLS, HEATHER SEAVEY, Biddeford	629
<u>District 122</u>		<u>District 137</u>	
BLISS, LAWRENCE, South Portland	2,477	CASAVANT, ALAN M., Biddeford	2,102
LAIDLEY, WILLIAM R., South Portland	501	SEAVEY, H. STEDMAN, Kennebunkport	1,868
NIXON, PAUL, South Portland	1,095	<u>District 138</u>	
<u>District 123</u>		CAMPBELL, JAMES J. SR., Newfield	2,195
CROSBY, GARY J., South Portland	1,473	SLOAN, LACEY M., Limerick	1,709
EBERLE, JANE E., South Portland	2,597	<u>District 139</u>	
<u>District 124</u>		JACOBSEN, LAWRENCE E., Waterboro	1,755
FEENEY, DAVID C., South Portland	971	WAGNER, JOSEPH A., Lyman	1,646
KAENRATH, BRYAN T., South Portland	1,692	<u>District 140</u>	
<u>District 125</u>		CONNOR, GARY A., Kennebunk	1,910
CRAMER, LYLE B., Westbrook	1,549	PERREAULT, SYLVIA, Arundel	1,812
PEOPLES, ANN E., Westbrook	1,894	<u>District 141</u>	
<u>District 126</u>		BABBIDGE, CHRISTOPHER W., Kennebunk	2,542
DRISCOLL, TIMOTHY E., Westbrook	1,742	RHEAUME, KEVIN, Kennebunk	1,819
MUNDAY, TATIA, Westbrook	1,048	<u>District 142</u>	
<u>District 127</u>		BOLAND, ANDREA M., Sanford	1,832
BABINE, SHAWN A., Scarborough	2,108	CARR, ROBERT B., Sanford	1,222
MCDONOUGH, JOHN F., Scarborough	2,151	<u>District 143</u>	
<u>District 128</u>		REAGAN, DEBRA J., Sanford	715
MOST, SYLVIA J., Scarborough	2,053	TUTTLE, JOHN L. JR., Sanford	1,580
PENDLETON, PEGGY A., Scarborough	2,079	<u>District 144</u>	
TALLARICO, LEO KNIGHTON, Scarborough	226	CHAMBERLAIN, DONNA, Lebanon	1,285
<u>District 129</u>		NASS, JOAN M., Acton	1,902
BARSTOW, CHRISTOPHER R, Gorham	2,625	<u>District 145</u>	
FREEMAN, HAROLD EUGENE JR., Gorham	1,348	BURNS, RICHARD JOHN, Berwick	1,739
<u>District 130</u>		STONE, OSCAR C., Berwick	1,150
FARRINGTON, DAVID W., Gorham	1,867	<u>District 146</u>	
HARNDEN, RYAN H., Gorham	1,312	BURKE, DAVID D., South Berwick	713
<u>District 131</u>		GOULD, BONNIE S., South Berwick	1,433
BREAULT, BONITA J., Buxton	1,570	SCHARFF, ADAM B., South Berwick	1,367
MAREAN, DONALD G., Hollis	2,198	<u>District 147</u>	
<u>District 132</u>		CHASE, KATHLEEN D., Wells	1,718
GOMBAR, WILLIAM J., Old Orchard Beach	1,124	CILLUFFO, ANTHONY V., Wells	1,483
		FOX, RUSSELL P., Wells	351

**PASSAMAQUODDY TRIBE
JOINT TRIBAL COUNCIL**

November 29, 2006
Honorable Millicent M. MacFarland
Clerk of the House
State House Station 2
Augusta, Maine 04333-0002
Dear Clerk MacFarland:

It is certified that the Passamaquoddy Tribe duly elected Donald G. Soctomah, as Passamaquoddy Tribal Representative to the Maine Legislature for a term of four years commencing October 1, 2006 to September 30, 2010.

Tribal elections were held at the Pleasant Point and Indian Township Passamaquoddy Reservations in September of 2006. If you need more information, please call me at (207) 853-2600 Ext. 254.

Sincerely,
S/Mary J. Lola
Passamaquoddy Joint Council Clerk

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 7)

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

December 6, 2006
Honorable John Richardson
Speaker of the House
2 State House Station
Augusta, ME 04333
Dear Speaker Richardson:

The following is a summary of the results of the November 7, 2006 Referendum Election, as derived from the accompanying copies of the Governor's Proclamations and the Secretary of State's Official Tabulation of the election results.

Question 1: Citizen Initiative
Number of Votes in Favor 247,175
Number of Votes Opposed 288,971
Question 2: Constitutional Amendment
Number of Votes in Favor 270,922
Number of Votes Opposed 229,749

Sincerely,
S/Matthew Dunlap
Secretary of State

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 8)

**STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE & FINANCIAL
SERVICES
BUREAU OF THE BUDGET
STATE HOUSE STATION 58
AUGUSTA, MAINE 04333**

Date: September 30, 2006
To: Honorable John Elias Baldacci, Governor
Honorable Beth Edmonds, President of the Senate
Honorable John Richardson, Speaker of the House
Honorable Margaret Rotundo, Senate Chair
Honorable Joseph C. Brannigan, House Chair
Members, Joint Standing Committee on Appropriations and Financial Affairs

District 148
BEAVERS, ROBERTA B., South Berwick 1,754
LEWIN, SARAH O., Eliot 1,878

District 149
HILL, DAWN, York 2,599
MOULTON, BRADLEY S., York 1,535

District 150
GREGG, KINLEY, York 1,698
WEAVER, WINDOL C., York 1,899

District 151
SHWAERY, GLENN T., Kittery 767
WHEELER, WALTER A. SR., Kittery 2,173

I, MATTHEW DUNLAP, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast for State Representatives at the General Election, as reported to me on the returns from the cities, towns and plantations of the State.

* These are election night totals. At the conclusion of the recount, the election remains in dispute.

S/MATTHEW DUNLAP
Secretary of State

READ and ORDERED PLACED ON FILE.

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

At this point the Speaker appointed Representative FAIRCLOTH of Bangor to inform the Senate that the House was duly organized for business.

The Following Communication: (H.C. 5)
**PENOBSCOT INDIAN NATION
OFFICE OF THE TRIBAL CLERK
COMMUNITY BUILDING
INDIAN ISLAND
OLD TOWN, MAINE 04468**

October 26, 2006
Hon. Millicent M. MacFarland
Clerk of the House
Room 300, State House
2 State House Station
Augusta, ME 04333-0002
Dear Clerk MacFarland:

This is to certify that Donna M. Loring was elected Representative to the State Legislature for the term of October 1, 2006 - September 30, 2008.

The Tribal Biennial Election was held on September 09, 2006 under the provision of Chapter Four of the Penobscot Nation Laws and Ordinances.

Sincerely,
S/Linda Socoby
Tribal Clerk

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 6)

**AUGUSTA, MAINE
04333-0024**

From: S/Ryan Low, State Budget Officer
Subject: Report on the forecast of revenues and expenditures for the General Fund and the Highway Fund for the FY 06-07 biennium and the FY 08-09 biennium in accordance with Title 5 §1665.

The Bureau of the Budget is pleased to present its budget forecast for the General Fund and the Highway Fund for the FY 06-07 biennium and the FY 08-09 biennium in accordance with Title 5 §1665. This effort was initiated and passed into law by the 117th Legislature as fulfillment of one of the recommendations of the Special Commission on Governmental Restructuring to provide a platform for long term financial planning.

This budget forecast is based on the current structure of state revenues and expenditures for both the General Fund and the Highway Fund as required by Title 5 §1665, subsection 7. This budget forecast should provide the most consistent view of revenue and expenditure trends over the long term as a basis for financial planning and decision-making.

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 9)

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

September 7, 2006

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

Dear Speaker Richardson:

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

In calendar year 2005, thirty-five companies received GTI reimbursement payments totaling \$10,000 or more. The attached report lists the amounts paid and the anticipated job growth and retention associated with those funds.

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

GTI ensures that the needs of small firms are addressed via the scoring process, and requires applicants to identify the public benefit resulting from proposed training projects. GTI continues to be a primary vehicle for achieving sustainable long-term economic growth for Maine.

Sincerely,
S/Laura A. Fortman
Commissioner

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 10)

**STATE OF MAINE
MAINE REVENUE SERVICES
24 STATE HOUSE STATION**

October 1, 2006

Senate President Edmonds

Speaker of the House Richardson

Members of the 122nd Maine Legislature:

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

The first table lists corporations that reduced their Maine income tax liability with the JITC, the R&D credit, and/or the Seed Capital credit in tax year 2004, as well as the value of the credits. Table II provides information on individual filers that reduced their Maine income tax liability with the JITC, the R&D credit, and/or the Seed Capital credit by Maine adjusted gross income in tax year 2004. Tax year 2004 is the last year for which we have full information on both corporate and individual filers. Statutes governing the release of confidential taxpayer information prevent us from reporting the names of the corporations or individuals that benefited from these tax credits.

The third attachment explains the Shipbuilding Facility credit. As required by statute the report provides information on the level of employment, yearly investment and the cumulative amount of investment. Since the inception of the credit, the level of employment has been such that the annual cost to the state treasury has exceeded the base credit amount of \$3 million per year.

The fourth attachment is a list of BETR recipients by municipality. For purposes of this report, businesses that filed for reimbursement during calendar year 2005 are listed. BETR recipients filed between August 1, 2005 and December 31, 2005 for eligible property taxes paid during calendar year 2004. For that period the state reimbursed \$67.3 million to 1,729 companies.

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

Sincerely,
S/Jerome D. Gerard

READ and with accompanying papers ORDERED PLACED ON FILE.

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

The Following Communication: (H.C. 14)

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

November 30, 2006

The Honorable John Richardson

Speaker of the House

2 State House Station

Augusta, ME 04333-0002

Re: Annual Report on Charitable Fundraising Activity

Dear Speaker Richardson:

Pursuant to the Charitable Solicitations Act, 9 MRSA, §5010, enclosed please find the Annual Report on the 2005 fundraising activity of charitable organizations registered in the State of Maine. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,
S/Anne L. Head
Acting Commissioner

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

ORDERS

On motion of Representative WATSON of Bath, the following Joint Order: (H.P. 1)

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at his discretion, to permit radio or television in the Hall of the House of Representatives during joint conventions of the Legislature.

READ and PASSED.
Sent for concurrence.

On motion of Representative PERRY of Calais, the following Joint Order: (H.P. 2)

ORDERED, the Senate concurring, that any Town or City Clerk or Board of County Commissioners may, upon written request to the Clerk of the House, receive without charge, copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills; and be it further

ORDERED, that any tax supported public library may upon written request to the Clerk of the House receive without charge copies of all printed bills, so that there may be available to the public during the legislative session a complete and convenient file of all printed bills.

READ and PASSED.
Sent for concurrence.

On motion of Representative TUTTLE of Sanford, the following Joint Order: (H.P. 3)

ORDERED, the Senate concurring, that there be prepared by the Legislative Information Office, under the direction of the Secretary of the Senate and the Clerk of the House, after adjournment of the present session, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve and that there be printed sufficient copies to meet the needs of the Legislature. A copy shall be mailed to each member and officer of the Legislature and the State Law and Legislative Reference Library.

READ and PASSED.
Sent for concurrence.

On motion of Representative FAIRCLOTH of Bangor, the following House Order: (H.O. 4)

ORDERED, that each adjournment of the House be until 10 o'clock of the following morning unless otherwise ordered.

READ and PASSED.

On motion of Representative NORTON of Bangor, the following House Order: (H.O. 5)

ORDERED, that the Clerk of the House be authorized and directed to furnish each member of the House with a copy of the Advance Journal and Calendar of the House, said copy to be on the desk of each member at the opening of each daily session.

READ and PASSED.

On motion of Representative FISHER of Brewer, the following House Order: (H.O. 6)

ORDERED, that the remaining subordinate officers of the House be appointed to serve for the present biennium as follows: by the Clerk, a Chief Calendar Clerk, two Advance Journal and Calendar Clerks, an Administrative Assistant, a Journal Copy Clerk, a House Reporter, a Senior Systems Support Coordinator, a Telephone Receptionist, and a Chamber Activities Coordinator; and be it further

ORDERED, that the Clerk is hereby authorized to accept resignations and fill any vacancies of said subordinate officers during the biennium.

READ and PASSED.

On motion of Representative RECTOR of Thomaston, the following House Order: (H.O. 7)

ORDERED, that the Clerk of the House be authorized to invite the clergy of Augusta, Hallowell, and Gardiner to officiate as Chaplains of the House, or to invite clergy from other areas of the State as requested by any member of the House; and be it further

ORDERED, that all clergy acting as Chaplains of the House shall receive \$30 for each officiation, to be paid on payrolls to be approved by the Clerk of the House.

READ and PASSED.

On motion of Representative PERCY of Phippsburg, the following House Order: (H.O. 9)

ORDERED, that the Speaker of the House is authorized, at his discretion, to permit radio or television in the Hall of the House of Representatives while the House is in session.

READ and PASSED.

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

COMMUNICATIONS

The Following Communication: (H.C. 13)

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

December 6, 2006
Honorable Millicent M. MacFarland
Clerk of the House
123rd Legislature
Augusta, Maine 04333

Dear Clerk MacFarland:

Pursuant to my Authority under House Rule 201.1 (J), I have appointed the following Representatives to the House Committee on Elections:

Stan Gerzofsky, Brunswick, Chair
Patricia A. Blanchette, Bangor
Anne M. Rand, Portland
John R. Brautigam, Falmouth
Joshua A. Tardy, Newport

Kenneth C. Fletcher, Winslow
Bonnie S. Gould, South Berwick
Abigail Holman, Fayette
Sincerely,
S/Glenn Cummings
Speaker of the House

READ and ORDERED PLACED ON FILE.

ORDERS

On motion of Representative PINGREE of North Haven, the following House Order: (H.O. 8)

ORDERED, that the House Committee on Elections is authorized to hire independent counsel to assist it in the conduct of its business, subject to the approval of the Speaker of the House; and be it further

ORDERED, that the Committee shall issue its report by January 15, 2007.

READ and PASSED.

SENATE PAPERS

The following Joint Order: (S.P. 1)

ORDERED, the House concurring, that the Joint Rules of the 122nd Maine Legislature shall be the Joint Rules of the 123rd Maine Legislature. Joint Rules may be amended by a majority vote, in each chamber, on or before the third Friday in January, 2007.

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

READ and PASSED in concurrence.

The following Joint Order: (S.P. 3)

ORDERED, the House concurring, that there be paid to the members of the Senate and the House of Representatives as advances on account of compensation established by statute, 12 payments on a biweekly basis commencing January 3, 2007, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

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

READ and PASSED in concurrence.

The following Joint Order: (S.P. 4)

ORDERED, the House concurring, that the Executive Director of the Legislative Council be authorized and directed to prepare weekly, from expense accounts to be submitted to him by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to obtain approval thereof by the President of the Senate and the Speaker of the House, respectively, and deliver the same to the State Controller for processing and payment, in the manner and form recommended by the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

ORDERED, that the Executive Director of the Legislative Council be authorized and directed to provide the forms necessary for such purpose and provide suitable space in his office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto.

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

READ and PASSED in concurrence.

The following Joint Order: (S.P. 5)

ORDERED, the House concurring, that telephone service may be provided for each member of the Senate and House, and each Representative from the Indian Tribes at the Legislature, for a reasonable number of calls, of reasonable duration, as determined by the President of the Senate as to members of the Senate and the Speaker of the House as to members of the House of Representatives and Representatives from the Indian Tribes, to points within the limits of the State of Maine. The privilege granted to be a personal privilege not to be exercised by other than the members of the Senate and House, and each Representative from the Indian Tribes at the Legislature. Members may be provided with a prepaid phone card under the direction of the Secretary of the Senate and Clerk of the House, respectively; and be it further

ORDERED, that the President of the Senate or Speaker of the House, may upon a finding of abuse of the privilege of telephone service by a member of the Senate or a member of the House, respectively, temporarily suspend or terminate the privilege of said telephone service to that member.

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

READ and PASSED in concurrence.

The following Joint Order: (S.P. 6)

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and the Clerk of the House.

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

READ and PASSED in concurrence.

The following Joint Order: (S.P. 7)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House respectively, purchase such services, supplies and equipment as may be needed to carry on the business of the Senate and House, respectively.

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

READ and PASSED in concurrence.

The following Joint Order: (S.P. 8)

ORDERED, the House concurring, that a sufficient number of the Legislative Record for the 123rd Legislature be printed, one copy for each of the members of the Senate and the House of Representatives who so desires, the Secretary of the Senate and the Clerk of the House. The remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

ORDERED, that suitable index be prepared for such Legislative Record, under the direction of the Secretary of the Senate and the Clerk of the House.

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

READ and PASSED in concurrence.

The following Joint Order: (S.P. 9)

ORDERED, the House concurring, that the rooms in the State House and State Office Building occupied by the Legislature be reserved for hearing rooms for the One Hundred and Twenty-third and succeeding Legislatures and be released for other purposes only upon approval by the Chair of the Legislative Council.

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

The following Joint Order: (S.P. 2)

ORDERED, the House concurring, that when the House and Senate adjourn, they do so until Wednesday, January 3, 2007, at 4:00 in the afternoon.

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

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

The House recessed until the Sound of the Bell.

(After Recess)

The House was called to order by the Speaker.

At this point, the Senate came and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable Beth Edmonds, in the Chair.

The Convention was called to order by the Chair.

The CHAIR: Nominations are now in order for the Office of Secretary of State for the political years 2007 & 2008.

The Chair recognizes the Senator from Penobscot, Senator Perry.

Senator **PERRY**: I nominate Matthew Dunlap of Old Town for the office of Secretary of State for the political years 2007 & 2008 and wish to speak to my motion. Thank you Madam Chair, Men and Women of the Joint Convention. And I will be succinct, pithy and short. However, if anyone is interested in the long version, I'd be happy to deliver it afterwards downstairs in my office.

It truly is a pleasure and an honor to nominate my good friend Matt Dunlap, up in the balcony, for the Office of Secretary of State. Matt and I came into the Legislature together 10 years ago. And for eight years we were seat mates. He is a good friend, a good seat mate, and a good mentor. He and I are roughly the same age and have the same legislative experience, but I have never met anyone with such a broad array of knowledge on so many topics, almost any topic. I don't know where he gets it, but he knows it. And that is fitting for the job of Secretary of State, which is such a broad area that is covered.

Almost every Mainer is affected by the Secretary of State and what they do, but largely they go unnoticed because things go

smoothly. If there is even the slightest glitch, you hear about it because so many people are affected in so many ways. Motor vehicles, corporations, elections, and the archives. It's amazing what they cover over there. They are in charge of 40,000 corporations. The economy is affected by what they do if things aren't going well. I'll keep this to just one story.

Last year, Matt Dunlap in his first term as Secretary of State, was faced with a really difficult situation when there was a Citizen's Initiative for TABOR, we're all familiar with it and the signatures were turned in and then to come to find out they weren't all turned in on time. And he had to make a decision if he was going to certify that or not. He looked at the law. He looked at the Constitution. He believed the Constitution ruled the day, that in fact he had an obligation to accept those signatures. And he did. It went to court and the high court approved that he made a good judgment. I know that it was very concerning, the politics behind this all and I called and talked to him about it. And he simply said to me, "good policy is good politics and the policy is we need to certify these". And that's how he makes these judgments and that's why I'm so pleased to nominate him and would urge everyone's support to Matt Dunlap. Thank you.

On motion of Senator Perry of Penobscot, Matthew Dunlap of Old Town was placed in nomination for the Secretary of State of the State of Maine for the political years 2007 & 2008.

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

Representative **PERCY**: Madam Chair, Men and Women of the Joint Convention. I second the nomination of Matthew Dunlap for Secretary of State and wish to speak to my motion. Ladies and Gentlemen of the House, for those of you who have served here in previous years, we have known Matthew Dunlap both as a member of this body and as Secretary of State. My words are mostly for those new members who are here. There are three points I would like you to remember about Matthew Dunlap. If you have any question about parliamentary procedure, he is the person to talk to. When I came in as a freshman there were often times when I had no idea what was going on in this room and I would be able to ask Matthew to explain to me what motions meant, what different actions meant, what different people's intentions were. So I would encourage you if you have a moment to go have a cup of coffee with Matt Dunlap and get to know him over that.

The second point I would like to make is many of us come in here and do not understand the amazing rituals that are involved with being in a State Legislature. Matthew Dunlap began as a person who helped me understand why it is important that we have a prayer at the beginning of each day, why it is important that we send messengers between both bodies to understand what is going on between the Senate and the House.

And the third point I would like to make is that Matthew Dunlap will always make the choice of what is right over what is political. And so I would encourage those freshmen on both sides of the aisle, if you do have a chance to go and speak with Matt and get to know him, and get to learn all the aspects of this wonderful world called the State Legislature. I hope you will please support this nomination of Matthew Dunlap for Secretary of State. Thank you.

The CHAIR: The Chair recognizes the Representative from Portland, Representative Marley.

Representative **MARLEY**: Thank you Madam Chair, Men and Women of the Joint Convention. I also second the nomination of Matthew Dunlap for Secretary of State and wish to speak to my motion. Thank you Madam Chair. Madam Chair, Ladies and Gentlemen of the House. Well I'll keep this short and sweet and going third is difficult not to repeat the many things

that the other nominators have said. When I came in, Matt Dunlap was also a Representative. Many of you who are new to may not realize he chaired the Inland Fisheries and Wildlife Committee for three sessions. He has a passion on conservation. Matt Dunlap is not only a good parliamentarian, but he is also a decent, honest, hardworking public servant and I think anyone that works with him and takes the good Representative from Phippsburg's advice, Representative Percy, will find that out about Matt Dunlap.

Last session I had the honor of chairing the Transportation Committee and the Secretary of State's Office comes before many of us, for Transportation often, and a number of other committees, Criminal Justice, it's a very important job. The good Senator from Bangor talked about how the Secretary of State's office truly does touch every single Mainer's lives, one way or another. And I've been honored and I appreciate the work that the Secretary of State Matt Dunlap, last session was the 47th Secretary of State of the State of Maine, has done.

He is committed, he is bipartisan, he did take some heat on the TABOR issue, but he did what he felt was right and I agree with the point that good policy is good politics. And that's what people are looking for in that office.

I hope you'll support Matthew Dunlap for Secretary of State. He has done an excellent job, he has grown in that position, and I think you'll all find he is a good resource for you and more importantly for your constituents. Thank you.

Representative PERCY of Phippsburg and Representative MARLEY of Portland seconded that motion.

The CHAIR: The Chair recognizes the Representative from Belfast, Representative GILES.

Representative **GILES**: Madam Chair, Men and Women of the Joint Convention. I nominate Donald Berry of Belmont for the Office of Secretary of State for the political years 2007 & 2008 and wish to speak to my motion. Madam President, Ladies and Gentlemen of the Senate and the House. It is my honor to rise today to nominate the Honorable Donald Berry of Belmont for the position for Secretary of State. Donald Berry is a former four term legislator who served his District with honor and dedication. He served his four terms on the Utilities and Energy Committee, where he sat as the ranking Republican for three of those four terms. His hard work and dedication to the people of Maine during his tenure and in the House of Representatives, is a model for the rest of us to follow.

However, Don's greatest service may actually be with his commitment to students over the years. Don is a retired educator who spent many years teaching in the Belfast school systems. I personally had him as a Biology teacher many years ago. And later, my son had him for Chemistry in high school. He was very active with track and field and coaching those efforts and we both remember Mr. Berry as just a very wonderful dedicated and caring teacher. I think in the role of Secretary of State he will continue his service to the community, his service to this state, and so I am proud to place his name, the name of Honorable Donald Berry before this body for consideration as Maine's Secretary of State. Thank you.

On the motion of Representative GILES of Belfast, Donald Berry of Belmont was placed in nomination for the Secretary of State of the State of Maine for the political years 2007 & 2008.

The CHAIR: The Chair recognizes the Senator from Farmington, Senator Gooley.

Senator **GOOLEY**: Madam Chair I am proud to second the nomination of Donald Berry for the Office of Secretary of State and wish to speak to my motion. Thank you. I served in the 118th, 119th, and 120th with Representative Don Berry, a unique individual. I studied Chemistry in high school and college,

Organic and Inorganic if you remember what that was, and they were tough courses. Don Berry taught Chemistry at Belfast Area High School. He then brought his expertise to the House. He was fascinating to listen to when he debated the issues where chemistry was involved. And it was fascinating to listen to when he debated other issues as well. Don is a great person. He is certainly well respected, a terrific organizer, and a leader. Don will make a great Secretary of State and I second this nomination. Thank you.

Senator **GOOLEY** of Farmington seconded that motion.

Senator **MITCHELL** of Kennebec moved that nominations cease.

The CHAIR: The nominees are Matthew Dunlap of Old Town and Donald Berry of Belmont for the Office of Secretary of State. The Chair will appoint the committee to receive, sort and count ballots for the Office of Secretary of State for the political years 2007 & 2008.

Subsequently, the Chair appointed:

The Senator from Penobscot, Senator **PERRY**

The Representative from Phippsburg, Representative **PERCY**

The Representative from Portland, Representative **MARLEY**

The Representative from Belfast, Representative **GILES**

The Senator from Farmington, Senator **GOOLEY**

The CHAIR: Nominations are now in order for the Office of State Treasurer for the political years 2007 & 2008.

The Chair recognizes the Representative from Waterville, Representative Canavan.

Representative **CANAVAN**: Madam Chair, Men and Women of the Joint Convention, I nominate David G. Lemoine of Old Orchard Beach for the Office of State Treasurer for the political years 2007 & 2008 and wish to speak to my motion.

Thank you Madam Chair and members of the 123rd Legislature. Two years ago the Legislature voted to entrust David Lemoine with the responsibility of minding the state's finances and now, two years later, the record shows that a vote for David was a trust well placed. He's got a proven record deserving of the highest marks. His administrative ability and communication skills with legislative background and legal expertise have proven to be exactly the right combination of talent needed to fulfill the obligation of the Office of State Treasurer in the most dynamic and effective way. And then I said to begin with, but I think I'm going to say to begin with and end with, David Lemoine brings to the table a strong work ethic, integrity, and devotion to family. People on both sides of the aisle respect him simply because he consistently demonstrates respect for the views of others. Because he exudes honesty, and Maine is fortunate to have a leader like David Lemoine. I ask you to return him to this very important job for the next two years. Thank you, Madam Chair.

On motion of Representative **CANAVAN** of Waterville, David G. Lemoine was placed in nomination for the Office of State Treasurer for the political years 2007 & 2008.

The CHAIR: The Chair recognizes the Senator from Penobscot, Senator Perry.

Senator **PERRY**: Madam Chair, Men and Women of the Joint Convention,, I second the nomination of David G. Lemoine for State Treasurer and wish to speak to my motion. I will be brief. I would just like to say how pleased I am to be seconding the nomination of David Lemoine and how proud I am to call him a friend and someone I've worked with for eight years. David is one of the finest people I know and he is certainly a fine State Treasurer who we should be proud of when he represents the State of Maine. And it's going to be an honor to cast a vote in

support of him today and I would urge you all do the same. Thank you.

The CHAIR: The Chair recognizes the Senator from York, Senator Hobbins.

Senator **HOBBS**: Madam Chair, Men and Women of the Joint Convention, I also second the nomination of David G. Lemoine for State Treasurer and wish to speak to my motion. Thank you Madam Chair and members of this Joint Convention. It is an honor for me also to second the nomination of David Lemoine for this important position. The two previous nominators, the genteel lady from Waterville, Representative Canavan, and the good Senator from Penobscot, Senator Perry, eloquently articulated the reasons why David Lemoine deserves to continue to confidently serve as the Treasurer of our great state.

I concur completely with their remarks and will just say a few extra, very few extra words, of someone who is so well deserving of re-election. He is a conscientious, hard working individual who is a stickler for detail and has brought the Office of State Treasurer, to a new and higher level of belief in the process of management of the office itself. His approach is to ask the following: What are we doing? What can we do? And how can we do it better? And he has proven it in the management of his office. He also plays an important role to us as legislators, and any of the incumbents in this body will attest that he responds well to legislative requests for information, and constituent services help, and LD guidance. And he always puts his office as a top priority to legislators.

Now on a personal note, David and I served together in the same law office for five years. I had the honor of hiring him as an intern, and to see him grow to be excellent attorney. He also is one of my most valuable constituents living in Old Orchard Beach. And on a side note, he was very active, and was campaign manager of a primary campaign I once had in the far distant past for Congress.

But most importantly, I have a unique story to tell you in that probably none of you can say what I can say and that is that my wife Donna and I played matchmaker for David and Karen Lemoine. And in fact we went on their first date together. And to me, that was probably the most important aspect of knowing David Lemoine, knowing the type of person he is, and to see what a wonderful family person he is. So, without giving you a long speech, I urge you to take my words into heart into placing a vote for State Treasurer, for 2nd term, for David G. Lemoine. Thank you.

Senator PERRY from Penobscot and Senator HOBBS from York seconded that motion.

The CHAIR: The Chair recognizes the Senator from York, Senator Courtney.

Senator **COURTNEY**: Madam Chair, Men and Women of the Joint Convention, I nominate David Bowles of Sanford for the Office Of State Treasurer for the political years 2007 & 2008 and wish to speak to my motion. Thank you Madam Chair. I think it is probably appropriate that I speak from this mike as David Bowles, for the last two years, has been the leader of this Republican Caucus, and has worked along with the leadership to greatly improve the tone of this Legislature. And under the Constitution, we have an obligation to elect a Treasurer and while I'm under no illusions that the numbers are not going to come out a certain way, it is indeed an honor to nominate one of our own for State Treasurer.

It is my honor to nominate David Bowles for State Treasurer. The majority of people have served with the former Representative Bowles, and know him to be a person of integrity, character, and a tremendous work ethic. You also know Dave as

someone who is cheerful, friendly, and invariably polite. But what you may not know about Dave is his professional history before he came to the Legislature, which is what makes him an outstanding candidate for the office that we're discussing.

While stationed in Washington, DC at Headquarters Marine Corps, upon his return from service in Vietnam, Dave met and married a girl from Maine and upon his discharge, he and his wife Linda moved back to York County where they have resided for 38 years.

Dave reentered college at the University of Southern Maine to complete the education that had been interrupted by his Marine Corps service and majored in Accounting and Business. He immediately began working at a Fortune 500 company located in southern Maine and quickly rose to the position of Chief Accounting Officer. He then moved to a second Fortune 500 company and assumed another position as Chief Account reporting only to the Chief Financial Officer. It was during this time that Dave assumed responsibility for corporate investments, the main operation, and became acquainted with brokerage and bond houses in New York and Toronto, Canada.

The education and training in investments and bonds that he received during this period makes him uniquely qualified for position of Maine State Treasurer. Add that to his knowledge of the workings of state government acquired during his legislative service, particularly his last four years in leadership; you have a candidate who will serve the Maine people with ability and professionalism. I ask you to join me today, in electing the Honorable David Bowles of Sanford, for the position of Maine State Treasurer. Thank you.

On motion of Senator COURTNEY of York, David Bowles of Sanford was placed in nomination for the Office of State Treasurer for the political years 2007 & 2008.

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

Representative **LEWIN**: Madam Chair, Men and Women of the Joint Convention, I second the nomination of David Bowles for State Treasurer and wish to speak to my motion. Madam President, Ladies and Gentlemen of the Senate and the House, it is my honor to rise today to nominate, to second the nomination of the Honorable David Bowles of Sanford, for the position of State Treasurer. I have known David Bowles for many, many years, and it is my pleasure and my privilege and my honor to call David my friend.

I could not have more respect or personal regard for any member of the institution than I do for David Bowles. He served his community of Sanford marvelously over his four terms in this institution and he served with great honor and great character as the Assistant Leader of the House for the Republican Party and in his last two years here as our leader. And I consider myself to be very privileged today, to place his name in nomination, along with Jon, and second it, and I hope that you'll consider him for the Treasurer for the State of Maine. Thank you.

Representative LEWIN of Eliot seconded the nomination.

Senator MARTIN from Aroostook moved that nominations cease.

The CHAIR: The nominees are David G. Lemoine of Old Orchard Beach and David Bowles of Sanford for the Office of State Treasurer for the political years 2007 & 2008. The Chair will appoint the committee to receive, sort and count ballots:

Subsequently, the Chair appointed:

The Representative from Waterville, Representative CANAVAN

The Senator from Penobscot, Senator PERRY

The Senator from York, Senator HOBBS

The Senator from York, Senator COURTNEY

The Representative from Eliot, Representative LEWIN

The CHAIR: Nominations are now in order for the Office of Attorney General for the political years 2007 & 2008.

The CHAIR: The Chair recognizes the Representative from Brewer, Representative Fisher.

Representative **FISHER**: Madam Chair, I nominate G. Steven Rowe of Portland for the Office of Attorney General for the political years 2007 & 2008 and wish to speak to my motion. Thank you Senator – always brief, usually not pithy. I rise today to present Attorney General G. Steven Rowe as my nominee for the Attorney General's position.

When I first was elected, Steve Rowe was a member of the Maine Legislature. I did, as I suggest to others who arrive here for the first time, look for folks I could trust to give good advice, not necessarily those who I will always agree with, but those who I could consider to be folks who would give me good direction and straight answers. Steve was one of those I found to do just that.

Over the next four years he did not disappoint. His bearing force of character and leadership qualities eventually brought him the position of Speaker of this body. As Speaker, he displayed a statesmen like nature that allowed us to make progress through some difficult times. He was meticulous in preparation, orderly by nature, and very serious in meeting his responsibilities. Let me reach back for a moment in his days before he arrived in the Legislature to point out some basic qualities, beyond those I've mentioned, which make Steve Rowe my candidate for Attorney General.

Steve came from a small community in Oklahoma, a small town, a tiny high school without many advantages. He rose from there to an appointment at the United States Military Academy at West Point, where he worked hard to keep up with those who had a more privileged education.

On graduation, he served his nation as an officer in the regular Army, until family obligations made it necessary for him to leave. But he did continue serving the nation as a member of our National Guard. During this time, he also continued his education getting a Master's Degree in Business, then his Law Degree at the University of Maine Law School.

After getting his law degree, he became a litigator for a major Maine corporation. This experience has been invaluable to him in his present position. While working as a litigator, he was also active in his community. That community work brought him to the attention of others who encouraged him to run for the office of state representative. Others will rise to give some detail of Steve Rowe's legislative experience and record of service as Attorney General.

I will finish by saying as I often do, the best part of this job has been for me, the quality of the people I've had a chance to work with. G. Steven Rowe is at the top of that list of quality people. I consider having the opportunity to rise on his behalf, it is quite an honor, and I encourage all of you to give an opportunity to G. Steven Rowe to continue being the excellent Attorney General that he has been for the last two years. Thank you, Madam.

On a motion by Representative FISHER of Brewer, G. Steven Rowe of Portland was placed in nomination for the Office of Attorney General for the political years 2007 & 2008.

The CHAIR: The Chair recognizes the Senator from Androscoggin, Senator Rotundo.

Senator **ROTUNDO**: Madam Chair, Men and Women of the Joint Convention, I second the nomination of G. Steven Rowe for Attorney General and wish to speak to my motion. Thank you Madam Chair, Men and Women of the House and Senate. It is

just a great pleasure to be able to second the nomination of G. Steven Rowe. I have the deepest respect for Steve Rowe and I am particularly grateful for the work he has done around the areas of keeping children safe and giving them a healthy start. As well as the prevention of domestic violence and of elder abuse.

His list of accomplishments in these areas go on and on and this is my pithy version, so you won't hear about all of these accomplishments today, but I will just end by saying Steve Rowe is a man of great intellect, enormous compassion, great integrity, and I am so very proud that he is our Attorney General. And I hope you will support his nomination because I can't think of anyone who would serve the state more effectively and more compassionately than Steve Rowe. Thank you.

The CHAIR: The Chair recognizes the Representative from Bremen, Representative Pieh.

Representative **PIEH**: Madam Chair, Men and Women of the Joint Convention, I also second the nomination of G. Steven Rowe for Attorney General and wish to speak to my motion. Thank you Madam President, Mr. Speaker, colleagues, honored guests. I am pleased and proud to be nominating Steve Rowe to continue to be our Attorney General. I'd be happy to share with you my extensive speech at another time.

As I look through trying to figure out how do I shorten this and say less words about such a wonderful person, I realize the same words run though it and they are about integrity, honesty, hard work, leadership, a willingness to take on the challenge. He was my mentor and seatmate when I first started here and was invaluable to me. And as a Speaker, he was invaluable to all of us, inspiring us to lead in a way that we believed we could do better for Maine people. He then, six years ago, became our Attorney General, and I just looked through the Legislative Record to get some ideas of what some folks would say about him. It's hard to find an amusing story to tell about Steve Rowe, because he's just not the kind of guy that locks his keys in the car in a rainstorm or forgets to bring his speech. He is always well prepared and thorough.

But something that was written by a former member of this body, now a member of the other body, said, "If you look across at the Cross Office Building late at night, and that corner light is on, on the sixth floor, it's not that somebody forgot to turn the light off, it's the Attorney General of Maine, hard at work for the people of Maine, whose door is always open." Whenever the interests of the people of Maine are on the line, Attorney General Rowe is there as a vigorous and effective advocate.

Many of the comments I read were around his integrity and his honesty. There was one that said that when Steve would talk, and he talks a lot about his family and bragging about them, he'd always wrap up as he talked about his children as saying, "I sure am glad they are like their mother."

So, I think that's what Steve Rowe is, he is a gift to us people of Maine and I hope you'll all join me in supporting him to continue in that position. Thank you.

Senator ROTUNDO of Androscoggin and Representative PIEH of Bremen seconded the motion.

The CHAIR: The Chair recognizes the Representative from Durham, Representative Vaughan.

Representative **VAUGHAN**: Madam Chair, Men and Women of the Joint Convention, I nominate William Schneider of Durham for the Office Of Attorney General for the political years 2007 & 2008 and wish to speak to my motion. Thank you Madam Chair. Madam President, Ladies and Gentlemen of the Senate and the House, I am proud to honor the Honorable William Schneider of Durham for consideration by this body to fill the post of Attorney General.

William Schneider is my friend, he is my predecessor in this chair, and he was also my opponent in one race, and in fact he preceded me as a result of that race. William Schneider is a graduate of West Point. He served in the 10th Special Forces Group and was a Captain. Following his military service, he attended the University of Maine School of Law, where he received his Juris Doctorate. After law school, Bill Schneider went directly into public service working as Assistant Attorney General, prosecuting drug cases. He currently serves as the US Attorney in the US Attorney's Office as an Anti-Terrorism Coordinator.

In addition to his military and law service to this country and to this state, Bill Schneider also served two terms as a legislator in this body as I alluded to, representing his constituents I now represent. In his first term, he served on the Judiciary Committee and in his second term was elected to Assistant Caucus Leader by his fellow Republicans. His dedication of public service and his country is unquestionable. I am proud to place the name of the Honorable William Schneider before this body for consideration as Maine's Attorney General. Thank you.

On a motion by Representative VAUGHAN of Durham, G William Schneider of Durham was placed in nomination for the Office of Attorney General for the political years 2007 & 2008.

The CHAIR: The Chair recognizes the Senator from Androscoggin, Senator Snowe-Mello.

Senator **SNOWE-MELLO**: Madam Chair, Men and Women of the Joint Convention, I second the nomination of William Schneider for Attorney General and wish to speak to my motion. Thank you Madam Chair. I do indeed stand proudly to second the nomination of William Schneider.

Bill Schneider is also a friend, that's been commonly used today I see, and I have to say he is a very good friend. I have placed a lot of trust and a lot of faith in Bill Schneider. Bill is also my constituent. Bill also, which was mentioned before, was Republican Assistant Leader in the House of Representatives. And I had the honor of serving under him, as he was my leader as Assistant Republican Leader.

In his position, Bill worked very hard to find common ground between the two caucuses. Bill has a reputation for being a man of honesty and integrity; this also has been used quite often today. And it is wonderful that we see that we have such wonderful people running for office. His experience as US Attorney certainly qualifies him to be Maine's next Attorney General. Thank you very much.

Senator **SNOWE-MELLO** of Androscoggin seconded that motion.

Senator **MITCHELL** of Kennebec moved that nominations cease.

The CHAIR: The nominees are G. Steven Rowe of Portland and William Schneider of Durham for the Office of Attorney General. The chair will appoint the committee to receive, sort and count ballots for the Office of Attorney General for the political years 2007 & 2008.

Subsequently, the Chair appointed:

- The Representative From Brewer, Representative FISHER
- The Senator From Androscoggin, Senator ROTUNDO
- The Representative From Bremen, Representative PIEH
- The Representative From Durham, Representative VAUGHAN
- The Senator From Androscoggin, Senator SNOWE-MELLO

By unanimous consent, one ballot was authorized listing the candidate for Secretary of State, the candidates for State

Treasurer, and the candidate for Attorney General. Ballots to received, sorted and counted by office.

The Chair will announce the result. 176 votes having been cast, 89 votes necessary for choice. Matthew Dunlap having received a majority of all votes cast, I now declare Matthew Dunlap of Old Town the Secretary of State for the political years 2007 & 2008.

The Chair will announce the result. 176 votes having been cast, 89 votes necessary for choice. David G Lemoine having received a majority of all votes cast, I now declare David G. Lamoine of Old Orchard Beach the State Treasurer for the political years 2007 & 2008.

The Chair will announce the result. 176 votes having been cast, 89 votes necessary for choice. G. Steven Rowe having received a majority of all votes cast, I now declare G. Steven Rowe of Portland the Attorney General for the political years 2007 & 2008.

On a motion by Senator **MITCHELL** of Kennebec, the Secretary of the Senate was directed to notify the Governor of the election of Constitutional Officers.

On a motion by Senator **MARTIN** of Aroostook, the Secretary of the Senate was directed to notify the Constitutional Officers of their election.

The purpose for which the Convention was assembled, having been accomplished, the Chair declared the same dissolved.

The Senate then retired to its chamber.

(After the Joint Convention)

The House was called to order by the Speaker.

On motion of Representative **PEOPLES** of Westbrook, the House adjourned at 4:02 p.m., until 4:00 p.m., Wednesday, January 3, 2007 pursuant to the Joint Order (S.P. 2).