

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
2nd Legislative Day
Wednesday, January 3, 2007

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

Prayer by Reverend Doctor Mykel Johnson, Allen Avenue Unitarian Universalist Church, Portland.

Pledge of Allegiance.

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

The Journal of Wednesday, December 6, 2006 was read and approved.

COMMUNICATIONS

The Following Communication: (H.P. 17)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 13, 2006
Hon. Glenn Cummings
Speaker of the House
123rd Legislature
Hon. Beth Edmonds
President of the Senate
123rd Legislature

Dear Mr. Speaker and Madam President:

On December 13, 2006, 13 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 13, 2006, as follows:

Criminal Justice and Public Safety

Bill "An Act To Strengthen 'Permissible Inference' in the Law Concerning Dissemination of Sexually Explicit Material" (EMERGENCY) (H.P. 4) (L.D. 3) (Sponsored by Representative SYKES of Harrison) (Cosponsored by Representatives: CEBRA of Naples, GERZOFISKY of Brunswick, MCKANE of Newcastle, VAUGHAN of Durham)

Health and Human Services

Bill "An Act To Amend the Prescription Privacy Law" (H.P. 5) (L.D. 4) (Sponsored by Representative FAIRCLOTH of Bangor) (Cosponsored by Senator: MARRACHÉ of Kennebec)

Bill "An Act To Establish a Residency Requirement for MaineCare Recipients" (H.P. 13) (L.D. 12) (Sponsored by Representative BROWNE of Vassalboro) (Cosponsored by Senator COURTNEY of York and Representatives: BLANCHARD of Old Town, HOGAN of Old Orchard Beach, JACOBSEN of Waterboro, MAREAN of Hollis, MAZUREK of Rockland, MILLETT of Waterford, SYKES of Harrison, THOMAS of Ripley)

Inland Fisheries and Wildlife

Bill "An Act To Create a 10-chance Moose Hunting Permit Application for Residents" (H.P. 12) (L.D. 11) (Sponsored by Representative HAMPER of Oxford) (Cosponsored by Senator HASTINGS of Oxford and Representatives: CEBRA of Naples, PRESCOTT of Topsham, ROBINSON of Raymond, SYKES of Harrison, THOMAS of Ripley)

Bill "An Act Imposing a Horsepower Restriction for Boat Motors on Muddy Pond" (H.P. 16) (L.D. 15) (Sponsored by Representative MCKANE of Newcastle) (Cosponsored by Senator DOW of Lincoln)

Labor

Bill "An Act To Provide Equal Treatment for All Veterans in the Laws Governing the Maine State Retirement System" (H.P. 6) (L.D. 5) (Sponsored by Representative CAMPBELL of Newfield) (Cosponsored by Senator MILLS of Somerset and Representatives: ADAMS of Portland, CRAVEN of Lewiston, CROSTHWAITE of Ellsworth, GERZOFISKY of Brunswick, MILLETT of Waterford, PINGREE of North Haven, TARDY of Newport, TREAT of Farmingdale)

Legal and Veterans Affairs

Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee" (H.P. 11) (L.D. 10) (Sponsored by Representative WEDDELL of Frankfort)

Transportation

Resolve, Directing the Department of Transportation To Improve Guardrails on Portions of Interstate 295 (H.P. 7) (L.D. 6) (Sponsored by Representative MARLEY of Portland)

Resolve, To Require the Department of Transportation To Accept a Traffic Light in Portland (H.P. 8) (L.D. 7) (Sponsored by Representative MARLEY of Portland)

Bill "An Act To Limit the Duration of a Legal Alien's Driver's License" (H.P. 9) (L.D. 8) (Sponsored by Representative CEBRA of Naples) (Cosponsored by Senator SNOWE-MELLO of Androscoggin and Representatives: CLARK of Millinocket, HANLEY of Gardiner, LANSLEY of Sabattus, LEWIN of Eliot, ROBINSON of Raymond, SYKES of Harrison, Senators: COURTNEY of York, HASTINGS of Oxford)

Bill "An Act To Continue the Axle Weight Law Changes beyond September 15, 2007" (H.P. 10) (L.D. 9) (Sponsored by Representative THOMAS of Ripley) (Cosponsored by Senator MARTIN of Aroostook and Representatives: AYOTTE of Caswell, BROWNE of Vassalboro, CLARK of Millinocket, JACKSON of Allagash, KNIGHT of Livermore Falls, PINKHAM of Lexington Township, THIBODEAU of Winterport, VAUGHAN of Durham)

Resolve, To Return Swanville Road in Frankfort to State Road Classification (H.P. 14) (L.D. 13) (Sponsored by Representative WEDDELL of Frankfort) (Cosponsored by Senator WESTON of Waldo and Representative: GILES of Belfast)

Resolve, To Direct the Department of Transportation To Better Ensure the Safety of Students Traveling to and from School in Waterboro (H.P. 15) (L.D. 14) (Sponsored by Representative JACOBSEN of Waterboro) (Cosponsored by Senator COURTNEY of York and Representatives: BROWNE of Vassalboro, CAMPBELL of Newfield, MARLEY of Portland, McLEOD of Lee, THOMAS of Ripley, Senator: NASS of York)

Sincerely,

S/Millicent M. MacFarland

Clerk of the House

S/Joy J. O'Brien

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

Sent for concurrence.

The Following Communication: (H.P. 23)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 20, 2006
Hon. Glenn Cummings
Speaker of the House
123rd Legislature
Hon. Beth Edmonds

President of the Senate
123rd Legislature

Dear Mr. Speaker and Madam President:

On December 20, 2006, 5 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 22, 2006, as follows:

Education and Cultural Affairs

Resolve, Prohibiting the Use of Carpeting in Schools (H.P. 22) (L.D. 20) (Sponsored by Representative BEAUDOIN of Biddeford)

Marine Resources

Bill "An Act To Make Lobster Trap Molesting a Civil Offense" (H.P. 18) (L.D. 16) (Sponsored by Representative MAZUREK of Rockland)

Transportation

Resolve, To Transfer the Cliff Island Wharf from the City of Portland to the Department of Transportation (H.P. 19) (L.D. 17) (Sponsored by Representative MARLEY of Portland)

Bill "An Act To Streamline Permitting for and Encourage the Business of Showing Vehicles" (H.P. 20) (L.D. 18) (Sponsored by Representative GERZOFKY of Brunswick) (Cosponsored by Representatives: BLANCHETTE of Bangor, BROWNE of Vassalboro, CAMPBELL of Newfield, MARLEY of Portland, RAND of Portland, RICHARDSON of Carmel, RINES of Wiscasset, SYKES of Harrison)

Resolve, To Reduce Traffic Congestion and Improve Safety on Interstate 295 (H.P. 21) (L.D. 19) (Sponsored by Representative MARLEY of Portland)

Sincerely,
S/Millicent M. MacFarland
Clerk of the House
S/Joy J. O'Brien
Secretary of the Senate

READ and ORDERED PLACED ON FILE.
Sent for concurrence.

The Following Communication: (H.P. 26)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333**

December 28, 2006
Hon. Glenn Cummings
Speaker of the House
123rd Legislature

Hon. Beth Edmonds
President of the Senate
123rd Legislature

Dear Mr. Speaker and Madam President:

On December 28, 2006, 2 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 28, 2006, as follows:

Agriculture, Conservation and Forestry

Resolve, To Provide Access for Persons with Disabilities to Great Ponds (H.P. 24) (L.D. 21) (Sponsored by Representative PINEAU of Jay)

Health and Human Services

Bill "An Act To Require Health Care Practitioners To Distribute Free Samples of Medication in Certain Circumstances" (H.P. 25) (L.D. 22) (Sponsored by Representative BEAUDOIN of Biddeford)

Sincerely,
S/Millicent M. MacFarland
Clerk of the House
S/Joy J. O'Brien
Secretary of the Senate

READ and ORDERED PLACED ON FILE.
Sent for concurrence.

The Following Communication: (H.C. 12)

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

December 19, 2006

Hon. Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Title 10, §11, I am pleased to re-appoint Representative John L. Patrick and appoint Representative Sharon Anglin Treat to the Citizen Trade Policy Commission.

If you have any questions regarding these appointments, please feel free to contact me.

Sincerely,
S/Glenn Cummings
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 15)

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

TO: Millicent M. MacFarland
Clerk of the House
FROM: S/Glenn Cummings
Speaker of the House
DATE: January 3, 2007
RE: Committee Appointments
123rd Legislature

Pursuant to my authority under House Rule 201.1(I)(a), I have made the following appointments to the various Joint Standing Committees.

Agriculture, Conservation and Forestry

Wendy Pieh, Chair (D-Bremen)
Jacqueline A. Lundeen (D-Mars Hill)
Raymond G. Pineau (D-Jay)
John F. Piotti (D-Unity)
Timothy A. Carter (D-Bethel)
Benjamin Marriner Pratt (D-Eddington)
Donald G. Marean (R-Hollis)*
Peter Edgecomb (R-Caribou)
Dean A. Cray (R-Palmyra)
Jeffery A. Gifford (R-Lincoln)

Appropriations and Financial Affairs

Jeremy R. Fischer, Chair (D-Presque Isle)
Margaret M. Craven (D-Lewiston)

Janet T. Mills (D-Farmington)
 Emily Ann Cain (D-Orono)
 Linda M. Valentino (D-Saco)
 David C. Webster (D-Freeport)
 H. Sawin Millett, Jr. (R-Waterford)*
 Patrick S. A. Flood (R-Winthrop)
 John C. Robinson (R-Raymond)
 Jayne Crosby Giles (R-Belfast)

Business, Research and Economic Development

Nancy E. Smith, Chair (D-Monmouth)
 Stephen R. Beaudette (D-Biddeford)
 Richard C. Cleary (D-Houlton)
 W. Bruce MacDonald (D-Boothbay)
 Mark Paul Samson (D-Auburn)
 Kimberly E. W. Silsby (D-Augusta)
 Christopher W. Rector (R-Thomaston)*
 Susan M. W. Austin (R-Gray)
 Michael Gary Beaulieu (R-Auburn)
 Kerri L. Prescott (R-Topsham)

Criminal Justice and Public Safety

Stan Gerzofsky, Chair (D-Brunswick)
 Patricia A. Blanchette (D-Bangor)
 Anne M. Haskell (D-Portland)
 Stephen P. Hanley (D-Gardiner)
 Dawn Hill (D-York)
 Bryan T. Kaenrath (D-South Portland)
 Richard M. Sykes (R-Harrison)*
 Christian D. Greeley (R-Levant)
 Gary E. Plummer (R-Windham)
 Joseph L. Tibbetts (R-Columbia)

Education and Cultural Affairs

Jacqueline R. Norton, Chair (D-Bangor)
 Edward D. Finch (D-Fairfield)
 Elaine Makas (D-Lewiston)
 David W. Farrington (D-Gorham)
 Charles William Harlow (D-Portland)
 Patricia B. Sutherland (D-Chapman)
 Peter Edgecomb (R-Caribou)*
 Howard E. McFadden (R-Dennysville)
 Roberta M. Muse (R-Fryeburg)
 Meredith N. Strang Burgess (R-Cumberland)

Health and Human Services

Anne C. Perry, Chair (D-Calais)
 William R. Walcott (D-Lewiston)
 Carol A. Grose (D-Woolwich)
 Elizabeth S. Miller (D-Somerville)
 Paulette G. Beaudoin (D-Biddeford)
 Gary A. Connor (D-Kennebunk)
 Robert P. Walker (R-Lincolntonville)*
 James J. Campbell, Sr. (R-Newfield)
 Sarah O. Lewin (R-Eliot)
 Donna W. Finley (R-Skowhegan)
 Donald G. Soctomah (Passamaquoddy Tribe)

Inland Fisheries and Wildlife

Troy Dale Jackson, Chair (D-Allagash)
 Walter A. Wheeler, Sr. (D-Kittery)
 Jacqueline A. Lundeen (D-Mars Hill)
 Mark E. Bryant (D-Windham)
 Edward D. Finch (D-Fairfield)
 Jane E. Eberle (D-South Portland)
 David E. Richardson (R-Carmel)*
 Earl E. Richardson (R-Greenville)
 Everett W. McLeod, Sr. (R-Lee)
 Thomas B. Saviello (U-Wilton)

Insurance and Financial Services

John R. Brautigam, Chair (D-Falmouth)
 Marilyn E. Canavan (D-Waterville)
 Sharon Anglin Treat (D-Farmingdale)
 Charles R. Priest (D-Brunswick)
 Jill M. Conover (D-Oakland)
 Patsy Garside Crockett (D-Augusta)
 Wesley E. Richardson (R-Warren)*
 Michael A. Vaughan (R-Durham)
 Jonathan B. McKane (R-Newcastle)
 David G. Savage (R-Falmouth)

Judiciary

Deborah L. Simpson, Chair (D-Auburn)
 Janet T. Mills (D-Farmington)
 Mark E. Bryant (D-Windham)
 Michael E. Dunn (D-Bangor)
 Alan M. Casavant (D-Biddeford)
 Cynthia A. Dill (D-Cape Elizabeth)
 Abigail Holman (R-Fayette)*
 Joan M. Nass (R-Acton)
 Robert A. Berube (R-Lisbon)
 Lawrence E. Jacobsen (R-Waterboro)
 Donna M. Loring (Penobscot Nation)

Labor

John L. Tuttle, Jr., Chair (D-Sanford)
 Troy Dale Jackson (D-Allagash)
 Herbert E. Clark (D-Millinocket)
 Timothy E. Driscoll (D-Westbrook)
 Anne M. Haskell (D-Portland)
 Richard John Burns (D-Berwick)
 Brian M. Duprey (R-Hampden)*
 Philip A. Cressey, Jr. (R-Cornish)
 Henry L. Joy (R-Crystal)
 Richard M. Sykes (R-Harrison)

Legal and Veterans Affairs

John L. Patrick, Chair (D-Rumford)
 John L. Tuttle, Jr. (D-Sanford)
 Patricia A. Blanchette (D-Bangor)
 Michael A. Shaw (D-Standish)
 Pamela Jabar Trinward (D-Waterville)
 Lance Weddell (D-Frankfort)
 Joan M. Nass (R-Acton)*
 Wright H. Pinkham, Sr. (R-Lexington Township)
 Bonnie S. Gould (R-South Berwick)
 Abigail Holman (R-Fayette)

Marine Resources

Leila J. Percy, Chair (D-Phippsburg)
 Herbert Adams (D-Portland)
 Peggy A. Pendleton (D-Scarborough)
 Edward J. Mazurek (D-Rockland)
 Robert N. Eaton (D-Sullivan)
 W. Bruce MacDonald (D-Boothbay)
 John F. McDonough (R-Scarborough)*
 Philip A. Cressey, Jr. (R-Cornish)
 Kenneth C. Fletcher (R-Winslow)
 Harold Ian Emery (R-Cutler)

Natural Resources

Theodore S. Koffman, Chair (D-Bar Harbor)
 Robert S. Duchesne (D-Hudson)
 Jane E. Eberle (D-South Portland)
 Christopher W. Babbidge (D-Kennebunk)
 David Miramant (D-Camden)
 Richard V. Wagner (D-Lewiston)
 James M. Hamper (R-Oxford)*
 James D. Annis (R-Dover-Foxcroft)

John F. McDonough (R-Scarborough)
Bernard L. A. Ayotte (R-Caswell)

State and Local Government

Christopher R. Barstow, Chair (D-Gorham)
Stephen R. Beaudette (D-Biddeford)
James M. Schatz (D-Blue Hill)
Andrea M. Boland (D-Sanford)
Teresea M. Hayes (D-Buckfield)
Lawrence G. Sirois (D-Turner)
Henry L. Joy (R-Crystal)*
Philip A. Curtis (R-Madison)
H. David Cotta (R-China)
Windol C. Weaver (R-York)

Taxation

John F. Piotti, Chair (D-Unity)
Herbert E. Clark (D-Millinocket)
Anne M. Rand (D-Portland)
Thomas R. Watson (D-Bath)
Donald E. Pilon (D-Saco)
Randy E. Hotham (R-Dixfield)*
Scott E. Lansley (R-Sabattus)
Kathleen D. Chase (R-Wells)
L. Gary Knight (R-Livermore Falls)
Richard G. Woodbury (U-Yarmouth)

Transportation

Boyd P. Marley, Chair (D-Portland)
Charles D. Fisher (D-Brewer)
George W. Hogan, Sr. (D-Old Orchard Beach)
Edward J. Mazurek (D-Rockland)
Ann E. Peoples (D-Westbrook)
Charles Ken Theriault (D-Madawaska)
William P. Browne (R-Vassalboro)*
Douglas A. Thomas (R-Ripley)
Richard M. Cebra (R-Naples)
Kimberley C. Rosen (R-Bucksport)

Utilities and Energy

Lawrence Bliss, Chair (D-South Portland)
Herbert Adams (D-Portland)
Peter L. Rines (D-Wiscasset)
Richard D. Blanchard (D-Old Town)
Seth A. Berry (D-Bowdoinham)
Jon Hinck (D-Portland)
Kenneth C. Fletcher (R-Winslow)*
Philip A. Curtis (R-Madison)
Stacey Allen Fitts (R-Pittsfield)
Michael Thibodeau (R-Winterport)
*Ranking Republican Member

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 16)

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

January 3, 2007

Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk MacFarland:

Pursuant to my authority under Joint Rule 371, I have appointed the following members to the Government Oversight Committee:

Representative Marilyn E. Canavan, Chair (D-Waterville)
Representative Peggy A. Pendleton (D-Scarborough)
Representative Andrea M. Boland (D-Sanford)
Representative Scott E. Lansley (R-Sabattus)*
Representative Michael A. Vaughan (R-Durham)
Representative Everett W. McLeod, Sr. (R-Lee)
*Ranking Republican Member

Sincerely,
S/Glenn Cummings
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 17)

**SENATE OF MAINE
123RD LEGISLATURE
OFFICE OF THE PRESIDENT**

December 21, 2006

The Honorable Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Senate Rule 201.3, I have made the following appointments to various Joint Standing Committees.

Agriculture, Conservation and Forestry

John M. Nutting, Chair (D-Androscoggin)
Margaret Rotundo (D-Androscoggin)
Roger L. Sherman (R-Aroostook)

Appropriations and Financial Affairs

Margaret Rotundo, Chair (D-Androscoggin)
John L. Martin (D-Aroostook)
Karl W. Turner (R-Cumberland)

Business, Research and Economic Development

Lynn Bromley, Chair (D-Cumberland)
Elizabeth M. Schneider (D-Penobscot)
Jonathan T. E. Courtney (R-York)

Criminal Justice & Public Safety

G. William Diamond, Chair (D-Cumberland)
Earle L. McCormick (R-Kennebec)
Roger L. Sherman (R-Aroostook)

Education and Cultural Affairs

Peter B. Bowman, Chair (D-York)
Elizabeth H. Mitchell (D-Kennebec)
Peter Mills (R-Somerset)

Health and Human Services

Joseph C. Brannigan, Chair (D-Cumberland)
Lisa T. Marraché (D-Kennebec)
Kevin L. Raye (R-Washington)

Inland Fisheries and Wildlife

Bruce S. Bryant, Chair (D-Oxford)
Joseph C. Perry (D-Penobscot)
Walter R. Gooley (R-Franklin)

Insurance and Financial Services

Nancy B. Sullivan, Chair (D-York)
Peter B. Bowman (D-York)
Lois A. Snowe-Mello (R-Androscoggin)

Judiciary

Barry J. Hobbins, Chair (D-York)
John M. Nutting (D-Androscoggin)
David R. Hastings III (R-Oxford)

Labor

Ethan K. Strimling, Chair (D-Cumberland)
Nancy B. Sullivan (D-York)
Dana L. Dow (R-Lincoln)

Legal and Veterans Affairs

Lisa T. Marraché, Chair (D-Kennebec)
 Bruce S. Bryant (D-Oxford)
 Debra D. Plowman (R-Penobscot)

Marine Resources

Dennis S. Damon, Chair (D-Hancock)
 Dana L. Dow (R-Lincoln)
 Lois A. Snowe-Mello (R-Androscoggin)

Natural Resources

John L. Martin, Chair (D-Aroostook)
 Philip L. Bartlett II (D-Cumberland)
 Douglas M. Smith (R-Piscataquis)

State and Local Government

Elizabeth M. Schneider, Chair (D-Penobscot)
 Joseph C. Brannigan (D-Cumberland)
 Paula I. Benoit (R-Sagadahoc)

Taxation

Joseph C. Perry, Chair (D-Penobscot)
 Ethan Strimling (D-Cumberland)
 Richard A. Nass (R-York)

Transportation

Dennis S. Damon, Chair (D-Hancock)
 G. William Diamond (D-Cumberland)
 Christine R. Savage (R-Knox)

Utilities and Energy

Philip L. Bartlett II, Chair (D-Cumberland)
 Barry J. Hobbins (D-York)
 Douglas M. Smith (R-Piscataquis)

Sincerely,

S/Beth Edmonds

President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 21)

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

December 29, 2006

Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333-0002

Dear Clerk MacFarland:

Pursuant to my authority under Joint Rule 354, I am pleased to appoint the following Legislative House members to the Joint Select Committee on Joint Rules;

Representative Stan Gerzofsky of Brunswick as House Chair

Representative Herbert Adams of Portland
 Representative Nancy E. Smith of Monmouth
 Representative Henry L. Joy of Crystal
 Representative Stacey Allen Fitts of Pittsfield

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

Sincerely,

S/Glenn Cummings

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 22)

SENATE OF MAINE

**123RD LEGISLATURE
 OFFICE OF THE PRESIDENT**

December 6, 2006

The Honorable Millicent M. MacFarland

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk MacFarland:

Pursuant to my authority under Joint Rule 354, I have made the following appointments to the Joint Select Committee on Joint Rules:

Senator John L. Martin of Aroostook, Chair
 Senator Elizabeth H. Mitchell of Kennebec
 Senator Philip L. Bartlett II of Cumberland
 Senator Carol Weston of Waldo
 Senator Richard W. Rosen of Penobscot

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Beth Edmonds

President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 18)

**STATE OF MAINE
 Office of the Secretary of State**

January 3, 2007

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 Governor at the General Election held on the seventh day of November in the year two thousand and six;

REPORT AS FOLLOWS; that John E. Baldacci, having received a plurality of the votes cast, appears to have been elected Governor of the State of Maine:

General Election – November 7, 2006

Governor

JOHN E. BALDACCI
 DEMOCRAT

ANDROSCOGGIN	13,631	33.3%
AROOSTOOK	12,752	48.4%
CUMBERLAND	48,449	39.8%
FRANKLIN	4,613	32.0%
HANCOCK	10,138	40.3%
KENNEBEC	18,765	36.5%
KNOX	6,506	35.1%
LINCOLN	5,825	33.0%
OXFORD	8,281	34.0%
PENOBSCOT	24,015	40.9%
PISCATAQUIS	2,591	34.5%
SAGADAHOC	5,962	35.1%
SOMERSET	6,500	32.3%
WALDO	5,678	33.5%
WASHINGTON	3,897	29.3%
YORK	32,324	42.0%
TOTAL	209,927	38.1%

PATRICIA H. LAMARCHE
GREEN INDEPENDENT

ANDROSCOGGIN	3,914	9.6%
AROOSTOOK	2,404	9.1%
CUMBERLAND	13,082	10.8%
FRANKLIN	1,270	8.8%
HANCOCK	2,307	9.2%
KENNEBEC	5,482	10.7%
KNOX	1,808	9.8%
LINCOLN	1,679	9.5%
OXFORD	2,036	8.4%
PENOBSCOT	4,677	8.0%
PISCATAQUIS	559	7.5%
SAGADAHOC	1,775	10.5%
SOMERSET	2,084	10.3%
WALDO	1,680	9.9%
WASHINGTON	1,204	9.1%
YORK	6,729	8.8%
TOTAL	52,690	9.6%

BARBARA MERRILL
INDEPENDENT MAINE COURSE

ANDROSCOGGIN	9,805	24.0%
AROOSTOOK	3,803	14.4%
CUMBERLAND	27,613	22.7%
FRANKLIN	2,521	17.5%
HANCOCK	5,319	21.1%
KENNEBEC	10,748	20.9%
KNOX	5,056	27.3%
LINCOLN	4,537	25.7%
OXFORD	6,117	25.1%
PENOBSCOT	10,643	18.1%
PISCATAQUIS	1,476	19.7%
SAGADAHOC	4,316	25.4%
SOMERSET	4,025	20.0%
WALDO	4,143	24.5%
WASHINGTON	3,002	22.6%
YORK	15,591	20.3%
TOTAL	118,715	21.6%

PHILLIP MORRIS NAPIER
TAX EQUALITY REBELLION

ANDROSCOGGIN	204	0.5%
AROOSTOOK	184	0.7%
CUMBERLAND	668	0.5%
FRANKLIN	97	0.7%
HANCOCK	160	0.6%
KENNEBEC	251	0.5%
KNOX	140	0.8%
LINCOLN	96	0.5%
OXFORD	127	0.5%
PENOBSCOT	320	0.5%
PISCATAQUIS	47	0.6%
SAGADAHOC	86	0.5%
SOMERSET	139	0.7%
WALDO	108	0.6%
WASHINGTON	119	0.9%
YORK	362	0.5%
TOTAL	3,108	0.6%

CHANDLER E. WOODCOCK

REPUBLICAN

ANDROSCOGGIN	13,632	32.7%
AROOSTOOK	7,188	27.3%
CUMBERLAND	31,835	26.2%
FRANKLIN	5,920	41.1%
HANCOCK	7,231	28.7%
KENNEBEC	16,178	31.5%
KNOX	5,019	27.1%
LINCOLN	5,494	31.2%
OXFORD	7,771	31.9%
PENOBSCOT	19,100	32.5%
PISCATAQUIS	2,829	37.7%
SAGADAHOC	4,829	28.5%
SOMERSET	7,393	36.7%
WALDO	5,329	31.5%
WASHINGTON	5,057	38.1%
YORK	21,890	28.5%
TOTAL	166,425	30.2%

OTHER

ANDROSCOGGIN	0	0.0%
AROOSTOOK	0	0.0%
CUMBERLAND	0	0.0%
FRANKLIN	0	0.0%
HANCOCK	0	0.0%
KENNEBEC	0	0.0%
KNOX	0	0.0%
LINCOLN	0	0.0%
OXFORD	0	0.0%
PENOBSCOT	0	0.0%
PISCATAQUIS	0	0.0%
SAGADAHOC	0	0.0%
SOMERSET	0	0.0%
WALDO	0	0.0%
WASHINGTON	0	0.0%
YORK	0	0.0%
TOTAL	0	0.0%

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

S/MATTHEW DUNLAP

Secretary of State

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

The Following Communication: (H.C. 19)

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
HUMAN TRAFFICKING TASK FORCE**

December 19, 2006

The Honorable Beth Edmonds, President

Maine State Senate

The Honorable Glenn Cummings, Speaker

Maine House of Representatives

State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

Pursuant to Resolves 2005, Chapter 200, the Task Force to Study Human Trafficking is pleased to submit its final report, including recommended legislation. Copies of the report have

been placed on file with the Law and Legislative Reference Library.

Sincerely,
S/Senator Bill Diamond
Senate Chair
S/Representative Marilyn E. Canavan
House Chair

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

The Following Communication: (H.C. 20)

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
JOINT SELECT COMMITTEE ON RESEARCH, ECONOMIC
DEVELOPMENT
AND THE INNOVATION ECONOMY**

December 21, 2006

The Honorable Beth Edmonds, President
Maine State Senate
The Honorable Glenn Cummings, Speaker
Maine House of Representatives
State House

Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:
Pursuant to Joint Order S.P. 847, the Joint Select Committee on Research, Economic Development and the Innovation Economy is pleased to submit its final report, including recommended legislation. Copies of the report have been placed on file with the Law and Legislative Reference Library.

Sincerely,
S/Senator Lynn Bromley
Senate Chair
S/Representative Emily Ann Cain
House Chair

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

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

COMMUNICATIONS

The Following Communication: (H.C. 25)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
2 STATE HOUSE STATION
AUGUSTA, ME 04333-0002
HOUSE COMMITTEE ON ELECTIONS**

January 3, 2007

Millicent M. MacFarland
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Madam Clerk:
In compliance with the directive of the House, enclosed herewith in the form of a House Order is the Report of the House Committee on Elections regarding the elections in House Districts 7 and 102.

Sincerely,
S/Stan Gerzofsky, Brunswick
Chair

READ and **ORDERED PLACED ON FILE.**

ORDERS

On motion of Representative GERZOFKY of Brunswick, the following House Order: (H.O. 10)

WHEREAS, on December 6, 2006, the Secretary of State certified to this House that general elections were held on November 7, 2006; and

WHEREAS, the Constitution of Maine, Article IV, Part Third, Section 3 provides that the House shall determine by majority vote the qualifications and elections of its members; and

WHEREAS, on December 6, 2006 Patricia B. Sutherland of Presque Isle was administered an oath of office and permitted to temporarily assume the seat in House District 7, pending further action and determination and declaration of that determination by majority vote of the House, following a review of the election by the House Committee on Elections; and

WHEREAS, the House Committee on Elections reviewed the election in House District 7 and finds that Patricia B. Sutherland was elected as the Representative from Presque Isle; now, therefore, be it

ORDERED, that Patricia B. Sutherland is deemed the duly elected Representative of House District 7 and be finally seated.

READ.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Gerzofsky.

Representative **GERZOFKY**: Mr. Speaker, before you pass this Joint Order, I would like to congratulate and thank the Committee on Elections for all of the hard work they have done over the last several weeks. And how they have taken partisanship out of dealing with these two elections that were very important, and settling them by going to find out where the votes were, where the voters were. And I want to commend the Committee for doing their work in such a professional manner and ensuring the people of Maine that their votes actually counted and the voters actually counted. Thank you very much to the Committee. Mr. Speaker.

Subsequently, the House Order was **PASSED.**

On motion of Representative GERZOFKY of Brunswick, the following House Order: (H.O. 11)

WHEREAS, on December 6, 2006, the Secretary of State certified to this House that general elections were held on November 7, 2006; and

WHEREAS, the Constitution of Maine, Article IV, Part Third, Section 3 provides that the House shall determine by majority vote the qualifications and elections of its members; and

WHEREAS, on December 6, 2006 Michael A. Shaw of Standish was administered an oath of office and permitted to temporarily assume the seat in House District 102, pending further action and determination and declaration of that determination by majority vote of the House, following a review of the election by the House Committee on Elections; now, therefore, be it

ORDERED, that the House rescind its action in provisionally seating Michael A. Shaw as the Representative of House District 102; and be it further

ORDERED, that Gary W. Moore of Standish be seated in the House as the duly elected Representative of House District 102.

READ and **PASSED.**

At this point, the Speaker announced the presence in the Hall of the House of Representative-Elect MOORE of Standish.

The Speaker appointed the following Representatives to escort Representative-Elect MOORE to the Office of the Chief Justice of the Maine Supreme Judicial Court at the Maine Judicial Center to take and subscribe the oath necessary to qualify him for the discharge of his official duties:

Representative TARDY of Newport
Representative FLETCHER of Winslow
Representative HOLMAN of Fayette
Representative GERZOFISKY of Brunswick
Representative BRAUTIGAM of Falmouth

At this point, a message came from the Senate borne by Senator MITCHELL of Kennebec of that Body, proposing a Joint Convention of both branches of the Legislature to be held at 6:30 in the evening at the Augusta Civic Center for the purpose of administering to the Honorable JOHN ELIAS BALDACCI, Governor-elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties and to receive such communication as he may be pleased to make.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 6:30 in the evening at the Augusta Civic Center and the Speaker appointed Representative PINGREE of North Haven to convey this message to the Senate.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolve were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

Resolve, To Decrease Landfill Costs and Protect the Environment through a Beverage Container Reuse Program

(H.P. 32) (L.D. 30)

Sponsored by Representative FAIRCLOTH of Bangor.

HEALTH AND HUMAN SERVICES

Bill "An Act To Establish a Statewide Residency Requirement for General Assistance"

(H.P. 30) (L.D. 28)

Sponsored by Representative BROWNE of Vassalboro.
Cosponsored by Representative SIROIS of Turner, Senator COURTNEY of York and Representatives: BLANCHARD of Old Town, HOGAN of Old Orchard Beach, JACOBSEN of Waterboro, MAREAN of Hollis, MAZUREK of Rockland, MILLETT of Waterford, SYKES of Harrison, THOMAS of Ripley.

Bill "An Act To Amend the Laws Governing Welfare"

(H.P. 31) (L.D. 29)

Sponsored by Representative BEAUDOIN of Biddeford.

LEGAL AND VETERANS AFFAIRS

Bill "An Act To Clarify Election Laws Concerning Election Clerks' Qualifications" (EMERGENCY)

(H.P. 29) (L.D. 27)

Sponsored by Representative BARSTOW of Gorham.

NATURAL RESOURCES

Bill "An Act To Change the Maine Land Use Regulation Commission's Lot Size, Coverage and Setback Requirements for Some Affordable Housing Lots on Coastal Islands"

(H.P. 27) (L.D. 25)

Sponsored by Representative McKANE of Newcastle.

Cosponsored by Senator DOW of Lincoln.

Committee on **NATURAL RESOURCES** suggested and ordered printed.

On motion of Representative KOFFMAN of Bar Harbor, **TABLED** pending **REFERENCE** and later today assigned.

STATE AND LOCAL GOVERNMENT

Bill "An Act To Create a Regional Jail System"

(H.P. 34) (L.D. 32)

Sponsored by Representative WEDDELL of Frankfort. (BY REQUEST)

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative BARSTOW of Gorham, the Bill was **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, ordered printed and sent for concurrence.

TAXATION

Bill "An Act To Fund Transportation Projects"

(H.P. 28) (L.D. 26)

Sponsored by Representative MARLEY of Portland.

Bill "An Act To Fund Alcohol and Tobacco Addiction Treatment Programs"

(H.P. 33) (L.D. 31)

Sponsored by Representative WEDDELL of Frankfort. (BY REQUEST)

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

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

Pursuant to his authority under House Rule 201.1 (H), the Chair appointed Representative Hannah M. Pingree of North Haven to serve as Speaker Pro Tem when the House reconvenes in the House Chamber following the Joint Convention for the Inauguration of the Governor.

SENATE PAPERS

The following Joint Order: (S.P. 14)

ORDERED, the House concurring, that the returns of votes for the Governor, given in the several cities, towns and plantations of the State for the political years 2007, 2008, 2009 and 2010, be referred to a Joint Select Committee of seven on the part of the Senate, with such as the House may join.

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

READ and **PASSED** in concurrence.

At this point, the Speaker appointed the following members to the Joint Select Committee on the Gubernatorial Vote on the part of the House:

Representative NORTON of Bangor
Representative FINCH of Fairfield
Representative MAKAS of Lewiston
Representative FARRINGTON of Gorham
Representative HARLOW of Portland
Representative SUTHERLAND of Chapman
Representative EDGECOMB of Caribou
Representative McFADDEN of Dennysville
Representative MUSE of Fryeburg
Representative STRANG BURGESS of Cumberland

COMMUNICATIONS

The Following Communication: (S.P. 13)
**123RD MAINE LEGISLATURE
AUGUSTA, MAINE 04333**

December 13, 2006
Hon. Beth Edmonds
President of the Senate
123rd Legislature
Hon. Glenn Cummings
Speaker of the House
123rd Legislature

Dear Madam President and Mr. Speaker:

On December 13, 2006, 2 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on December 13, 2006, as follows:

Judiciary

Bill "An Act To Increase Reimbursement for Jury Duty" (S.P. 11) (L.D. 1) (Sponsored by Senator NUTTING of Androscoggin) (Cosponsored by Representative SIMPSON of Auburn and Senators: ROTUNDO of Androscoggin, MILLS of Somerset, HASTINGS of Oxford, STRIMLING of Cumberland, Representatives: PINGREE of North Haven, MILLS of Farmington)

Taxation

Bill "An Act To Provide a Tax Credit for the Purchase of a Hybrid or Clean Fuel Vehicle" (S.P. 12) (L.D. 2) (Sponsored by Senator COURTNEY of York) (Cosponsored by Representative WATSON of Bath and Senators: NASS of York, McCORMICK of Kennebec, PERRY of Penobscot, Representatives: AUSTIN of Gray, BROWNE of Vassalboro, BABBIDGE of Kennebunk, FARRINGTON of Gorham, NASS of Acton)

Sincerely,

S/Joy J. O'Brien
Secretary of the Senate
S/Millicent M. MacFarland
Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

SENATE PAPERS

The following Joint Order: (S.P. 15)

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Honorable John Elias Baldacci

and inform him that he has been duly elected Governor of the State of Maine for the political years 2007, 2008, 2009 and 2010.

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

At this point, the Speaker appointed the following members on the part of the House to the Committee to wait upon the Honorable JOHN ELIAS BALDACCI, and inform him that he has been duly elected Governor of the State of Maine for the political years 2007, 2008, 2009 and 2010:

Representative PATRICK of Rumford
Representative BLANCHETTE of Bangor
Representative CANAVAN of Waterville
Representative ANNIS of Dover-Foxcroft
Representative CRESSEY of Cornish
Representative DUPREY of Hampden
Representative AUSTIN of Gray

COMMUNICATIONS

The Following Communication: (S.P. 26)
**STATE OF MAINE
REPORT OF THE JOINT SELECT COMMITTEE
ON GUBERNATORIAL VOTE
AUGUSTA, MAINE 04333**

January 3, 2007

The Honorable Beth Edmonds
President of the Senate
The Honorable Glenn Cummings
Speaker of the House
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

The Joint Select Committee of the One Hundred and Twenty-Third Legislature on returns of votes for Governor given in the several cities, towns and plantations of this State for the political years 2007, 2008, 2009 and 2010 has attended to its duty and asks leave to report that the tabulation of the return of votes cast for Governor at the General Election held on November 7, 2006 as reported by the Secretary of State Dunlap, is a true and accurate account.

Sincerely,

S/Senator Joseph Perry
Senate Chair
S/Representative Jacqueline R. Norton
House Chair

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.
READ and **ORDERED PLACED ON FILE** in concurrence.

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

Subsequently, Representative GERZOFKY of Brunswick reported that the necessary oath had been taken by Representative MOORE to qualify him to enter upon his official duties.

At this point, pursuant to his authority under House Rule 401.1, the Chair assigned Representative MOORE of Standish to Seat 147

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

The House recessed until the 6:15 p.m.

(After Recess - At the Civic Center)

The House was called to order by the Speaker.

At this point, the Senate came and a Joint Convention was formed at the Augusta Civic Center.

Augusta Civic Center

Interlude by 195th Maine Army National Guard Band, Commander Malcolm S. Buchanan, Band Master.

Pre-Inaugural Concert by the Bangor High School Band.

The House was called to order by Speaker Cummings.

At this point, the Senate entered the auditorium 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.

On a motion by Senator MARTIN of Aroostook, it was ORDERED, that a committee be appointed to wait upon the Honorable Justices of the Supreme Judicial Court, the Chief Justice and Justices of the Maine Superior Court, the Chief Judge and Judges of the District Court; and the Federal Judges, inviting them to attend the convention which has been convened for the purpose of administering to the Honorable John Elias Baldacci, Governor-elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Chair will appoint:

The Senator from York, Senator Hobbins
The Senator from Androscoggin, Senator Nutting
The Senator from Oxford, Senator Hastings
The Rep. from Auburn, Rep. Simpson
The Rep. from Farmington, Rep. Mills
The Rep. from Windham, Rep. Bryant
The Rep. from Bangor, Rep. Dunn
The Rep. from Biddeford, Rep. Casavant
The Rep. from Cape Elizabeth, Rep. Dill
The Rep. from Fayette, Rep. Holman

The Rep. from Acton, Rep. Nass
The Rep. from Lisbon; Rep. Berube
The Rep. from Waterboro, Rep. Jacobsen
Subsequently, Senator HOBBS of York, for the Committee, reported that the Committee had delivered the message with which we were charged and are pleased to report that the honorable members of the judiciary will attend forthwith.

At this point, the National Guard escorted the Judiciary to their seats.

At this point, the Chair welcomed Governor Joseph and Connie Brennan, Governor Angus King and Mary Herman, Congressman Tom and Diana Allen, Secretary of State Matthew Dunlap, Clergy Very Reverend Frank Murray, Rabbi Harry A. Sky, Poet Wes Mcnair, and singers Amy Weston and Melanie Saucier.

The Chair is pleased to welcome to the Joint Convention the members of the Governor's family: First Lady Karen Baldacci and their son, Jack Baldacci.

On a motion by Senator MITCHELL of Kennebec, it was ORDERED, that a Committee be appointed to wait upon the Honorable John Elias Baldacci, Governor-elect, and inform him that the two branches of the Legislature are in Convention assembled, ready to administer to him the oaths required by the constitution to qualify him to enter upon the discharge of his official duties and receive such communication as he may be pleased to make.

The Chair will appoint the following:

The Senator from York, Senator Sullivan
The Senator from Cumberland, Senator Bartlett
The Senator from Penobscot, Senator Schneider
The Rep. from Presque Isle Rep. Fischer
The Rep. from Lewiston, Rep. Craven
The Rep. from Farmington, Rep. Mills
The Rep. from Orono, Rep. Cain
The Rep. from Saco, Rep. Valentino
The Rep. from Freeport, Rep. Webster
The Rep. from Waterford, Rep. Millett
The Rep. from Winthrop, Rep. Flood
The Rep. from Raymond, Rep. Robinson
The Rep. from Belfast, Rep. Giles

Subsequently, Senator SULLIVAN of York, for the Committee, reported that the Committee had delivered the message with which we were charged and are pleased to report that the Honorable John Elias Baldacci, Governor-elect, will attend forthwith.

At this point, the chair is pleased to welcome to the Joint Convention the Honorable John Elias Baldacci, Governor-elect, who is accompanied by Chief Justice Leigh Saufley and Adjutant General John Libby.

The colors were presented by the All Service Honor Guard.

The National Anthem, "Star Spangled Banner", was sung by Amy Weston, and also by Melanie Saucier, in French.

The Invocation was given by Very Reverend Frank Murray VF.

A poem was read by Poet Wes Mcnair of Norridgewock.

The Pipes and Drums of the Dunlap Highland Band, with Pipe Major George Pulkkinen (Pollcanin) performed.

The Pihcintu Children's Chorus of Maine performed "Heart-To-Heart", directed by Con Fulham.

Thereupon, the Governor-elect, John Elias Baldacci, before the presiding officer of the Joint Convention, the Honorable Beth Edmonds, in the presence of both branches of the Legislature and the Justices, took and subscribed the oaths required by the Constitution (son Jack held the Bible) to qualify him to enter upon the discharge of his official duties.

I, JOHN ELIAS BALDACCİ, 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, JOHN ELIAS BALDACCİ, DO SWEAR, THAT I WILL FAITHFULLY DISCHARGE, TO THE BEST OF MY ABILITIES, THE DUTIES INCUMBENT ON ME AS GOVERNOR OF THE STATE OF MAINE, ACCORDING TO THE CONSTITUTION AND LAWS OF THE STATE. SO HELP ME GOD.

The Chair then called upon the Secretary of State, Matthew Dunlap, to read the proclamation.

PROCLAMATION

The vote given on the seventh day of November last, in the cities and towns and plantations of the State of Maine for Governor, the returns of which have been made to the Office of Secretary of State, having been examined and counted by the Legislature which has declared a plurality thereof was given to John Elias Baldacci. And that he is duly elected and he, having in the presence of the two branches of the Legislature in Convention assembled, taken and subscribed the oaths required by him to discharge the duties of that office, I, therefore, declare and make known to all persons in this state who are in the exercise of any public trust, as well as all good citizens thereof, that John Elias Baldacci is Governor and Commander-In-Chief of the State of Maine, and that due obedience should be rendered to all his acts and commands as such.

GOD SAVE THE STATE OF MAINE

The Chair of the Convention then presented the Honorable Governor of the Great State of Maine, John Elias Baldacci, to the Convention, amid applause, the audience rising.

Governor **BALDACCİ**: Madam President, Mr. Speaker, Members of the Legislature, Secretary of State Dunlap, Treasurer Lemoine, Attorney General Rowe, State Auditor Douglas, Congressman Allen, Governor Brennan, Governor King,

Governor Doyle, Chief Francis, Chief Nicholas, Chief Commander, Chief Phillips, my wife, the First Lady Karen, and my son Jack, members of the National Guard, foreign dignitaries, family members, nieces and nephews, and distinguished guests.

As we gather here, 365 Maine men and women of the National Guard are serving their state and nation in Iraq and Afghanistan. I call your attention to the vacant row of seats to my right in honor of their absence. We remember and honor their families who sacrifice so much while their loved ones are deployed. We pause to remember those who paid the ultimate sacrifice and their families.

This Inauguration of Maine's Governor signifies the end of a long campaign that highlighted many of Maine's challenges. It also signifies the beginning of a term in which all of us, together, must get to work and address those challenges and to improve the quality of life for Maine's children and families.

First, though, I want to say thank you. Thank you to the people of Maine for having faith in me to finish the job I started four years ago. Thank you to my opponents – and there were many of them – for waging a spirited but principled campaign of issues and ideas. While we disagreed on many things, we all agree on working to make Maine a better place than it already is. This goal has brought us here tonight and will guide us in the days ahead.

I've learned a lot in the last four years – about government, about Maine people, and about Maine's place in the world. Maine has become a very different place than it was when I began serving on the Bangor City Council or representing the Second District in Washington. Maine remains a beautiful place to live, work and raise a family – the best place in the world! But Maine, like many areas of the country, is more and more influenced by outside forces that have given way to a different brand of politics than we're used to – more partisan, more divisive and, ultimately, more detrimental to our democracy.

We recently witnessed this divisive atmosphere in the lengthy and expensive campaign over the so-called Taxpayer Bill of Rights, a property-tax reform proposal that had its origins outside of Maine. Maine voters rejected this idea. But I've heard what Maine people are saying - loud and clear, and the debate over property taxes won't end there. The time has come to enact a property tax relief policy that is by Maine people for Maine people! But before I talk more about that, I want to say a few other things. After all, this is my last Inaugural Address and the last elective office I will hold.

The political campaigns that were just completed served many important purposes, the most important of which is giving the voters clear choices on how their state will be governed and managed in the years ahead. But in the age of 10-second sound-bytes and carefully crafted TV commercials, these campaigns have a downside. All you hear are claims about what's wrong with Maine. You hear about its high tax burden, its ailing economy. You hear about out-of-control government spending, about young people leaving Maine in droves, about Maine's inability to compete with other states and other countries.

All of this has the effect of making us more pessimistic about our future. It zaps our can-do spirit and makes Maine seem a much gloomier place than it really is. Now I know this may shock you, but not everything you hear in a political campaign is 100% accurate. This was clear from the recently completed independent Brookings Institution report that exploded many myths about Maine. The Brookings study has given us not just a blueprint to improve our economy, but a way to lift the extensive pessimism that permeates this state.

You might have heard that Maine people are leaving, but in fact we have the fifth highest rate of any state in the country of

people moving into our state. Who are these people moving to Maine? Many are highly educated, upper income individuals looking for all the things that Maine has to offer that they can't find anywhere else. And where are they coming from? More than half of them are coming from Massachusetts and New Hampshire, two states that are often held up as states Maine needs to emulate.

But if that's true, why are so many people leaving those states and choosing to come to Maine? Because Maine has what the world wants: quality of life; a "gold standard" workforce. And we can compete globally. As a matter of fact, we are the eighth fastest growing state in exports in the United States. Foreign Direct Investment magazine ranked Maine's quality of life as the best in the nation. And Inc. Magazine included Portland, Lewiston-Auburn and Bangor in its listing of the top cities for doing business and attracting entrepreneurs in America. And in the Bangor Daily News today, there was a great headline about Maine's financial index being praised. The State of Maine tops New England for momentum, in terms of economic progress.

Large international companies competing on a global scale have located here and are thriving. TD Banknorth, IDEXX, National Semiconductor, and others employing thousands of hard-working Mainers. Their entrepreneurial spirit is mirrored in our home-grown small businesses criss-crossing the state: Oxford Aviation in Sanford; Sea Run Holdings of Eastport; and Maine Mutual Insurance Group of Presque Isle.

You've heard about Maine's high tax burden – the amount of taxes Maine people pay relative to their incomes. But you probably didn't hear that Maine's tax burden is coming down while incomes are on the way up. In fact, Maine's average income is at an all-time high, and our goal is to keep it going higher. If we can raise the average Maine income just a few thousand dollars a year while keeping our taxes in check, our tax burden will fall to somewhere in the middle of the 50 states, and we wouldn't be having this debate at all. So it's not enough to simply address our high taxes. We're going to have to address growing our incomes, too. I'll discuss how we intend to do both in a minute.

You might have heard that state spending is out of control. But in fact, over the past four years, we have established the lowest average spending rate increases in the last 30 years. We've capped government spending at all levels, State, County, and local. We've put \$140 million in our rainy day fund and paid off a quarter of a billion dollar credit line.

You might have heard that we sorely lag behind in jobs, but resident employment has grown by 32,000 workers in the past four years. There are more Maine people working now than ever in our state's history.

You may have heard that there is no strategic plan for growing Maine's jobs, but we recently competed for and won a \$15 million federal grant to support and expand Maine's leadership in the boat building industry, adding over 2,000 jobs in seven years. Does all of this mean that we really don't have to worry about taxes and spending, or the state of our economy? Absolutely not!

But it doesn't mean that everything is bad, or that we're not doing anything right. The fact is we are doing a lot of things right. But we must do more. And Maine can do it.

To accomplish this will take our coordinated efforts. We're going to work together. I look forward to working with the people of Maine to help us along in this path. I recently reached out to the president of the Maine State Chamber of Commerce, Dana Connors, and their Board members to work together to promote Maine businesses, to promote Maine workers and job growth in our State. And I want to thank Dana, for his help and

commitment, so that we can work together in bringing more business to Maine, and in putting more quality Maine workers in good paying jobs. We can do it in our State. I thank you Dana Connors and I thank the Maine State Chamber of Commerce for their help.

We need to celebrate our accomplishments, celebrate our achievements. We need to lift the cloud of pessimism that hangs over this state. Maine is a leader once again on energy. Businesses are now flocking to Maine to harness our clean renewable energy resources: our wind, our tides, and our wood and wood wastes. Development of these energy resources will be putting money into the pockets of Mainers rather than exporting them out-of-state and overseas. We have come a long way on the road to energy independence, and I'm going to continue to move us in that direction.

We've protected our environment. This year we completed the vision of Percival Baxter by adding Katahdin Lake to the Baxter State Park. We continued to protect traditional land uses – like hunting and fishing, and have added three-quarters of a million acres of land to preserve Maine's way of life for the future.

When we in Maine look back at the first years of this new century—an era driven by technology and innovation and a knowledge-based economy—one critically important action will stand out: the creation of Maine's Community College System. In just four years, thousands of citizens - hard working Maine people displaced from traditional manufacturing jobs, young high school graduates unsure of their future, underemployed adults struggling to make ends meet - have flooded our community colleges. Enrollment has soared by 47%. Our community colleges are building new skills for a new economy, and a brighter economic future for our entire state.

The University of Maine system enrolls 34,000 students, record enrollments. The vast majority of these are Maine people: your sons and daughters, your nieces and nephews, friends and neighbors. Most of these students build their careers in Maine. Seventy-five percent of the graduating class in May last year at Orono are now living and working and raising families in Maine. By focusing on quality education, and pursuing R&D to create private sector jobs, the University has an important impact on Maine's future.

Now this may be a little known fact, we have provided property tax relief. And we've provided property tax relief to over 200,000 Maine households by doubling the individual Property Tax and Rent Refund Program, and tax relief to all Maine homeowners by increasing the homestead exempt valuation up to \$13,000. And we increased the amount of state aid to education by replacing local dollars with \$800 million new state dollars and putting spending caps on state, county and local government. But more must be done.

The people of Maine have spoken again and again of our collective need to stop the skyrocketing costs of property taxes. At the state level, we can – and we must - do something. It must be bold and it must send a strong signal that we cannot continue doing business as usual. We must support excellence in education; not excess administration.

Maine has twice the number of school district officials per student than the national average. We spend \$2,000 more per student than the national average, and pay our teachers \$7,000 less. We can and we will do better. My plan that I am submitting to the Legislature, will reduce the number of superintendents from 152 to 26. Establishing 26 regional centers similar to the technology centers that now serve the state. And we will save a quarter billion dollars in the first three years of operation alone.

With the budget I will be submitting Friday, the State will have met the commitment that the people of Maine voted for – to

have the State pay 55% of local education costs. But this year I am going to insist that the savings available from increased funding be directly passed on to the taxpayers for immediate property tax relief. If it's not guaranteed, I will veto the legislation. But I believe that's still not enough.

After listening to thousands of people all over the state, I am insisting that we move forward to freeze property valuations on homes of permanent Maine residents for tax purposes. This must be done to prevent people from being tax valued out of their homes. Permanent Maine residents will have their property tax valuations frozen until such time as they sell their property, then they should and could rise at that time.

This freeze is a vital component of our overall tax and spending priorities. Of course there will be opposition to this. I expect it. I welcome it. Change is always threatening but it is time we put the needs of permanent Maine residents ahead of all the special interest groups and ahead of those who benefit from the ever rising property tax burden. Enough is enough.

Here is where I stand. I ask Maine people to stand with me if they believe, as I do, that we need to look out for year-round permanent Maine residents. The people of Maine require a bold initiative, and the package I am presenting: reducing state and school administrative costs; fulfilling the promise of state funding of local education to 55%; guaranteeing savings be passed along to residents; and freezing permanent residents' property valuations for tax purposes – achieves this. We cannot continue the status quo and I won't stand for it!

But we can't stop there. We must raise the average income of Mainers to reduce the tax burden, too. It takes both sides of that ledger so that we can increase the incomes and lower the tax burdens. We will raise incomes by making investments in key areas to prepare Maine people for good-paying private sector jobs. I want to thank Karen Gordon Mills for Chairing the Council on Jobs, Innovation and the Economy and jump starting this effort.

Our people can compete anywhere in the world, but we need to build our capacity and our competitive edge in the global marketplace. We will do this by committing to investments in innovation and research and development that fuel private sector jobs and economic growth. We will expand Pine Tree Zones enabling companies in Maine to have a level playing field and attract new business to this state. And we will do this by making commitments in education through a 50% tuition reimbursement at community college rates for those students who couldn't afford to go on otherwise and who attend a state college or university. We will open the doors to higher education wider than ever before, so that our students are ready to start school, ready to learn, and graduate ready to succeed here in our State.

We must change the status-quo in Augusta. We must look at things from a different perspective. And tonight I want to challenge Maine people to have the courage to change as well, in your own communities, whether that means partnering with other communities, sharing services, or joint purchasing. We have to use our God-given Yankee ingenuity – something no one else possesses, to accomplish this change.

Maine is truly at a crossroads. Our people are experiencing the transition from an old economy to a new one. In the past our economy relied heavily on manufacturing to create wealth. Today we are moving to a new focus on innovative products and knowledge-based services. This change has brought pain and dislocation but it also heralds the possibility of a prosperous future for all Mainers.

In this new economy, Maine stands head and shoulders above any state in the nation. Our good people and strong communities, along with our natural beauty and small town

character, have become scarce resources in a crowded world. The Maine brand represents quality, pride, integrity, innovation and craftsmanship – things that are sorely needed today that the world needs more of. These are Maine's competitive assets in the new 21st century economy.

If we preserve and enhance these unique assets, if we can develop and attract the kinds of businesses – from biotechnology to alternative energy, from new forest products to specialty foods – it will offer a truly sustainable prosperity. This means high quality, high paying jobs for our generation and the next. It means a thriving and innovative business climate, so that our young people want to stay here and raise their own families. It means that if we make the right choices, the 21st century is Maine's century. It means our time has come.

God bless Maine, God bless all of you and may her and your spirit together provide the light around the world for a future that is much brighter for all. God bless you all. Thank you very much.

At the conclusion of the address, Benediction was given by Rabbi Harry A. Sky.

The Governor then withdrew amid the applause from the Convention, the audience rising.

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

The House then retired to its Chamber at the State House.

(After the Joint Convention)

Representative PINGREE of North Haven assumed the Chair.

The House was called to order by the Speaker Pro Tem.

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

On motion of Representative CAMPBELL of Newfield, the House adjourned at 8:30 p.m., until 10:00 a.m., Thursday, January 4, 2007.