

**STATE OF MAINE
ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Thursday
February 6, 2014

Senate called to order by President Justin L. Alfond of Cumberland County.

Prayer by Senator Gary E. Plummer of Cumberland County.

SENATOR PLUMMER: Good morning, Mr. President, men and women of the Senate. Good morning to a group of Windham Christian Academy 6th grade students who are with us this morning. Let us bow our heads in the spirit of prayer. Our Father, when we long for life without trials and work, without difficulties, remind us that oak trees grow strong in contrary winds and diamonds are made under pressure. With stout hearts may we see in every calamity an opportunity and not give way to the pessimist who sees every opportunity as a calamity. Lord, when we are wrong make us willing to change. When we are right make us easy to live with. Let us not be frightened by the problems that confront us but rather give thanks that Thou has matched us with the hour. May we resolve, God helping us, to be part of the answer and not part of the problem. Lord, we ask that You guide us today as we make important decisions on behalf of the people of the state of Maine. Amen.

Pledge of Allegiance led by Senator Ronald F. Collins of York County.

Reading of the Journal of Tuesday, February 4, 2014.

Doctor of the day, James Hildebrand, MD of Orono.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **JACKSON** of Aroostook, the following Joint Order:
S.P. 699

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 11, 2014 at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Off Record Remarks

PAPERS FROM THE HOUSE

Joint Order

Expression of Legislative Sentiment recognizing:

Terrance E. Brann, Jr., of Boothbay, State Controller and Acting Co-Deputy Commissioner of the Department of Administrative and Financial Services, on his 27 years of dedicated service to the State. Mr. Brann's career with the State began in 1987 with the Department of Audit. After earning his Certified Public Accountant certification, he was promoted to the position of Senior Audit Analyst. He joined the Office of the State Controller in 1998, was promoted to Deputy State Controller in 2000 and, in 2009, became the State Controller. In 2012, Mr. Brann was appointed as Acting Co-Deputy Commissioner for the Department of Administrative and Financial Services. Mr. Brann was named Manager of the Year for the department in 2006 and he received 6 consecutive Certificates of Achievement for Excellence in Financial Reporting issued by the Government Finance Officers Association of the United States and Canada. We extend our appreciation to Mr. Brann for his many years of commitment to his profession and to the State, and we send him our best wishes as he moves on to new endeavors;

HLS 718

Come from the House, **READ** and **PASSED**.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Flood.

Senator **FLOOD:** Thank you very much Mr. President. Ladies and gentlemen of the Senate, I'd like to speak about a great person who is being honored here today with this sentiment, our Deputy Commissioner in DAFS, Terry Brann. First thing that I would like to do is to wish the gentleman the best of luck. He's moving on to become the Director of Finance with Maine General Health, having helped us for 27 years in state government leadership primarily in the areas of auditing, budgeting, and controller functions where I got to know him very well. He's now retiring as our Co-Deputy Commissioner in DAFS. As you can tell from the sentiment, he was hired in 1987, worked in a variety of important positions in the Controller's Office, and became the State Controller in 2009, where I spent most of my time working with him. He's been very, very helpful throughout eight years of budgeting that I've been working on and he's particularly been helpful in clarifying items that are in the comprehensive annual

financial report, health insurance issues, and supplying answers to endless questions surrounding some of our most difficult policy issues from conservation to human resources to education. He's been a go-to person, I know, for Commissioner Millett and for others on many complex policy areas that come up. I do want to mention that sometimes the Appropriations Committee meets until late hours and usually Mr. Brann would be with us during those late hours. Committee members value his openness and his expertise and his guidance was always welcome and outstanding. Terry and I share a common bond in that he is, and has been, the primary author of the Comprehensive Annual Financial Report and I actually read it. His knowledgeable support always was provided with a very calm demeanor, accurately and timely, and in an environment that wasn't necessarily always calm and timely. I'm proud to have worked with a gentleman with such integrity. He's a true statesman. I will miss his presence in our committee and his outstanding capabilities and his helpfulness. I wish him the best in his new career. I do want to close by reminding Mr. Brann that, in a moment of his personal weakness a few years back, he gave me his personal cell phone number and said, "Call any time if you need help." I'll take that literally. Thank you very much, Terry Brann. Thank you very much, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Cain.

Senator **CAIN:** Thank you Mr. President. Men and women of the Senate, I want to add my words of congratulations and thanks to Mr. Brann. I want to start by saying that I have always thought the very best title one could have in all of state government was the title of Controller. It just sort of has an ominous gravitas to it. Then when you meet Terry, Terry is kind and friendly and smart and thoughtful and extremely competent and he brings a much more human side to such an ominous title and powerful title of Controller. We will miss him very much. He has served us well in the Appropriations Committee, the Legislature, and all of state government for many years. We're glad he's not going far. We're glad to know his skills will be put to work to help Maine and Maine's healthcare system grow and be financially sound. We are very appreciative of all of his work and dedication to state government. Even though his next title may not be as cool or as amazing as Controller, I do trust that the work he will do will be just as outstanding. Thank you, Mr. President. I wish him well and wish him all the best.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator **KATZ:** Thank you Mr. President. Men and women of the Senate, I grew to know Terry Brann during my two years of service on the Appropriations Committee. I think all of us have met many skilled and dedicated people in state service, but, from my perspective, no one meets that category more than Terry does. As you've heard, I think we all have respect for his work ethics, for his even temper, for his quiet competence, and he is now, fortunately for us who live in this area, although we're losing him in state government, going to Maine General Health to help solve the problems of healthcare delivery. For those of you who don't deal with Terry on a regular basis, this is a real loss to state government. Nobody is irreplaceable, but he's about as close as it comes. We certainly wish him well and thank him not only for

his service to our state but also for his service in the National Guard. In conclusion, Mr. President, I'd say he's about my favorite Yankee fan in the whole world.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you Mr. President. Men and women of the Senate, my story is a little bit different. I'd like to congratulate Terry for his new future in front of him. In the 125th Legislature I put in a bill, and it was passed and went through, to have the State of Maine do a recovery audit. For those of you who are not familiar with a recovery audit, that's where an outside auditing company comes in and audits all the transactions, financial transactions, of an organization or, in this case, the State of Maine, outside of payroll and outside of DHHS. I was like a dog on a bone on this bill, that was in the 125th. Every time I saw Terry I'd ask him where the progress was on the RFP, had it gone out, had a company come in yet, and where did we stand. I think I drove him out of state government and to take this new job. Two weeks ago I got the final report. This is a real testament to the work that Terry has done. This outside company only gets paid on the mistakes that it finds and the money that it recovers. After going through \$4 billion worth of transactions that the State of Maine has done, the average out in the business community is 1% to 2% mistakes, there was only \$20,000 worth of mistakes in transactions. I've got a list of those in case you're interested. That's a real testament to the work that's been done and a real testament to the work that Terry has done. That error rate is really phenomenal. We may disagree, I think, on where we might spend our dollars, but we certainly can rest assured that Terry made sure they got where they were supposed to go. Thank you, ladies and gentlemen.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Hill.

Senator **HILL:** Thank you Mr. President. I rise and I concur with everything that was said by each of the good Senators here before me. I have to tell you, in Appropriations you really hope people will come before you that you can totally rely on and feel comfortable about and can ask them any kind of question you have to get to where you need to go. With Terry Brann I always felt that great sense of comfort. I will share with you, however, that he never gave me his cell phone number and I'm really disappointed about that. Nonetheless, I think I just want to sum it up by saying, as Senator Katz had said, he is a true, true loss to government.

PASSED, in concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Terry Brann. Will he please stand and accept the warm greetings of the Maine State Senate.

COMMUNICATIONS

The Following Communication: S.C. 709

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE GOVERNOR**

January 31, 2014

The Honorable Justin L. Alford
President of the Senate
3 State House Station
Augusta, Maine 04333
Dear President Alford,

This is to inform you that I am today nominating Bruce F. Fitzgerald of South China for appointment as the Director, Maine Emergency Management Agency.

Pursuant to Title 37-B, MRSA §704, this appointment contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Criminal Justice and Public Safety.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 710

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

January 31, 2014

Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 5, MRSA, Chapter 163 §2003, I am pleased to appoint Aaron Weston of Newburgh to the Maine Library of Geographic Information Board.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Justin L. Alford
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 711

**STATE OF MAINE
126TH LEGISLATURE
OFFICE OF THE PRESIDENT**

January 31, 2014

Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 5, MRSA, Chapter 371-A §7030, I am pleased to appoint the following individuals to the Permanent Commission on the Status of Women:

Melissa Simones of Greene
Jennifer Burke of Biddeford
Holly Stover of Boothbay

Please let me know if you have any questions regarding these appointments.

Sincerely,

S/Justin L. Alford
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 712

**STATE OF MAINE
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT**

February 4, 2014

Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333-0002

Dear Secretary Grant:

I am pleased to submit, pursuant to 5 MRS A § 13056-A and 5 MRS A § 13107, the Comprehensive Evaluation of State Investments in Economic Development and the Comprehensive Evaluation of State Investments in Research and Development. The reports were compiled by Investment Consulting Associates (ICA) following the company's contract award which was the result of a competitive bidding process in accordance with state policy. Links to these reports can be found on the DECD Website at the following address: <http://www.maine.gov/decd/reports-pubs>.

The biennial progress reports provide an assessment of the effectiveness of Maine's economic incentive programs and an analysis of the success of the state's investments in research and

development. The reports were generated after ICA developed and deployed a wide-ranging survey of recipients of Maine incentive programs and through in-person interviews with businesses and stakeholders. They also collected reports, data, and other information from stakeholders and state agencies when available and not prohibited due to statutory confidentiality provisions. The reports include numerous recommendations based upon the evaluation process and highlight opportunities for improvements going forward, as well as valuable insights into which programs provide a good return on investment based on ICA's cost-benefit analysis.

Additionally, in accordance with the contract, ICA is responsible for completing a one-time overall evaluation of the state's investments based on the results of the attached assessments. That report, due no later than June 30, 2014, will assess how effective the state's economic development strategies have been in stimulating and sustaining consistent, competitive growth in Maine's economy compared to other states nationally. Specifically, it will gauge which states have experienced the greatest growth in the last 5 years, determine the drivers of that growth, discover the economic programs that contributed to the growth, and evaluate how Maine compares. It will also ascertain whether or not the state is missing opportunities to provide incentives to some business sectors while potentially over-subsidizing others.

Officials from ICA will be available during the last week of February when we would like to formally present the information collectively to the Joint Standing Committees on Appropriations and Financial Affairs; Taxation; and Labor, Commerce, Research and Economic Development.

I welcome the opportunity to work with the appropriate Committee Clerks and Analysts to schedule a mutually beneficial time when we can present the findings and recommendations and answer any questions that you may have.

I look forward to working with you as you consider these reports. As always, if I can be of assistance to you, please do not hesitate to contact me.

Sincerely,

S/George C. Gervais
Commissioner

READ and ORDERED PLACED ON FILE.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)
H.P. 1154 L.D. 1583

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Report **READ** and **ACCEPTED**, in concurrence.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)
H.P. 1155 L.D. 1584

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Report **READ** and **ACCEPTED**, in concurrence.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Authorize Public Safety Personnel and Members of the Military To Wear Their Uniforms When Visiting Schools in Their Official Capacities"
H.P. 1150 L.D. 1579

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-594)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-594) AS AMENDED BY HOUSE AMENDMENT "A" (H-597)** thereto.

Report **READ** and **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-594) **READ**.

House Amendment "A" (H-597) to Committee Amendment "A" (H-594) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-594) as Amended by House Amendment "A" (H-597) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **TAXATION** on Bill "An Act To Permit a Student Holding a Degree from a Non-Maine Institution To Participate in the Job Creation Through Educational Opportunity Program"

H.P. 1009 L.D. 1421

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-596)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-596)**.

Report **READ** and **ACCEPTED**, in concurrence.

READ ONCE.

Committee Amendment "A" (H-596) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Senate

Change of Committee

Senator TUTTLE for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify the Law Governing the Maintenance of Veterans' Grave Sites"

S.P. 656 L.D. 1662

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Report **READ** and **ACCEPTED**.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent down for concurrence.

Ought to Pass

Senator LACHOWICZ for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Territory of the Bayville Village Corporation"

S.P. 677 L.D. 1711

Reported that the same **Ought to Pass**.

Report **READ** and **ACCEPTED**.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Ordered sent down forthwith for concurrence.

Ought to Pass As Amended

Senator GRATWICK for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Increase Funding for Start-ups"

S.P. 568 L.D. 1512

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-382)**.

Report **READ** and **ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-382) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

Senator HASKELL for the Committee on **TAXATION** on Bill "An Act To Improve the Accuracy of Fuel Tax Reporting"

S.P. 341 L.D. 996

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-381)**.

Report **READ** and **ACCEPTED**.

READ ONCE.

Committee Amendment "B" (S-381) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Ordered sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Establish Reasonable Restrictions on the Use of Fireworks"

S.P. 57 L.D. 168

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-380)**.

Signed:

Senators:

GERZOFKY of Cumberland
DUTREMBLE of York

Representatives:

DION of Portland
CASAVANT of Biddeford
KAENRATH of South Portland
LAJOIE of Lewiston
MARKS of Pittston
PLANTE of Berwick
WILSON of Augusta

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:

PLUMMER of Cumberland

Representatives:

LONG of Sherman
PEASE of Morrill

Reports **READ**.

Senator **GERZOFKY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On motion by Senator **KATZ** of Kennebec, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#393)

YEAS: Senators: BOYLE, CAIN, CLEVELAND, CRAVEN, DUTREMBLE, GERZOFKY, GRATWICK, HASKELL, HILL, JACKSON, JOHNSON, LACHOWICZ, MAZUREK, MILLETT, PATRICK, TUTTLE, VALENTINO, VITELLI, WOODBURY, YOUNGBLOOD, THE PRESIDENT – JUSTIN L. ALFOND

NAYS: Senators: BURNS, COLLINS, CUSHING, FLOOD, HAMPER, KATZ, LANGLEY, PLUMMER, SAVIELLO, SHERMAN, THIBODEAU, THOMAS, WHITTEMORE

ABSENT: Senator: MASON

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being absent, the motion by Senator **GERZOFKY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

READ ONCE.

Committee Amendment "A" (S-380) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Allow an Earlier Implementation Date for an Architectural Paint Stewardship Program"

S.P. 625 L.D. 1634

Reported that the same **Ought to Pass**.

Signed:

Senators:

BOYLE of Cumberland
GRATWICK of Penobscot
SAVIELLO of Franklin

Representatives:

WELSH of Rockport
CHIPMAN of Portland
COOPER of Yarmouth
GRANT of Gardiner
HARLOW of Portland
McGOWAN of York

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Representatives:

AYOTTE of Caswell
CAMPBELL of Orrington
LONG of Sherman
REED of Carmel

Reports **READ**.

On motion by Senator **BOYLE** of Cumberland, the Majority **OUGHT TO PASS** Report **ACCEPTED**.

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House As Amended

Resolve, Regarding Legislative Review of Portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-Target Deposition, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry

H.P. 1137 L.D. 1567
(C "A" H-590)

Resolve, Regarding Legislative Review of Portions of Chapter 20: Special Provisions, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry

H.P. 1138 L.D. 1568
(C "A" H-591)

Resolve, Regarding Legislative Review of Portions of Chapter 51: Notice of Aerial Pesticide Application, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry

H.P. 1139 L.D. 1569
(C "A" H-592)

READ A SECOND TIME and PASSED TO BE ENGROSSED AS AMENDED, in concurrence.

Senate As Amended

Bill "An Act To Require Health Insurance Coverage for Hearing Aids for Adults"

S.P. 213 L.D. 523
(C "A" S-378)

READ A SECOND TIME and PASSED TO BE ENGROSSED AS AMENDED.

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Act

An Act To Amend the Reporting Requirements of the Workers' Compensation Management Fund

H.P. 988 L.D. 1385

PASSED TO BE ENACTED and having been signed by the President was presented by the Secretary to the Governor for his approval.

Resolves

Resolve, Extending the Date by Which the Probate and Trust Law Advisory Commission Must Report on Its Work on Maine's Probate Code and the Uniform Probate Code

H.P. 1247 L.D. 1741

Resolve, Extending the Date by Which the Probate and Trust Law Advisory Commission Must Report on Its Review of the Issue of Inheritance of Digital Assets

H.P. 1248 L.D. 1742

FINALLY PASSED and having been signed by the President were presented by the Secretary to the Governor for his approval.

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

Unfinished Business

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later Assigned (1/30/14) matter:

Bill "An Act To Improve Access to Oral Health Care"
H.P. 870 L.D. 1230

Tabled - January 30, 2014, by Senator **JACKSON** of Aroostook

Pending - **ADOPTION OF COMMITTEE AMENDMENT "C" (H-589)**, in concurrence

(In House, January 28, 2014, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-589)**.)

(In Senate, January 30, 2014, Reports **READ**. On motion by Senator **PATRICK** of Oxford, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence. **READ ONCE**. Committee Amendment "C" (H-589) **READ**.)

Committee Amendment "C" (H-589) **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

On motion by Senator **JACKSON** of Aroostook, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, February 11, 2014, at 10:00 in the morning.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Ensure That Large Public Utility Reorganizations Advance the Economic Development and Information Access Goals of the State"

H.P. 1263 L.D. 1761

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **CLEVELAND** of Androscoggin, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

Senator **JACKSON** of Aroostook was granted unanimous consent to address the Senate off the Record.

Senator **CRAVEN** of Androscoggin was granted unanimous consent to address the Senate off the Record.

Senator **CLEVELAND** of Androscoggin was granted unanimous consent to address the Senate off the Record.

Senator **VITELLI** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

Senator **THOMAS** of Somerset was granted unanimous consent to address the Senate off the Record.

Senator **KATZ** of Kennebec was granted unanimous consent to address the Senate off the Record.

All matters thus acted upon were ordered sent down forthwith for concurrence.