

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Wednesday
May 23, 2007

Senate called to order by President Beth Edmonds of Cumberland County.

Prayer by Senator Christine R. Savage of Knox County.

SENATOR SAVAGE: Good morning. Please join me in prayer. Heavenly Father, we thank You for the many blessings You have given us. We thank You for our freedoms that so many around the world do not have. As Memorial Day approaches, our thoughts and prayers go to those who have served and continue to serve to protect those freedoms. Please, dear Lord, protect our military and their families. As we look out today at the beauty that surrounds us, remind us that it is only one of God's many creations. We take so much for granted. Help us to slow down, to give thanks for the blue skies, sunshine, green grass, and flowers. Father, as our decisions become more difficult, guide us so that we think not of ourselves but of others who depend on us. Give us the strength to do what is right and just for all Your people, that their lives will be made better by our decisions. Father, as the days get long forgive us for the times when we become impatient with others. Dear God, there are so many around us who are hurting. Give them Your strength and the love they need to carry them through the days ahead and grant that we may work in harmony and friendship, as brothers and sisters, created in Your image, to Your honor and praise. Amen.

Reading of the Journal of Tuesday, May 22, 2007.

Off Record Remarks

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1346

**JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF
THE UNITED STATES AND THE UNITED STATES CONGRESS
TO FULLY APPROPRIATE THE MONEY FOR RADIOACTIVE
WASTE MANAGEMENT**

WE, your Memorialists, the Members of the One Hundred and Twenty-third Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, a nuclear-powered electric generation facility was located in Maine at Wiscasset's Bailey Point; and

WHEREAS, spent nuclear fuel and greater-than-class-C, high-level radioactive waste is currently being stored in Maine in dry casks 300 yards from the coastal tide of the Sheepscot River, at only 21 feet above sea level; and

WHEREAS, dry cask storage is now being required at the Maine Yankee interim storage site well after the expiration of its license to produce electricity; and

WHEREAS, continued storage of high-level radioactive spent nuclear fuel and greater-than-class-C, high-level waste in dry casks at the Wiscasset site is not in the best interests of the citizens of that community, nor of the State of Maine; and

WHEREAS, the federal Nuclear Waste Policy Act of 1982 established a national policy that the Federal Government is responsible for safe, permanent disposal in a geologic repository of all high-level radioactive waste, including spent nuclear fuel from commercial power reactors and greater-than-class-C waste, as well as military nuclear waste; and

WHEREAS, the 109th Congress failed to enact a budget for the nuclear waste disposal program for the current fiscal year and took no action on proposed legislation to reform the federal Nuclear Waste Fund to provide more reliable financing of the repository program; and

WHEREAS, the Federal Accountability for Nuclear Waste Storage Act of 2007 (S.784) has been introduced in this Congress, requiring the Federal Government to assume legal ownership of all spent nuclear fuel in the country; and

WHEREAS, the ratepayers of nuclear energy, including Maine, have paid an estimated \$19,000,000,000 into the federal Nuclear Waste Fund for the proper disposal of nuclear waste since 1983, and the ratepayers of nuclear energy pay into the Nuclear Waste Fund at least \$750,000,000 each year for the purpose of a national repository; and

WHEREAS, the United States Department of Energy now affirms it cannot initiate retrieval of repository waste for disposal any sooner than 2017 at the very earliest, 19 years past the federal Nuclear Waste Policy Act of 1982 statutory mandate date for initiating retrieval, and the Department of Energy's Office of Civilian Radioactive Waste Management will need full funding to submit a construction application to the United States Nuclear Regulatory Commission by June 2008; and

WHEREAS, the United States Nuclear Regulatory Commission requires a minimum of 3 years to review such an application; and

WHEREAS, in order to meet the 2008 license application milestone, the President's budget for fiscal year 2008 requests \$202,500,000 from the Nuclear Waste Fund and \$292,000,000 from the Defense Nuclear Waste Disposal appropriation to achieve these goals; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the United States Congress fully appropriate the \$494,500,000 budget request for the civilian radioactive waste management program; and be it further

RESOLVED: That Congress should enact legislation that will ensure repository appropriations to match annual Nuclear Waste Fund fee revenue collected from ratepayers for this specific purpose, and ensuring the future availability of any and all surplus for its intended purpose; and be it further

RESOLVED: That the Legislature of the State of Maine opposes the proposed Federal Accountability for Nuclear Waste Storage Act of 2007 and any proposal for the Federal Government to take title to spent nuclear fuel in this State if the effect of such an action would be that spent nuclear fuel would be kept in Maine without any protection from its long-term effects on the State's population and from acts of intrusion that would endanger the State's environmental and economic well-being; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 315

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

May 21, 2007

The Honorable Beth Edmonds
President of the Senate of Maine
123rd Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 123rd Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of Sidney T. Bradley of Easton, for appointment to the Maine State Harness Racing Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Sherman of Aroostook
	Representatives	7	Pieh of Bremen, Carter of Bethel, Cray of Palmyra, Gifford of Lincoln, Lundeen of Mars Hill, Marean of Hollis, Pratt of Eddington
NAYS		0	
ABSENT		5	Sen. Nutting of Androscoggin, Rep. Edgecomb of Caribou, Rep. Pineau of Jay, Rep. Piotti of Unity, Sen. Rotundo of Androscoggin

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Sidney T. Bradley of Easton, for appointment to the Maine State Harness Racing Commission be confirmed.

Signed,

S/John M. Nutting
Senate Chair

S/Wendy Pieh
House Chair

READ and **ORDERED PLACED ON FILE**.

On motion by Senator **MARTIN** of Aroostook, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION**.

The Following Communication: S.C. 316

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

May 21, 2007

The Honorable Beth Edmonds
 President of the Senate of Maine
 123rd Maine Legislature
 State House
 Augusta, Maine 04333-0003

**STATE OF MAINE
 ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
 COMMITTEE ON AGRICULTURE, CONSERVATION AND
 FORESTRY**

May 21, 2007

The Honorable Beth Edmonds
 President of the Senate of Maine
 123rd Maine Legislature
 State House
 Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 123rd Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of George W. McHale of Orrington, for reappointment to the Maine State Harness Racing Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Sherman of Aroostook
	Representatives	7	Pieh of Bremen, Carter of Bethel, Cray of Palmyra, Gifford of Lincoln, Lundeen of Mars Hill, Marean of Hollis, Pratt of Eddington
NAYS		0	
ABSENT		5	Sen. Nutting of Androscoggin, Rep. Edgecomb of Caribou, Rep. Pineau of Jay, Rep. Piotti of Unity, Sen. Rotundo of Androscoggin

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of George W. McHale of Orrington, for reappointment to the Maine State Harness Racing Commission be confirmed.

Signed,

S/John M. Nutting
 Senate Chair

S/Wendy Pieh
 House Chair

READ and ORDERED PLACED ON FILE.

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 123rd Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of Mary-Anne Martell of Portland, for appointment to the Maine State Harness Racing Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Sherman of Aroostook
	Representatives	7	Pieh of Bremen, Carter of Bethel, Cray of Palmyra, Gifford of Lincoln, Lundeen of Mars Hill, Marean of Hollis, Pratt of Eddington
NAYS		0	
ABSENT		5	Sen. Nutting of Androscoggin, Rep. Edgecomb of Caribou, Rep. Pineau of Jay, Rep. Piotti of Unity, Sen. Rotundo of Androscoggin

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Mary-Anne Martell of Portland, for appointment to the Maine State Harness Racing Commission be confirmed.

Signed,

S/John M. Nutting
 Senate Chair

S/Wendy Pieh
 House Chair

READ and ORDERED PLACED ON FILE.

On motion by Senator **MARTIN** of Aroostook, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION.**

The Following Communication: S.C. 317

On motion by Senator **MARTIN** of Aroostook, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION**.

Signed,

S/Lisa T. Marraché
Senate Chair

S/John L. Patrick
House Chair

The Following Communication: S.C. 318

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

May 21, 2007

The Honorable Beth Edmonds
President of the Senate of Maine
123rd Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 123rd Maine Legislature, the Joint Standing Committee on Legal and Veterans Affairs has had under consideration the nomination of Michael P. Friedman of Bangor, for reappointment to the Commission on Governmental Ethics and Election Practices.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Marrache of Kennebec, Bryant of Oxford, Plowman of Penobscot
	Representatives	9	Patrick of Rumford, Blanchette of Bangor, Fitts of Pittsfield, Gould of South Berwick, Nass of Acton, Pinkham of Lexington Township, Trinward of Waterville, Tuttle of Sanford, Weddell of Frankfort
NAYS		0	
ABSENT		1	Rep. Moore of Standish

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Michael P. Friedman of Bangor, for reappointment to the Commission on Governmental Ethics and Election Practices be confirmed.

READ and ORDERED PLACED ON FILE.

On motion by Senator **MARTIN** of Aroostook, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION**.

The Following Communication: S.C. 319

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON LEGAL AND VETERANS AFFAIRS**

May 21, 2007

The Honorable Beth Edmonds
President of the Senate of Maine
123rd Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Madame President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 123rd Maine Legislature, the Joint Standing Committee on Legal and Veterans Affairs has had under consideration the nomination of David C. Shiah of Bowdoinham, for appointment to the Commission on Governmental Ethics and Election Practices.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Marrache of Kennebec, Bryant of Oxford, Plowman of Penobscot
	Representatives	9	Patrick of Rumford, Blanchette of Bangor, Fitts of Pittsfield, Gould of South Berwick, Nass of Acton, Pinkham of Lexington Township, Trinward of Waterville, Tuttle of Sanford, Weddell of Frankfort
NAYS		0	
ABSENT		1	Rep. Moore of Standish

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of David C. Shiah of Bowdoinham, for appointment to the Commission on Governmental Ethics and Election Practices be confirmed.

Signed,

S/Lisa T. Marraché
Senate Chair

S/John L. Patrick
House Chair

READ and ORDERED PLACED ON FILE.

On motion by Senator **MARTIN** of Aroostook, Nomination **TABLED** until Later in Today's Session, pending **CONSIDERATION.**

The Following Communication: S.C. 314

**123RD LEGISLATURE
OFFICE OF THE PRESIDENT
3 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0003**

May 15, 2007

Honorable Joy O'Brien
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary O'Brien:

Pursuant to my authority under Title 5, MRSA, Chapter 163 § 2003, I am pleased to appoint Gregory J. Copeland of Arundel to serve on the Maine Library of Geographic Information Board, representing a Statewide Association of Municipalities.

Please contact my office if you have any questions regarding this appointment.

Sincerely,

S/Beth Edmonds
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 321

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

May 17, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Agriculture, Conservation and Forestry has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 471 An Act To Clarify the Status of Lots Greater than 40 Acres on Plans Recorded for Unorganized Territory Land before September 21, 2001
- L.D. 516 An Act To Make More Affordable the Surcharge on the Sale of Dogs and Cats That Have Not Been Neutered
- L.D. 1350 Resolve, Authorizing the Director of the Bureau of Parks and Lands To Convey Interests of the State in Land in Lincolnville
- L.D. 1698 An Act To Provide for Public Notification of Indoor Pesticide Applications

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

Sincerely,

S/Sen. John M. Nutting
Senate Chair

S/Rep. Wendy Pieh
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 322

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON BUSINESS, RESEARCH AND ECONOMIC
DEVELOPMENT**

May 17, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Business, Research and Economic Development has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1690 Resolve, Directing the Department of Professional and Financial Regulation To Study the Necessity and Feasibility of Regulating Certain Mechanical Trades
- L.D. 1773 An Act To Encourage Availability of Genuinely Affordable Housing in High-cost Markets
- L.D. 1896 An Act To Promote Safety and Career Paths in the Electrical Trade

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

Sincerely,

S/Sen. Lynn Bromley
Senate Chair

S/Rep. Nancy E. Smith
House Chair

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

The Following Communication: S.C. 323

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

May 17, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Criminal Justice and Public Safety has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 192 Resolve, Directing the Department of Public Safety To Make a Map Available on the Sex Offender Registry
- L.D. 193 An Act To Restrict Access to Certain Websites by Sex Offenders

- L.D. 195 An Act To Promote the Safety of Children
- L.D. 294 An Act Concerning Posting the Registry of Convicted Sex Offenders
- L.D. 518 An Act To Protect Children in Public Schools by Notifying All School Personnel of Sex Offenders Residing, Working or Attending School in the School District
- L.D. 1321 Resolve, To Require the Office of Program Evaluation and Government Accountability To Provide Audit and Oversight Services Regarding Medical and Dental Services Provided in the County Jails and State Prisons
- L.D. 1351 An Act To Promote Postsecondary Education Opportunities for Juveniles under the Care of the Department of Corrections
- L.D. 1391 An Act To Focus the Use of the Sex Offender Registry Website on the Most Dangerous Offenders
- L.D. 1534 An Act To Examine the Types of Sex Offenses That Require an Offender To Register with the State
- L.D. 1733 An Act To Provide Additional Funding for the Regional Emergency Medical Services Councils and To Establish a Study Group To Examine Funding for the Emergency Medical Services System in Maine (EMERGENCY)
- L.D. 1749 An Act To Create Indeterminate Sentencing and a Forensic Review Board for Repeat Sexual Assault Offenders and Sexually Violent Offenders
- L.D. 1752 An Act To Clarify the Law for Failing To Comply with the Requirements of the Sex Offender Registration and Notification Act of 1999
- L.D. 1807 An Act To Provide for Civil Commitment for Sexually Violent Predators and To Prohibit Sex Offenders from Residing Together

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

Sincerely,

S/Sen. Bill Diamond
Senate Chair

S/Rep. Stanley J. Gerzofsky
House Chair

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

The Following Communication: S.C. 324

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

May 17, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Health and Human Services has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 487 An Act Regarding Children in the Child Welfare System
- L.D. 609 Resolve, To Preserve and Support Community Treatment Options for Children's Behavioral Health Needs
- L.D. 1686 An Act To Reduce Administrative Costs in Programs Delivered to People with Mental Retardation
- L.D. 1762 An Act To Increase MaineCare Reimbursement for Speech and Language Therapists and Provide Treatment for Adults with Developmental Disabilities

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

Sincerely,

S/Sen. Joseph C. Brannigan
Senate Chair

S/Rep. Anne C. Perry
House Chair

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

The Following Communication: S.C. 325

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

May 17, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on State and Local Government has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 226 An Act To Enhance the Concept of Representative Democracy by Ensuring Basic Compensation for Elected Representatives
- L.D. 1191 An Act To Authorize a Local Bond Issue for Solid Waste, Storm and Drainage Issues and Transfer Stations
- L.D. 1636 An Act To Extend the Right To Vote by Absentee Ballot at an Annual Town Meeting BY REQUEST
- L.D. 1776 An Act To Strengthen Budget Caps for Counties, Municipalities and School Districts
- L.D. 1804 An Act To Permit Greater Voter Participation Regarding Municipal Expenditures (EMERGENCY)
- L.D. 1846 An Act To Allow Bayville Village To Separate from the Town of Boothbay Harbor and Affiliate with the Town of Boothbay
- L.D. 1867 An Act To Clarify the Intergovernmental Relationship between the Town of Boothbay Harbor and Bayville Village Corporation

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

Sincerely,

S/Sen. Elizabeth M. Schneider
Senate Chair

S/Rep. Christopher R. Barstow
House Chair

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

The Following Communication: S.C. 326

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON TRANSPORTATION**

May 21, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Transportation has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1022 An Act To Amend the Laws Pertaining to the Removal of Submerged Vehicles
- L.D. 1092 An Act To Exempt from the Excise Tax Fuel Used in Certain Farm Trucks
- L.D. 1572 An Act To Encourage Community-oriented Campaigns for Appropriate Sign Laws
- L.D. 1587 An Act To Strengthen Maine's Distracted-driving Penalties
- L.D. 1719 Resolve, To Improve Regional Transportation in Greater Portland (EMERGENCY)
- L.D. 1847 Resolve, Directing the Department of Transportation To Conclude Its Study of the Alternative Routes for the Wiscasset Bypass, Choose a Route and Establish a Timetable (EMERGENCY)

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

Sincerely,

S/Sen. Dennis S. Damon
Senate Chair

S/Rep. Boyd P. Marley
House Chair

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

The Following Communication: S.C. 327

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

May 17, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1148 An Act To Protect Electric Ratepayers
- L.D. 1339 Resolve, To Reduce Energy Costs for Consumers
- L.D. 1495 An Act To Reduce Additional State Fees for Consumer-owned Electric Utility Customers
- L.D. 1625 An Act To Protect Maine Consumers from Windfall Profits of Generators

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

Sincerely,

S/Sen. Philip L. Bartlett II
Senate Chair

S/Rep. Lawrence Bliss
House Chair

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

The Following Communication: S.C. 328

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON UTILITIES AND ENERGY**

May 21, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Utilities and Energy has voted unanimously to report the following bills out "Ought Not to Pass":

- L.D. 1767 An Act To Encourage Community Network Development

L.D. 1836 An Act To Save Money for Maine Energy Consumers through Enhanced Energy Efficiency

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

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

Sincerely,

S/Sen. Philip L. Bartlett II
Senate Chair

S/Rep. Lawrence Bliss
House Chair

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

May 22, 2007

Honorable Joy J. O'Brien
Secretary of the Senate
123rd Maine Legislature
Augusta, Maine 04333

Dear Secretary O'Brien:

The House voted today to insist on its previous action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Taxation on Bill "An Act To Exempt Housing Owned by Nonprofit Organizations for People with Disabilities from the Municipal Service Fee Laws" (H.P. 1157) (L.D. 1648)

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 320

**UNIVERSITY OF SOUTHERN MAINE
CENTER FOR EDUCATION POLICY, APPLIED RESEARCH &
EVALUATION
37 COLLEGE AVENUE
GORHAM, ME 04038**

May 17, 2007

President Beth Edmonds
The Maine Senate
3 State House Station
Augusta, ME 04333

Dear President Edmonds,

The Maine State Legislature requested the Maine Education Policy Research Institute, University of Southern Maine Office, to compile and publish a comprehensive description of public education in Maine each year. Appropriately, the recently completed book is entitled The Condition of K-12 Public Education in Maine 2007.

We would like to provide you and your staff with copies of the book for use in your daily deliberations. We hope you will find the information broad yet focused on the many aspects of K-12 public education.

Sincerely,

S/David L. Silvernail
Director

S/Paula B. Gravelle
Research Analyst

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

The Following Communication: H.C. 288

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

May 22, 2007

Honorable Joy J. O'Brien
Secretary of the Senate
123rd Maine Legislature
Augusta, Maine 04333

Dear Secretary O'Brien:

The House voted today to insist on its previous action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Transportation on Bill "An Act To Allow the Secretary of State To Issue a Work-restricted License to First-time License Holders Not Yet 21 Years of Age with Less than 2 Years of Driving Time" (S.P. 78) (L.D. 241)

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: H.C. 287

SENATE PAPERS

Bill "An Act To Extend the Time Allowed for Outcome-based Forestry" (EMERGENCY)

S.P. 713 L.D. 1914

Sponsored by Senator NUTTING of Androscoggin.
(GOVERNOR'S BILL)

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Protect Fair Share Workers from Termination"
S.P. 714 L.D. 1915

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

On motion by Senator **STRIMLING** of Cumberland, **REFERRED** to the Committee on **LABOR** and ordered printed.

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Clarify Public Safety Laws Regarding the Disclosure of Information and the Storage of Evidence, To Reauthorize the United States Secret Service To Enforce Certain State Laws and To Allow Designees To Serve on the Maine Communications System Policy Board"

H.P. 864 L.D. 1183

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-264)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-264)**.

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

READ ONCE.

Committee Amendment "A" (H-264) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Protect Maine Citizens' Credit"
H.P. 718 L.D. 958

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

SULLIVAN of York
SNOWE-MELLO of Androscoggin
BOWMAN of York

Representatives:

BRAUTIGAM of Falmouth
CROCKETT of Augusta
VAUGHAN of Durham
RICHARDSON of Warren
CONOVER of Oakland
McKANE of Newcastle

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-286)**.

Signed:

Representatives:

CANAVAN of Waterville
TREAT of Farmingdale
SAVAGE of Falmouth
PRIEST of Brunswick

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **SULLIVAN** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Reduction in the Size of the Legislature

H.P. 1077 L.D. 1552

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

SCHNEIDER of Penobscot
BRANNIGAN of Cumberland
BENOIT of Sagadahoc

Representatives:

BARSTOW of Gorham
BOLAND of Sanford
WEAVER of York
BEAUDETTE of Biddeford
CURTIS of Madison
SCHATZ of Blue Hill
HAYES of Buckfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-266)**.

Signed:

Representatives:

SIROIS of Turner
JOY of Crystal
COTTA of China

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **SCHNEIDER** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

Divided Report

Seven members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Repeal the Certification and Authorization Fees for School Personnel"

H.P. 326 L.D. 410

Reported in Report "A" that the same **Ought Not to Pass**.

Signed:

Senators:

BOWMAN of York
MITCHELL of Kennebec
MILLS of Somerset

Representatives:

NORTON of Bangor
MAKAS of Lewiston
SUTHERLAND of Chapman
STRANG BURGESS of Cumberland

Four members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-259)**.

Signed:

Representatives:

FINCH of Fairfield
HARLOW of Portland
EDGECOMB of Caribou
McFADDEN of Dennysville

Two members of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-260)**.

Signed:

Representatives:

FARRINGTON of Gorham
MUSE of Fryeburg

Comes from the House with Report "A", **OUGHT NOT TO PASS READ** and **ACCEPTED**.

Reports **READ**.

Senator **MARTIN** of Aroostook moved the Senate **ACCEPT** Report "A", **OUGHT NOT TO PASS**, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** Report "A", **OUGHT NOT TO PASS**, in concurrence.

Divided Report

Ten members of the Committee on **MARINE RESOURCES** on Bill "An Act To Create a Nonresident Lobster and Crab Landing Permit"

H.P. 255 L.D. 311

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-257)**.

Signed:

Senators:

DAMON of Hancock
SNOWE-MELLO of Androscoggin

Representatives:

PENDLETON of Scarborough
EATON of Sullivan
FLETCHER of Winslow
MacDONALD of Boothbay
McDONOUGH of Scarborough
PERCY of Phippsburg
EMERY of Cutler
ADAMS of Portland

One member of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-258)**.

Signed:

Senator:

DOW of Lincoln

One member of the same Committee on the same subject reported in Report "C" that the same **Ought Not to Pass**.

Signed:

Representative:

MAZUREK of Rockland

Comes from the House with Report "A", **UGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-257) READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-257)**.

Reports **READ**.

On motion by Senator **DAMON** of Hancock, Report "A", **UGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-257) READ and ACCEPTED**.

READ ONCE.

Committee Amendment "A" (H-257) **READ and ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Change of Committee

Senator SULLIVAN for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Protect Consumers in the Home Appraisal Process"

S.P. 66 L.D. 183

Reported that the same be **REFERRED** to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

Report **READ and ACCEPTED**.

REFERRED to the Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**.

Sent down for concurrence.

Ought to Pass

Senator SULLIVAN for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Long-term Care Insurance Law"

S.P. 678 L.D. 1865

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

Report **READ and ACCEPTED**.

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator SULLIVAN for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Create Uniformity among Certain Self-insureds"

S.P. 396 L.D. 1208

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-130)**.

Report **READ and ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-130) **READ and ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator SULLIVAN for the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Enhance Fairness in Arbitration"

S.P. 516 L.D. 1489

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-131)**.

Report **READ and ACCEPTED**.

READ ONCE.

Committee Amendment "A" (S-131) **READ and ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Create the Insurance Fraud Division within the Bureau of Insurance"
S.P. 230 L.D. 713

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-129).**

Signed:

Senators:

SULLIVAN of York
BOWMAN of York
SNOWE-MELLO of Androscoggin

Representatives:

CROCKETT of Augusta
VAUGHAN of Durham
SAVAGE of Falmouth
CANAVAN of Waterville
McKANE of Newcastle

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

Signed:

Representatives:

BRAUTIGAM of Falmouth
RICHARDSON of Warren
TREAT of Farmingdale
PRIEST of Brunswick

Reports **READ.**

Senator **SULLIVAN** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Seek Direct Voter Approval To Exceed Government Spending Limits"
S.P. 562 L.D. 1618

Reported that the same **Ought Not to Pass.**

Signed:

Senators:

SCHNEIDER of Penobscot
BRANNIGAN of Cumberland

Representatives:

BARSTOW of Gorham
BOLAND of Sanford
WEAVER of York
BEAUDETTE of Biddeford
SIROIS of Turner
CURTIS of Madison
JOY of Crystal
SCHATZ of Blue Hill

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-128).**

Signed:

Senator:

BENOIT of Sagadahoc

Representatives:

HAYES of Buckfield
COTTA of China

Reports **READ.**

Senator **SCHNEIDER** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

SECOND READERS

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

House

Bill "An Act Relating to Bad Check Enforcement Programs Operated by Private Entities"

H.P. 1038 L.D. 1476

Resolve, Regarding Legislative Review of Portions of Chapter 872: Exemptions from the Ban on Sale of Mercury-added Switches, Relays and Measuring Devices, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 1277 L.D. 1830

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

House As Amended

Bill "An Act To Amend the Laws Governing the Plea of Not Criminally Responsible by Reason of Mental Disease or Defect in Juvenile Cases"

H.P. 69 L.D. 71
(C "A" H-248)

Bill "An Act To Place Land in Centerville in Trust"

H.P. 71 L.D. 73
(C "A" H-239)

Bill "An Act To Protect Consumer Rights under the Maine Unfair Trade Practices Act"

H.P. 86 L.D. 94
(C "A" H-240)

Bill "An Act To Place Land in Township 21 in Trust"

H.P. 151 L.D. 169
(C "A" H-241)

Bill "An Act To Establish an Apprenticeship Hunter License Program"

H.P. 370 L.D. 486
(C "A" H-238)

Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities

H.P. 501 L.D. 652
(C "A" H-237)

Bill "An Act To Support Realize!Maine To Attract and Retain Young People in the State's Workforce"

H.P. 571 L.D. 750
(C "A" H-247)

Bill "An Act To Coordinate the Implementation of the In-stream Flow and Water Level Rules among the Department of Environmental Protection, the Drinking Water Program of the Department of Health and Human Services and the Public Utilities Commission"

H.P. 592 L.D. 774
(C "A" H-252)

Bill "An Act To Implement the Recommendations of a Joint Task Force on Fraudulent Uniform Commercial Code Filings as Adopted by the National Association of Secretaries of State and the International Association of Commercial Administrators"

H.P. 656 L.D. 867
(C "A" H-242)

Resolve, Regarding Legislative Review of Portions of Chapter 587: In-stream Flow and Water Level Standards, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 728 L.D. 968
(C "A" H-253)

Bill "An Act To Address the Funding Needs of Air and Ground Emergency Medical Services"

H.P. 737 L.D. 977
(C "A" H-249)

Resolve, To Increase Fairness in Medical Payments

H.P. 823 L.D. 1130
(C "A" H-250)

Resolve, Directing the Department of Transportation to Expend Funds for Ocean Commerce in Casco Bay (EMERGENCY)

H.P. 847 L.D. 1154
(C "A" H-244)

Bill "An Act Concerning Harness Racing Association Funding"

H.P. 991 L.D. 1408
(C "A" H-243)

Bill "An Act To Make Technical Changes to Maine's Aquaculture Statutes"

H.P. 992 L.D. 1409
(C "A" H-251)

Bill "An Act To Increase the Minimum Medical Payments Coverage in Automobile Insurance"

H.P. 1036 L.D. 1474
(C "A" H-236)

Resolve, To Improve Landowner Relations

H.P. 1151 L.D. 1642
(C "A" H-233)

Bill "An Act To Strengthen the Laws Concerning Surface Water Ambient Toxic Monitoring"

H.P. 1285 L.D. 1845
(C "A" H-254)

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

Senate As Amended

Bill "An Act To Amend the Family Medical Leave Laws"

S.P. 119 L.D. 375
(C "A" S-121)

Bill "An Act To Further Facilitate the Regionalization of Emergency Communications Dispatching Services" (EMERGENCY)

S.P. 315 L.D. 998
(C "A" S-124)

Bill "An Act To Amend the Unemployment Laws"

S.P. 332 L.D. 1015
(C "A" S-122)

Bill "An Act Concerning Licensure as a Master Well Driller or a Master Pump Installer" (EMERGENCY)
S.P. 367 L.D. 1115
(C "A" S-127)

Bill "An Act To Provide Certain Requirements for Rules Related to Rate Setting for Mental Retardation Services and Mental Health Managed Care"
S.P. 370 L.D. 1118
(C "A" S-126)

Bill "An Act To Create the Energy Independence Act" (EMERGENCY)
S.P. 447 L.D. 1284
(C "A" S-125)

Bill "An Act To Ensure Consistency in Patient Care in Nursing Homes"
S.P. 456 L.D. 1308
(C "A" S-120)

Bill "An Act To Authorize the Use of Timber Harvesting Revenues for Land Management"
S.P. 652 L.D. 1834
(C "A" S-123)

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:

Emergency Measure

An Act To Implement the Recommendations of the Task Force To Study Maine's Homeland Security Needs
S.P. 213 L.D. 676
(C "A" S-106)

On motion by Senator **MARTIN** of Aroostook , placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of MaineCare Benefits Manual, Chapter III, Section 50, Principles of Reimbursement for Intermediate Care Facilities for Persons with Mental Retardation, a Major Substantive Rule of the Department of Health and Human Services, Office of MaineCare Services
H.P. 38 L.D. 37
(C "A" H-217)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, To Create the Commission To Develop a Strategic Priorities Plan for Maine's Young Children
H.P. 576 L.D. 755
(C "A" H-216)

On motion by Senator **MARTIN** of Aroostook, placed on the **SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, in concurrence.

Off Record Remarks

Emergency Resolve

Resolve, To Demonstrate Cost Savings by Preventing the Onset of Severe Mental Illness in Youth
H.P. 1092 L.D. 1567
(C "A" H-204)

On motion by Senator **MARTIN** of Aroostook , placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **FINAL PASSAGE**, in concurrence.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine and Chapter 255: Imported Seed Potatoes, Major Substantive Rules of the Department of Agriculture, Food and Rural Resources
H.P. 1234 L.D. 1768
(C "A" H-203)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel Part I and II, Requirements for Specific Certificates and Endorsements, a Major Substantive Rule of the Department of Education

H.P. 1278 L.D. 1831

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Acts

An Act To Amend the Temporary Registration Plate Law
H.P. 220 L.D. 264
(S "A" S-87 to C "A" H-127)

An Act To Permit Modification of Department-initiated Paternity Judgments Concerning Parental Rights
H.P. 477 L.D. 628

An Act To Ensure Retail Tobacco License Compliance
H.P. 546 L.D. 725

An Act To Restrict the Smoking Exemption for Tobacco Specialty Stores
S.P. 269 L.D. 859

An Act To Amend the Maine Administrative Procedure Act To Strengthen Safeguards for Small Businesses
H.P. 680 L.D. 905
(C "A" H-202)

An Act To Ensure the Safety of Facilities Dispensing Flammable Liquids
H.P. 682 L.D. 907
(C "A" H-213)

An Act To Allow Affordable Housing Discretionary Water and Sewer Fee Waivers
H.P. 846 L.D. 1153
(C "A" H-211)

An Act To Improve Health Standards in Piercing Procedures
S.P. 405 L.D. 1217
(C "A" S-104)

An Act To Implement the Recommendations of the Working Group on the State Purchasing Code of Conduct Laws
S.P. 584 L.D. 1678
(C "A" S-102)

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

An Act To Clarify Who Receives Money from Fines for Violations of Maine's Soft-shelled Clam Laws

H.P. 376 L.D. 492
(C "A" H-205)

On motion by Senator **MARTIN** of Aroostook, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act To Increase Funding for the Spaying and Neutering of Companion Animals

S.P. 217 L.D. 680
(C "A" S-103)

On motion by Senator **MARTIN** of Aroostook, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act To Clarify the Sales Tax and Service Provider Tax Exemptions for Nonprofit Ambulance Services

H.P. 694 L.D. 919
(C "A" H-212)

On motion by Senator **MARTIN** of Aroostook, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act To Renew the Promise of Higher Education
S.P. 337 L.D. 1020
(C "A" S-97)

On motion by Senator **MARTIN** of Aroostook, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

An Act To Preserve and Grow Maine Small Businesses
S.P. 478 L.D. 1364
(C "A" S-101)

On motion by Senator **MARTIN** of Aroostook, placed on the **SPECIAL APPROPRIATIONS TABLE**, pending **ENACTMENT**, in concurrence.

Resolves

Resolve, To Focus State Agency Efforts in Economic Development on Entrepreneurial Sustainability and Growth
H.P. 505 L.D. 656
(C "A" H-133)

Resolve, To Promote Chronic Disease Prevention and Care
H.P. 544 L.D. 723
(C "A" H-215)

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.

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

COMMUNICATIONS

The Following Communication: S.C. 329

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

May 22, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333
Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Appropriations and Financial Affairs has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 269 An Act To Retire the Mortgage of York County Community College
L.D. 800 An Act To Enhance the Maine State Grant Program

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

Sincerely,

S/Sen. Margaret Rotundo
Senate Chair

S/Rep. Jeremy Fischer
House Chair

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

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

COMMUNICATIONS

The Following Communication: S.C. 330

**STATE OF MAINE
ONE HUNDRED AND TWENTY-THIRD LEGISLATURE
COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

May 22, 2007

Honorable Beth Edmonds, President of the Senate
Honorable Glenn Cummings, Speaker of the House
123rd Maine Legislature
State House
Augusta, Maine 04333

Dear President Edmonds and Speaker Cummings:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Insurance and Financial Services has voted unanimously to report the following bills out "Ought Not to Pass":

L.D. 439 An Act To Reform the Dirigo Health Program
L.D. 526 An Act To Increase Eligibility for the Dirigo Health Program
L.D. 912 An Act To Return Affordable Health Insurance to the State
L.D. 1028 An Act To Reform Dirigo Health
L.D. 1230 An Act To Protect Consumers against Inadequate Health Care Coverage
L.D. 1640 An Act To Allow Health Insurance Premiums To Vary Based on Behaviors Pertaining to Health
L.D. 1659 An Act To Improve the Affordability of Health Insurance for Maine People
L.D. 1715 An Act To Reduce the Cost of Health Insurance
L.D. 1716 An Act To Ensure That DirigoChoice Is Affordable

L.D. 1742 An Act To Permit Greater Flexibility in the Design of Affordable Health Insurance

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

Sincerely,

S/Sen. Nancy B. Sullivan
Senate Chair

S/Rep. John R. Brautigam
House Chair

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

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

PAPERS FROM THE HOUSE

House Paper

Resolve, Authorizing the Department of Conservation, Bureau of Parks and Lands To Convey Certain Lands
H.P. 1347 L.D. 1913

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **NUTTING** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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

COMMUNICATIONS

The Following Communication: H.C. 299

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

May 23, 2007

Honorable Joy J. O'Brien
Secretary of the Senate
123rd Maine Legislature
Augusta, Maine 04333

Dear Secretary O'Brien:

The House voted today to insist on its previous action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Insurance and Financial Services on Bill "An Act To Eliminate the Interest on Security Deposits for Mobile Homes" (S.P. 212) (L.D. 675)

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: H.C. 298

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

May 23, 2007

Honorable Joy J. O'Brien
Secretary of the Senate
123rd Maine Legislature
Augusta, Maine 04333

Dear Secretary O'Brien:

The House voted today to insist on its previous action whereby it accepted Report "C" Ought Not to Pass of the Committee on Marine Resources on Resolve, To Modify the 2007 Elver Fishing Season (EMERGENCY)(H.P. 1316) (L.D. 1883)

Sincerely,

S/Millicent M. MacFarland
Clerk of the House

READ and **ORDERED PLACED ON FILE**.

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

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator HOBBS for the Committee on **JUDICIARY** on Bill "An Act To Amend the Laws Relating to Corporations, Limited Partnerships, Limited Liability Companies and Limited Liability Partnerships" (EMERGENCY)

S.P. 642 L.D. 1806

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Regarding Legislative Review of Portions of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites (EMERGENCY)

H.P. 268 L.D. 334

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.

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Enhance the Newborn Hearing Program"

H.P. 835 L.D. 1142

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **LABOR** on Bill "An Act To Clarify Intermittent Leave under the Family Medical Leave Laws"

H.P. 889 L.D. 1261

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR** on Bill "An Act Regarding Payment of Penalties for Nonpayment of Bills for Medical or Health Care Services under the Maine Workers' Compensation Act of 1992"

H.P. 1297 L.D. 1861

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

Senate called to order by the President.

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

Senator **WESTON** of Waldo was granted unanimous consent to address the Senate off the Record.

On motion by Senator **MARTIN** of Aroostook,
RECESSED until 11:15 in the morning.

After Recess

Senate called to order by the President.

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

Off Record Remarks

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

HOUSE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Protect Maine Citizens' Credit"

H.P. 718 L.D. 958

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought To Pass as Amended by Committee Amendment "A" (H-286)** (4 members)

Tabled - May 23, 2007, by Senator **SULLIVAN** of York

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence

(In House, May 22, 2007, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 23, 2007, Reports **READ**.)

On motion by Senator **SULLIVAN** of York, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Reduction in the Size of the Legislature

H.P. 1077 L.D. 1552

Majority - **Ought Not to Pass** (10 members)

Minority - **Ought To Pass as Amended by Committee Amendment "A" (H-266)** (3 members)

Tabled - May 23, 2007, by Senator **SCHNEIDER** of Penobscot

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence

(In House, May 22, 2007, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, May 23, 2007, Reports **READ**.)

On motion by Senator **SCHNEIDER** of Penobscot, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Repeal the Certification and Authorization Fees for School Personnel"

H.P. 326 L.D. 410

Report **"A" - Ought Not to Pass** (7 members)

Report **"B" - Ought to Pass as Amended by Committee Amendment "A" (H-259)** (4 members).

Report **"C" - Ought to Pass as Amended by Committee Amendment "B" (H-260)** (2 members)

Tabled - May 23, 2007, by Senator **MARTIN** of Aroostook

Pending - motion by same Senator to **ACCEPT** Report **"A"**, **OUGHT NOT TO PASS**, in concurrence

(In House, May 22, 2007, Report **"A"**, **OUGHT NOT TO PASS** **READ** and **ACCEPTED**.)

(In Senate, May 23, 2007, Reports **READ**.)

On motion by Senator **MARTIN** of Aroostook, Report **"A"**, **OUGHT NOT TO PASS** **ACCEPTED**, in concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Reestablish the Committee for the Training of Firefighters and To Clarify the Law Governing the Maine Fire Training and Education Program"

H.P. 1341 L.D. 1910

In House, May 17, 2007, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

In Senate, May 22, 2007, on motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in **NON-CONCURRENCE**.

Comes from the House, that Body **INSISTED**.

On motion by Senator **DIAMOND** of Cumberland, the Senate **ADHERED**.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Include Student Representation on the State Board of Education"

H.P. 133 L.D. 151

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-271)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-271)**.

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

READ ONCE.

Committee Amendment "A" (H-271) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Oversight for Crematoriums"

H.P. 907 L.D. 1289

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-276)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-276)**.

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

READ ONCE.

Committee Amendment "A" (H-276) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Convene a Working Group To Review Statutory Language and Propose Standards To Ensure the Use of Respectful Language

H.P. 1238 L.D. 1780

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-275)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-275)**.

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

READ ONCE.

Committee Amendment "A" (H-275) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Directing the Department of Health and Human Services To Adopt Rules Governing the Safety of Children at Day Care Facilities with Swimming Pools

H.P. 1314 L.D. 1880

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-284)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-284)**.

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

READ ONCE.

Committee Amendment "A" (H-284) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **LABOR** on Bill "An Act To Authorize the Board of Trustees of the Maine State Retirement System To Provide a Cost-of-living Adjustment to Retired Employees of Participating Local Districts" (EMERGENCY)
H.P. 965 L.D. 1373

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-273)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-273)**.

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

READ ONCE.

Committee Amendment "A" (H-273) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act To Authorize Nonprofit Organizations To Conduct Tournament Games"

H.P. 677 L.D. 892

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-267)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-267)**.

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

READ ONCE.

Committee Amendment "A" (H-267) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **MARINE RESOURCES** on Bill "An Act To Support the Commercial Groundfish Industry" (EMERGENCY)
H.P. 646 L.D. 847

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-278)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-278)**.

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

READ ONCE.

Committee Amendment "A" (H-278) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Bill "An Act To Provide Flexibility within the Monhegan Island Lobster Conservation Area To Ensure the Viability of the Island Community" (EMERGENCY)

H.P. 1302 L.D. 1870

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-279)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-279)**.

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

READ ONCE.

Committee Amendment "A" (H-279) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Facilitate and Promote Regional Cooperation"
H.P. 1218 L.D. 1735

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-265)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-265)**.

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

READ ONCE.

Committee Amendment "A" (H-265) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TAXATION** on Bill "An Act To Exempt Qualifying Snowmobile Trail Grooming Equipment from State Sales Tax"
H.P. 712 L.D. 937

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-283)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-283)**.

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

READ ONCE.

Committee Amendment "A" (H-283) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **TRANSPORTATION** on Bill "An Act Concerning Maine's Highway Safety Laws"
H.P. 1284 L.D. 1844

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-270)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-270)**.

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

READ ONCE.

Committee Amendment "A" (H-270) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Amend Maine's Electric Utility Restructuring Laws"
H.P. 329 L.D. 413

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-280)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-280)**.

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

READ ONCE.

Committee Amendment "A" (H-280) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **UTILITIES AND ENERGY** on Bill "An Act To Establish Alternative Fuel Incentive Grants To Stimulate the Production, Distribution and Use of Biofuels"

H.P. 956 L.D. 1347

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-268)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-268)**.

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

READ ONCE.

Committee Amendment "A" (H-268) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **UTILITIES AND ENERGY** on Resolve, To Ensure the Success of Regional Climate Change Efforts

H.P. 973 L.D. 1381

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-274)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-274)**.

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

READ ONCE.

Committee Amendment "A" (H-274) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **UTILITIES AND ENERGY** on Resolve, Directing the Public Utilities Commission To Amend its Rules To Increase the Amount of Energy Conservation Funds for School Administrative Units

H.P. 1175 L.D. 1666

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-281)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-281)**.

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

READ ONCE.

Committee Amendment "A" (H-281) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later (5/22/07) Assigned matter:

Resolve, To Provide for an Independent Evaluation of the Procedures and Programs of the Department of Human Services for Promoting Permanency and Safety for Children (EMERGENCY)

S.P. 484 L.D. 1396
(C "A" S-119)

Tabled - May 22, 2007, by Senator **BRANNIGAN** of Cumberland

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-119)**

(In Senate, May 22, 2007, **READ A SECOND TIME.**)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-119).

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

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

Off Record Remarks

Senator **BRYANT** of Oxford was granted unanimous consent to address the Senate off the Record.

Senator **PERRY** of Penobscot was granted unanimous consent to address the Senate off the Record.

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

Senator **DAMON** of Hancock was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **BRANNIGAN** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senator **BRYANT** of Oxford was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **MITCHELL** of Kennebec, **ADJOURNED**, to Thursday, May 24, 2007, at 10:00 in the morning.