

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Third Legislature

State of Maine

Daily Edition

First Regular Session
December 6, 2006 to June 21, 2007

Pages 1 - 1266

Stickers will continue to be allowed. There's some fear that this might be a problem with machines because we may be going to machines in the future. That's why we've made the provision that the clerks, if they have any problems, will report them to the Secretary of State and we'll deal with them the following day.

On motion by Senator **MARTIN** of Aroostook, Senate Amendment "D" (S-389) to Committee Amendment "A" (H-489) **ADOPTED**.

Committee Amendment "A" (H-489) as Amended by Senate Amendment "D" (S-389) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-489) AS AMENDED BY SENATE AMENDMENT "D" (S-389)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for 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 Allocate the Number of Redemption Centers Based on Population"

H.P. 1122 L.D. 1600
(C "A" H-272)

In Senate, June 20, 2007, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-272)**, in concurrence.

Comes from the House, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

On motion by Senator **SCHNEIDER** of Penobscot, the Senate **ADHERED**.

Sent down for concurrence.

Senate at Ease.

Senate called to order by the President.

ORDERS OF THE DAY

On motion by Senator **ROTUNDO** of Androscoggin, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Address an Inequity in the Judicial Retirement System
S.P. 574 L.D. 1630
(C "A" S-295)

Tabled - June 18, 2007, by Senator **ROTUNDO** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, June 13, 2007, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-295)**.)

(In House, June 15, 2007, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-295)**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-295).

On further motion by same Senator, Senate Amendment "A" (S-377) to Committee Amendment "A" (S-295) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** Thank you, Madame President, ladies and gentlemen of the Senate. I would ask that you vote against the pending motion. Let me see if I can succinctly explain to you why I don't think this is a good idea. After this debate I'll make sure that I only meet judges at cocktail parties and not in the courtroom.

This bill comes to us as a result of the convergence of several things coming together. First of all, what the bill does is try to provide a modest enhanced retirement benefit by making a contribution to the judicial retirement system for a COLA that was not paid to judges in the 2003 - 2004 timeframe. Normally when you seek to do that in a retirement system you would expect Maine's Constitution to hold sway, which says you must not only cover the current cost but the unfunded liability as well. Further, we have had, for some period of time, an opinion from the A.G. that says that the judicial retirement system is, in fact, subject to that portion of Maine's Constitution that says that you cannot incur an unfunded liability by providing an enhanced benefit. Somewhere out of the blue, the A.G.'s opinion recently changed and says the judicial retirement system is no longer subject to Maine's Constitution; therefore you do not have to finance the unfunded liability at the time you provide the extended benefit. That is another matter you need to keep in mind.

The reality is the unfunded liability, which does not have to be cured, is about \$1,139,000. It so happens that the posture of the judicial retirement system is such that there is excess money available that would cover this amount and have a little bit left over. In so doing, you would disadvantage those who are not

subject to the benefit of this bill, who would be those in the system who are not judges or are judges but were not judges at the time that this COLA was exempted from their funding mechanism back a couple of biennia ago.

When we discussed this in the Appropriations Committee last evening we had what was, frankly, a fairly rare occurrence in the Appropriations Committee of the 123rd, a split along party lines, with all five Republicans voting against this bill, six of the Majority Party voting for it, and one abstaining because she has a family member who would be a beneficiary of the bill. I think the question we have is where does the money come from that takes care of the immediate cost, which is some \$200,000? I want you to consider what we did in this current session as we struggle to put the strings around L.D. 499 and at the same time try to be responsive to the fact that we had courthouses with screening machines in them with no staffing to man those screening devices. The Judiciary Committee, the Appropriations Committee, and many others in this Legislative Body worked to try to come up with some money to finance the staffing of those screening devices, not completely, but for the first time since those machines were available we've made progress. Much to my surprise, less than 24 hours ago, members of the Judiciary Support Team, that we all know well, came forward and had discovered a few hundred thousand dollars. That's money, frankly, I believe should have gone to further enhance the staffing of these screening devices, which we all agree need to be staffed whenever possible. Many of us went to great lengths to say, 'We need to take action because we are going to one day wake up and somebody will have brought a weapon in a courthouse and either kill the judge or wound severely somebody in the courtroom.' So all of a sudden you see \$200,000 pop up. You would ask, is this the best or the most appropriate use of that money? I suggest to you it is not. Enhancing the retirement of some judges, while laudable, does not rise, I think, to the urgency associated with understaffing of our metal detectors and the like in the various courthouses around the state. Of the things that I have cited to you this is the thing I find most objectionable. You also should be aware that there are others who may decide, 'Gee, if we can do something for judges why can't we do it for non-judges within the judiciary?' or 'Why can't we do it for teachers?' or 'Gee, why can't we do it for State employees who may not have gotten their cost of living increase at various times when our financial situation did not allow us to pay a cost of living increase or for a salary increase?' I think this sets a very, very bad precedent by supporting this bill. Frankly, I think most, if not all, of you would agree that if we have \$200,000 to spare within the judiciary we ought to put it to staffing screening machines in various courthouses not enhancing the retirement benefit of the highest paid people in the judiciary system, sitting judges. I would ask you to vote against the pending motion and I thank you for your attention. Thank you, Madame President.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hastings.

Senator **HASTINGS:** Thank you, Madame President and ladies and gentlemen of the Senate. It was not only the Appropriations Committee that was divided on this; it was perhaps our caucus too on our side of the aisle on this issue. I respect what the Senator from Cumberland, Senator Turner, has said, but I believe in this particular case I think supporting the pending motion is the right thing to do. One of the most enjoyable things about being

on the Judiciary Committee, as a lawyer, is having judges having to come to you and ask for you for something. After spending a career begging from them, and being denied ceremoniously time after time, it's kind of fun to have them come and ask us so politely. One of the problems though with the judges is, with the judiciary, is that they are lousy bargainers when it comes to asking for salaries. For some reason, I don't know whether they consider this something beneath them or unseemly for their position. I have to say I'm defending somebody or a group of State officials who are paid slightly over \$100,000 a year. We pay our judges approximately \$105,000, our general jurisdiction judges, our District Court judges, and our Superior Court judges. That's a lot of money, by Maine standards. I know it is. It is the 45th lowest in the nation, it ranks 45th in the nation. New Hampshire pays \$120,000, Vermont \$113,000. You know they have come to us this year with a judicial salary study that suggested that their salaries be raised and the Judiciary Committee said no. We agreed that they are not paid highly by judicial standards but Maine does not have a great capacity. Lawyers in the country in Maine don't make huge salaries. Maybe they should be paid more. We said no, and in fact, there is no raise for judges in this budget other than the cost of living increase. As I understand, it's been since about 1996 or 1998 since substantial increases in the base salary of a judge has been made in this state. Since then they have been receiving cost of living increases and in two years, 2003 and 2004, I maybe one year off, they received no COLA at all. I'm saying it's not the judges. When they came in and asked for more, they didn't say, 'If we don't get it we're going to quit or we're going to do something.' They come in uniformly and they say, 'We love doing our job. We love serving the State of Maine. We're going to take whatever you give us. We wish you'd give us a raise and that's it.' This is not hardball bargaining. The one thing they asked for this year was to take into consideration the bill before you today. It is to award them or to allow that if they retire to be deemed as if they received the COLA for those two years and have the pension computed accordingly.

The amendment before you now limits the effect of this to only those judges that were sitting in June 2005. Any new hires would not benefit from this. To tell you the truth, they shouldn't have expected it. They knew what they were going into for salary. Normally I would agree with much of what the Senator from Cumberland, Senator Turner, says. If this were creating, truly creating, unfunded liability that was going to remain an unfunded liability, I would be hugely concerned about this. As the Senator from Cumberland, Senator Turner, indicated implementing this bill will create an obligation, a liability, to the judicial pension plan of slightly over \$1 million, \$1,100,000, I think to sort of bring them up to date. Is it unfunded? That is where we differ. This is not an unfunded liability; it's funded by an excess within the judicial retirement system. We're not used to dealing with over funded pension plans. I'm told the only over funded pension plans are the judicial plans and our plan, the legislative plan. I guess we're not retiring as quickly as actuarially suggested or something or dying sooner. I hope it's the former and not the latter. It's not as the Senator from Cumberland, Senator Turner, suggested. It would be if those other players that would be disadvantaged by using that over funded money to cover this liability. That is not the case. Nobody's pension is going to go down, nobody's pension will be altered whatsoever. It simply means there is not that much extra money in the plan that an actuary would say we need to pay for these retirement

pensions when they come up. I don't see this as creating an unfunded liability issue.

There is the issue of ongoing obligations. There is a liability that is on going. That will be paid, as the Senator from Cumberland, Senator Turner, indicated, by certain de-appropriations within the \$54 million judicial budget. To tell you the truth, we should have put more money into court security. We should have raised juror fees. If we don't do that is it the fault of the judiciary? These are hard working men and women who we say, 'You don't get a raise because we weren't willing to raise jury fees or to fund security.' We're not talking about a raise here; we're talking about pension benefits down the road. The final thing to remember is if this Legislature ever determines to give judges a real raise then this entire issue disappears because the deemed COLA would no longer apply. Once we truly give them a raise in their base salary, after three years these COLAs would not be an issue and this whole thing disappears. Ladies and gentlemen of the Senate, I urge you to support the pending motion.

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

Senator **HOBBS:** Thank you, Madame President, men and women of the Senate. First of all, I'd like to thank the gentleman from Falmouth, my colleague who has served so well on the Appropriations Committee, and who, for the first time, addressed the issue of court security in the amount of \$500,000. The courts requested a \$2 million appropriation, but knowing the fiscal constraints of our budget, they were please to at least have started the process of providing court security without having to have some tragedy ignite the need for it. The good gentleman from Oxford, the Senator from Oxford, Senator Hastings, is correct in everything he has outlined regarding the mechanism of the bill. I want to give you a little background. Up until 1996 it was hit and miss of when and if the Judiciary Committee, the judiciary, or the judges of the state would be given any type of raises because it was, quite frankly, at the discretion of the Legislature. Sometimes it was a political decision that was made depending on personalities and depending on the make up of the Legislatures. It was though then that the best possible approach to take would be to take it out of the realm and out it into a commission. In 1996 the first Judicial Compensation Commission was established to review the whole judiciary system, to make an analysis as to what their needs were, and what, in fact, was justified from the standpoint of the amount of money that would be required to have an efficient judiciary and judicial branch of government. There was another report that was done in 2000. The first report that came out the Legislature granted raises to judges, not at the level of recommendations but much less, but at a much less modest low. In the year 2000 another report was issued by this Commission, and because of fiscal constraints, there were no raises that were granted. In 2006 Governor Baldacci appointed a Blue Ribbon Judicial Compensation Commission. There were three members of that Commission: Horace Hildreth, Jr., who I believe was a constituent of the good Senator from Cumberland; Edward Cliff of Ellsworth; and finally the Chair was the former President of the University of New England, Sandra Featherman. A report comprehensive was issued in March of that year and the report found, in an exemplary fashion under a heavy workload with financial resources that are very sparse compared to other states, that the judges that we

have, or were appointed, were highly motivated but not paid accordingly compared to other states. Maine ranks 44th nationwide in judicial compensation. The original bill sought increases, significant increases, and recommended those to the Judiciary Committee. I can tell you, being a practicing attorney, I would have gained tremendous brownie points having passed a significant increase, or even a dollar more, in salary based upon the recommendations. Quite frankly, when you balance all the other unmet needs of the judiciary, the judicial branch of government, and state government. We said no to the judges.

One of the minor pieces that came out of this particular report, this twenty page comprehensive report, was this particular situation where we were trying to replace the COLA in the years 2003 and 2004 that were suspended, that weren't granted that, weren't funded because, again, of a serious problem in state government because of the funding problems we had, as you know, where we had structural deficit debt and we had difficult times. This particular situation will take care of itself and essentially this money will catch up this fund. This fund, unlike most, as the good Senator from Oxford, Senator Hastings, mentioned is unique in state government because it's not under funded. There is more money that has been contributed by judges, not only the state, but the judges have 7.5% of their salary goes to their retirement. They have been over funding and they have basically been paying more into it every single pay period than actuarially they needed to. I would hope that you will support this bill, even though it's contrary to many people's philosophical beliefs. This report was a unanimous report. We took a small bit, just a very small bit, of a very comprehensive and very expensive Commission recommendation by three very capable individuals, and by capable staff, and we recommended this for your consideration and for the Appropriation Committee's consideration. Unfortunately, because of all the other priorities, this has been given maybe more focal point than it probably would have if we weren't in such fiscal straits. I hope you will look at this bill as a very, very small step for those individuals who have worked as sitting judges from 2003 until 2005. Those individuals will be, essentially, putting that money back in that account so when they retire it will be like they received that COLA in the years that we didn't fund it. I'd appreciate it very much if you would consider the unanimous report of the Judiciary Committee. I appreciate the hard work that the Appropriations Committee did in helping fund the budget in a better fashion this time than the Judiciary has had in the past. Thank you.

THE PRESIDENT: The Chair recognizes the Chair from Androscoggin, Senator Nutting.

Senator **NUTTING:** Thank Madame President, ladies and gentlemen of the Senate. As a member of the Judiciary Committee, in committee I did support sending this bill to the table to see if we could find some General Fund money for the immediate costs of about \$200,000. The two previous Senators who have spoken are right that the approximate \$1.1 million worth of costs is there in the judicial pension. That would cover this current biennium, but it doesn't cover future bienniums. To my surprise, hearing that some judicial money was found to cover a large bit of this \$200,000 of immediate costs is what really surprised me. I sponsored this year's L.D. 1, a bill to try to increase the pay we pay people who are told they must serve on a jury. We pay \$10 a day and 15¢ per mile, about the lowest in the country. The judicial system assured us there was no money

anywhere, anywhere in the judicial system, to fund any increases in salaries or mileage for jurors. We accepted that, we carried the bill over till next year, and we're going to try to help them out next year a little bit. In the meantime we discovered that some money was found to help with the immediate cost of the pension to catch up the COLA. That's the part, that's the message, that I just can't live with myself if I support. To me, helping our jurors in the reimbursement of their daily expenses or their mileage, for me at least, is a higher priority than addressing this COLA issue and that's why I very reluctantly can't support the pending motion. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND:** Thank you, Madame President, men and women of the Senate. You know I started the day out feeling pretty good. This is my fourteenth last day of the session. Things are going along fine and all of a sudden I hear that out of the blue there is going to be a proposal to increase the salaries of judges the last day of the session. The bills has been around for a while, L.D. 1630, but the money is found here all of a sudden, \$188,000 in 2008 and \$194,000 in 2009. How did that happen? I'm sure the Appropriations Committee scrutinized that department, the Judicial Department, like it did the Corrections Department. Good Lord, we were down there weeks and weeks and weeks. We're not finished yet, I don't think. How could that happen? How could we all of a sudden find this money? Why did we find it, we found it to raise salaries.

I don't disagree that judges don't need increases, but it bothers me a great deal when we have so many needs, we're told the budget is so tight we have no money left, and oops, all of a sudden on the last day, we have enough money to increase salaries of some judges. Those who have been sitting since June 30, 2005 and who may be getting ready to retire. I don't know, that may be part of it. Maybe it's the last three or four years and maybe it has something to do with that. I don't know. We're talking about a tight budget and we're denying other requests. The Appropriations Committee has done a wonderful job really scrutinizing departments. All of these things seem to fall into place and make sense, but this doesn't make sense. We're looking to find this kind of money, then beyond of course in 2010 is \$203,497 and 2011 is \$211,636 and up and up it goes. So again, I'm not saying these particular judges, at least this special group, don't deserve a raise. I'm sure they do, but please the last day of the session when everything is tight, we've been told all these things time and time again, and all of a sudden we get money for raises for judges. Thank you, Madame President.

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

Senator **HOBBS:** Thank you, Madame President. I just want to clarify this is not a raise. This is money that was supposed to be funded and it didn't get funded in 2003 and 2004. There was a suspension of the COLAs. This money goes into the retirement money. This money is not going into their pockets. This is not an increase in their salary. This is about their retirement and how their retirement will be calculated when they no longer are judges. Thank you.

The Senator from Somerset, Senator **MILLS,** requested and received leave of the Senate to be excused from voting pursuant to Senate Rule 401.3.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Martin.

Senator **MARTIN:** Thank you, Madame President and members of the Senate. I guess we can choose to classify this anyway we want to individually, but the facts are this didn't happen today. It's not a late entry. It is something we have known. It is not a salary increase. I want to point that judges do not have collective bargaining, and therefore, were not in a position to get a salary increase or to come back and get a salary reimbursement for the years that they didn't get as State employees did. What this does is to basically allow for those two years and for that to be counted towards retirement but not getting the money.

The money comes from two sources. I suppose we could all say it's all State money, but it is, in fact, monies that is not going to be used for the end of July. This simply is a process that took place. I guess the question you have to put in your own mind to me is very simple; is it fair? It has nothing to do with whether you like judges or hate judges. You put that in perspective, however, but that's not where we are. The question is; is this a fair way to handle what we can't go back and retroactively provide them? To me, it's very simple and I have no qualms at all about voting for it.

Now I would point out that we constantly do things at the last minute. We find money at the last minute. We do bills at the last minute. As a matter of fact, we did one for one of the persons who is opposing this tonight. So that's not unusual. It just so happens that it's true that it's coming the last hours of the session, we hope. That's really all there is to it. I hope that you will adopt this and move on.

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

Senator **SCHNEIDER:** Thank Madame President, men and women of the Senate. I'd just like to thank the work of the Committee. This is not an issue that I've had the opportunity to vet thoroughly. However I do know that our judiciary is not compensated very well and if this is a way to help compensate them better for what they have been neglected to be compensated for in the past, I hope that that, in some measure, is some consolation. I do respect the work of the committee and I hope that you will also. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Turner.

Senator **TURNER:** Thank you, Madame President, ladies and gentlemen of the Senate. A dollar isn't what it used to be, but a six-figure income in Maine is still a pretty good living and that's the class that it is we're talking about here. I'm not suggesting to you for a second that our judges are not deserving. I don't think that's the issue, that is certainly not the issue for me. If I could let your eyes glaze over for a moment, I'll give you thirty seconds on pension liabilities, funding, and the like. You'd have a normal cost, let's say it's 17%. If you have no unfunded liability and

actually have an excess, your unfunded liability calculation becomes a negative and subtracts from your normalized cost and you end up with an actual cost. By accident of being at a very robust end of a long bull market, that I think those of you who invest probably agree that its getting a little long in the tooth, we have cut through a period where the Dow is at a record high, the S& P is at a record high, and the NASDAQ is at a record high. Rather than having an excess, which we enjoy today in this particular retirement fund, we could be looking six months from now at a negative. It's an accident of the moment that the unfunded liability, which is created and but no longer required to be satisfied because of the A.G.'s opinion, is covered by excess monies in the Judicial Fund retirement fund right now. That could disappear next week or two months from now. I think this comes down to, in my mind, is this the best use of this so called found money that was brought to us by the judiciary staff twenty-four hours ago? Is this the best use of \$200,000 that we reward, albeit and I would agree deserving, individuals who are judges and ignore others in the judiciary system who are not judges or have recently become judges? Do we continue to under fund the staffing of the screening devices, the metal detectors, which we have in out court system where we worked so very hard in this particular budget document to try to fund? I would suggest to you that this is not the highest and best use of this money and I would again urge you to oppose the pending motion. Thank you very much, Madame President.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND:** Thank you, Madame President, men and women of the Senate. If like country music you might recognize this old title song, 'If You're Going To Do Me Wrong, Do It Right.' I don't know if it was Ernest Tubb, Hank Snow, Hank Williams, or one of those guys, but for us to suggest, for anyone to suggest, this is not compensation for judges I think that's the epitome of playing with semantics it is. It is increases. We should say what it is. It's been defended very well like the Senator from York, Senator Hobbins, the Senator from Aroostook, Senator Martin. Don't suggest to us that it's not compensation and it's not going to increase, especially if it helps with the three-year average. That's going to help, it is and that's fine and dandy. We need to follow the rule and the rule of thumb that the Senator from Cumberland, Senator Turner, suggested. New found money, at the very end, and is this the best use and how do you explain that happening in this quick period and finding that kind of money? Thank you, Madame President.

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

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Rotundo to Adopt Senate Amendment "A" (S-377) to Committee Amendment "A" (S-295). A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#214)

YEAS: Senators: BARTLETT, BENOIT, BOWMAN, BRANNIGAN, BRYANT, DAMON, GOOLEY, HASTINGS, HOBBS, MARRACHE, MARTIN, MITCHELL, NASS, PERRY, RAYE, ROSEN, ROTUNDO, SCHNEIDER, SMITH, STRIMLING, SULLIVAN, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: COURTNEY, DIAMOND, DOW, MCCORMICK, NUTTING, PLOWMAN, SAVAGE, SHERMAN, SNOWE-MELLO, TURNER, WESTON

ABSENT: Senator: BROMLEY

EXCUSED: Senator: MILLS

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused, the motion by Senator **ROTUNDO** of Androscoggin to **ADOPT** Senate Amendment "A" (S-377) to Committee Amendment "A" (S-295), **PREVAILED**.

Committee Amendment "A" (S-295) as Amended by Senate Amendment "A" (S-377) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-295) AS AMENDED BY SENATE AMENDMENT "A" (S-377) thereto, in NON-CONCURRENCE.

Ordered sent down forthwith for concurrence.

On motion by Senator **ROTUNDO** of Androscoggin, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Assist in the Cleanup of Waste Motor Oil Disposal Sites

H.P. 1368 L.D. 1929

Tabled - June 20, 2007, by Senator **MARTIN** of Aroostook

Pending - **ENACTMENT**, in concurrence

(In Senate, June 19, 2007, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, June 20, 2007, **PASSED TO BE ENACTED**.)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-378) **READ** and **ADOPTED**.