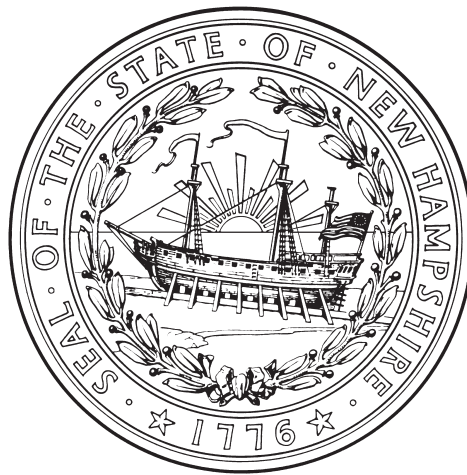


June 14, 2007
Nos. 22 - 23

STATE OF NEW HAMPSHIRE

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Legislative

SENATE JOURNAL

ADJOURNMENT – JUNE 13, 2007 SESSION
COMMENCEMENT – JUNE 14, 2007 SESSION

SENATE JOURNAL 22 (*Cont.*)

Out of Recess.

June 13, 2007

LATE SESSION

Senator Foster moved that the Senate adjourn from the late session.

Adopted.

Adjournment.

SENATE JOURNAL 23

June 14, 2007

The Senate met at 10:00 a.m.

A quorum was present.

The President of the Senate, Senator Larsen, offered the prayer.

Incline us, O God! to think humbly of ourselves, to be saved only in the examination of our own conduct, to consider our fellow-creatures with kindness, and to judge of all they say and do with the charity which we would desire from them ourselves.
Amen

Senator Fuller Clark led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Marjorie Smith, Daniel Eaton, Nordgren, Almy and Kurk.

Alternates: Wallner, Franklin and Wendelboe.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009.

Senator D'Allesandro moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: D'Allesandro, Hassan, Sgambati, Odell

ALTERNATES: Larsen, Janeway, Gallus

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Marjorie Smith, Foster, DeJoie, Marsh and Weyler.

Alternates: Leishman, McLeod and Major.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures.

Senator D'Allesandro moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: D'Allesandro, Hassan, Sgambati, Odell

ALTERNATES: Larsen, Janeway, Gallus

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 25-FN-A, making appropriations for capital improvements.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Bouchard, Campbell, Benn and Graham.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 25-FN-A, making appropriations for capital improvements.

Senator Hassan moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Hassan, D'Allesandro, Clegg

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 37, relative to notification requirements for criminal offenders.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Hess, Barbara Shaw, Judith Day and Welch.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 37, relative to notification requirements for criminal offenders.

Senator Foster moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Gottesman, Letourneau, Foster

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 83, relative to the deliberations of the board of tax and land appeals under the right-to-know law. and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Wall, Gary Richardson, Baxley and Mooney.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 83, relative to the deliberations of the board of tax and land appeals under the right-to-know law.

Senator Hassan moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Hassan, Burling, Barnes

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 95-L, relative to the treatment of charter school pupils in the definition of average daily membership in residence.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Dunn, Casey, Reeve and Price.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 95-L, relative to the treatment of charter school pupils in the definition of average daily membership in residence.

Senator Estabrook moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Burling, Kelly, Barnes

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 134, relative to electronic prescribing for prescription drugs.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Rosenwald, Evalyn Merrick, Butcher and Case.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 134, relative to electronic prescribing for prescription drugs.

Senator Estabrook moved to accede to the request for a Committee of Conference.

Senator Fuller Clark Rule #42 on HB 134.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Estabrook, Janeway, Gallus

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled Bill sent down from Senate:

HB 187, establishing that sheriffs' departments have sole jurisdiction to enforce civil orders.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Tholl, Welch, Fontas and Movsesian.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 187, establishing that sheriffs' departments have sole jurisdiction to enforce civil orders.

Senator Foster moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Foster, Reynolds, Letourneau

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment to the following entitled Bill sent down from Senate:

HB 202, relative to a point system for automobile dealer and inspection station violations.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Ryan, Packard, Nedeau and Robert Williams.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 202, relative to a point system for automobile dealer and inspection station violations.

Senator Letourneau moved to accede to the request for a Committee of Conference.

Senator Foster Rule #42 on HB 202.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Letourneau, Kelly, DeVries

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 229, relative to licensing requirements for operators of games of chance.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Hawkins, Butynski, Velez and Frank Sullivan.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 229, relative to licensing requirements for operators of games of chance.

Senator Odell moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: D'Allesandro, Reynolds, Odell

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 261, prohibiting the Carroll county attorney from engaging in the private practice of law.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Patten, Stohl, Simon and Larry Brown.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 261, prohibiting the Carroll county attorney from engaging in the private practice of law.

Senator Foster moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Foster, Clegg, Gottesman

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 293, allowing municipalities to establish agricultural commissions.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Theberge, Bennett Moore, Patten and Stohl.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 293, allowing municipalities to establish agricultural commissions.

Senator Hassan moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Hassan, DeVries, Barnes

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 306, establishing a task force on work and family.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: John Knowles, Converse, Infantine and Bishop.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 306, establishing a task force on work and family.

Senator Gottesman moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Cilley, Fuller Clark, Roberge

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 365, establishing a commission to study foreclosures of home mortgages and the foreclosure rescue scam industry.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Reardon, DeStefano, Spratt and Pelkey.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 365, establishing a commission to study foreclosures of home mortgages and the foreclosure rescue scam industry.

Senator Gottesman moved to accede to the request for a Committee of Conference.

Senator Foster Rule #42 on HB 365.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Gottesman, Reynolds, Barnes

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 377-FN-L, relative to the right-to-know law.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Shurtleff, Weber, Wall, and Jasper.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 377-FN-L, relative to the right-to-know law.

Senator Hassan moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Foster, Burling, Downing

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 429, relative to nominations by multiple parties.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Clemons, Perry, Pierce and Drisko.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 429, relative to nominations by multiple parties.

Senator Burling moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Burling, DeVries, Letourneau

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 488-FN-A-L, relative to the state chief medical examiner and medico-legal death investigations and making an appropriation to the department of justice for autopsy costs.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Franklin, William Knowles, King and Welch.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 488-FN-A-L, relative to the state chief medical examiner and medico-legal death investigations and making an appropriation to the department of justice for autopsy costs.

Senator D'Allesandro moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: D'Allesandro, Cilley, Downing

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 498-FN-A, dedicating certain OHRV and snowmobile unrefunded road tolls to the fish and game department.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Bouchard, Benn, Tupper and Kurk.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 498-FN-A, dedicating certain OHRV and snowmobile unrefunded road tolls to the fish and game department.

Senator Janeway moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: D'Allesandro, Janeway, Clegg

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 533, relative to Occupational Safety and Health Administration certification requirements for state contracts.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Sara Kelly, Stephen Johnson, Ryan and Bedrick.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 533, relative to Occupational Safety and Health Administration certification requirements for state contracts.

Senator Gottesman moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Foster, Larsen, Gallus

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 653, relative to the determination of benefits, funding, and administration of the New Hampshire retirement system.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Irwin, Patricia McMahon, Hawkins and Beauchesne.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 653, relative to the determination of benefits, funding, and administration of the New Hampshire retirement system.

Senator Burling moved to accede to the request for a Committee of Conference.

Senator Sgambati Rule #42 on HB 653.

Senator Roberge Rule #42 on HB 653.

Senator DeVries Rule #42 on HB 653.

Senator Downing Rule #42 on HB 653.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Burling, Janeway, Downing

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 659-FN, exempting certain motor vehicles manufactured prior to 1941 from vehicle equipment and inspection requirements.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Jennifer Brown, Packard, O'Brien and Estes.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 659-FN, exempting certain motor vehicles manufactured prior to 1941 from vehicle equipment and inspection requirements.

Senator Letourneau moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: DeVries, Hassan, Clegg

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 723, extending the moratoriums on nursing home beds and rehabilitation.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Rosenwald, Donovan, McLeod and MacKay.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 723, extending the moratoriums on nursing home beds and rehabilitation.

Senator Estabrook moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Estabrook, Sgambati, Kenney

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 735, relative to the form of the presidential primary election ballot.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Clemons, Jasper, Weed and Claudia Chase.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 735, relative to the form of the presidential primary election ballot.

Senator Burling moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Burling, Letourneau, DeVries

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 767, relative to insurance for volunteer drivers.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Reardon, Bucu, Matthew Quandt and Spratt.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 767, relative to insurance for volunteer drivers.

Senator Gottesman moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: D'Allesandro, Gallus, Foster

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 796, relative to civil liability for damaging highway protective barriers.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Cloutier, Cyr, Gary Richardson and Chandler.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 796, relative to civil liability for damaging highway protective barriers.

Senator Foster moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Clegg, Reynolds, Foster

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 828-FN, relative to a state ethics officer.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Harding, Michael Rollo, Manney and Millham.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 828-FN, relative to a state ethics officer.

Senator Burling moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Burling, Clegg, Foster

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 876-FN-L, establishing a commission to make recommendations to ensure the long-term viability and sustainability of the New Hampshire retirement system.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Irwin, Patricia McMahon, Hawkins and Beauchesne.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 876-FN-L, establishing a commission to make recommendations to ensure the long-term viability and sustainability of the New Hampshire retirement system.

Senator Burling moved to accede to the request for a Committee of Conference.

Senator Sgambati Rule #42 on HB 876.

Senator DeVries Rule #42 on HB 876.

Senator Downing Rule #42 on HB 876.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Burling, Kelly, Downing

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 882-FN, relative to limitations on tort liability of government units.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Lasky, Morrison, Baxley and Sorg.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 882-FN, relative to limitations on tort liability of government units.

Senator Foster moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Foster, Gottesman, Clegg

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 903-FN, prohibiting delivery of oil to non-compliant underground storage facilities.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Spang, Spratt, Houde and Chris Christensen.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 903, prohibiting delivery of oil to non-compliant underground storage facilities.

Senator Fuller Clark moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Fuller Clark, Janeway, Barnes

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 927-FN, relative to the specific criteria and substantive educational program that define an adequate education.
and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Rous, Casey, Dunn and Hess.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

HB 927-FN, relative to the specific criteria and substantive educational program that define an adequate education.

Senator Estabrook moved to accede to the request for a Committee of Conference.

Adopted.

The President, on the part of the Senate, has appointed as members of said Committee of Conference:

SENATORS: Estabrook, Foster, Odell

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

HB 410, establishing a commission on child support issues.

and requests a Committee of Conference.

The Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Gile, Flockhart, Moran and Spaulding.

SENATE REFUSES TO ACCEDE TO HOUSE REQUEST

HB 410, establishing a commission on child support issues.

Senator Foster moved to refuse to accede to the request for a Committee of Conference.

Adopted.

Recess.

Out of recess.

Senator Larsen moved that without objection we will take CACR 20 first.

CACR 20, relating to funding of public education. Providing that the local political subdivision shall provide public education and determine curriculum and the amount of funding thereof, and the legislature shall have the authority to make reasonable determinations as to public education, provide supplemental funding, and determine the amount and allocation of such state funds. Judiciary Committee. Re-refer to committee, Vote 4-1, Senator Foster for the committee.

The question is on the adoption of the committee report of re-refer.

A roll call was requested by Senator Barnes.

Seconded by Senator Burling.

The following Senators voted Yes: Gallus, Reynolds, Sgambati, Burling, Janeway, Odell, Roberge, Kelly, Gottesman, Foster, Clegg, Larsen, Gatsas, Barnes, DeVries, Letourneau, D'Allesandro, Estabrook, Downing, Hassan, Fuller Clark.

The following Senators voted No: Kenney, Cilley, Bragdon.

Yeas: 21 - Nays: 3

Adopted.

CACR 20 is re-referred to the Judiciary Committee.

CACR 19, relating to funding of public education. Providing that the legislature shall define standards for education, determine the level of state funding thereof, establish standards of accountability, and allocate state funds in a manner that mitigates disparities in educational opportunity and fiscal capacity, provided that every school district receives a reasonable share of the state funds on a per pupil basis. Judiciary Committee. Ought to Pass, Vote 3-2, Senator Foster for the committee.

Senator Kenney offered a floor amendment.

Sen. Kenney, Dist. 3

June 14, 2007

2007-2149s

09/04

Floor Amendment to CACR 19

Amend the title of the resolution by replacing it with the following:

RELATING TO: funding of public education.

PROVIDING THAT: the local political subdivision shall provide public education and determine curriculum and the amount of funding thereof, and the legislature shall have the authority to make reasonable determinations as to public education, provide supplemental funding, and determine the amount and allocation of such state funds.

Amend paragraph I of the resolution by replacing it with the following:

I. That the second part of the constitution be amended by inserting after article 83 the following new article:

[Art.] 83-a [Funding Public Education.] The legislature shall have the authority to make reasonable determinations of the content, extent, funding, delivery, and accountability of public education; the local political subdivision shall be responsible for providing public education, shall have the authority to determine curriculum, and to determine the amount of funding thereof. The legislature shall have the authority to provide supplemental funding and to determine the amount and the allocation of these state funds.

Amend paragraph IV of the resolution by replacing it with the following:

IV. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending the second part of the constitution by inserting after article 83 a new article to read as follows:

[Art.] 83-a [Funding Public Education.] The legislature shall have the authority to make reasonable determinations of the content, extent, funding, delivery, and accountability of public education; the local political subdivision shall be responsible for providing public education, shall have the authority to determine curriculum, and to determine the amount of funding thereof. The legislature shall have the authority to provide supplemental funding and to determine the amount and the allocation of these state funds.”

2007-2149s

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that the local political subdivision shall provide public education, determine curriculum and the amount of funding thereof, and the legislature may make reasonable determinations as to public education, provide supplemental funding, and determine the amount and allocation of such state funds.

Senator Gottesman moved the question.

Without objection Senator Larsen moved to close debate.

The question is on the adoption of the floor amendment.

A roll call was requested by Senator Kenney.

Seconded by Senator Burling.

The following Senators voted Yes: Gallus, Kenney, Roberge, Bragdon, Clegg, Gatsas, Barnes, Downing.

The following Senators voted No: Reynolds, Sgambati, Burling, Cilley, Janeway, Odell, Kelly, Gottesman, Foster, Larsen, DeVries, Letourneau, D'Allesandro, Estabrook, Hassan, Fuller Clark.

Yeas: 8 - Nays: 16

Floor amendment failed.

The question is on the motion of ought to pass.

A 3/5 vote is necessary.

A roll call was requested by Senator Clegg.

Seconded by Senator Foster.

The following Senators voted Yes: Reynolds, Burling, Janeway, Odell, Roberge, Kelly, Bragdon, Gottesman, Foster, Larsen, DeVries, D'Allesandro, Hassan, Fuller Clark.

The following Senators voted No: Gallus, Kenney, Sgambati, Cilley, Clegg, Gatsas, Barnes, Letourneau, Estabrook, Downing.

Yeas: 14 - Nays: 10

Motion failed.

MOTION TO TABLE

Senator Gottesman moved to have CACR 19 laid on the table.

The question is on the adoption to lay on the table.

A roll call was requested by Senator Sgambati.

Seconded by Senator Reynolds.

The following Senators voted Yes: Reynolds, Sgambati, Burling, Janeway, Odell, Kelly, Bragdon, Gottesman, Foster, Larsen, Gatsas, DeVries, D'Allesandro, Estabrook, Downing, Hassan, Fuller Clark.

The following Senators voted No: Gallus, Kenney, Cilley, Roberge, Clegg, Barnes, Letourneau.

Yeas: 17 - Nays: 7

Adopted.

LAI D ON THE TABLE

CACR 19, relating to funding of public education. Providing that the legislature shall define standards for education, determine the level of state funding thereof, establish standards of accountability, and allocate state funds in a manner that mitigates disparities in educational opportunity and fiscal capacity, provided that every school district receives a reasonable share of the state funds on a per pupil basis. Judiciary Committee. Ought to Pass, Vote 3-2, Senator Foster for the committee.

AMENDMENT TO SENATE RULES

Senator Foster offered the following change:

PROPOSED SENATE RULE CHANGE

Amendment to Senate Rule 48 (h)

Amend Senate Rule 48 (h.) by replacing with the following:

48.

h) Thursday, June 21, 2007, 4:30 p.m. - Last day to SIGN Committee of Conference Reports.

Adopted by the necessary 2/3 vote.

RESOLUTION

Senator Foster moved that the Senate adjourn from the early session, that the business of the late session be in order at the present time, that all bills and resolutions ordered to third reading be, by this resolution, read a third time, all titles be the same as adopted, and that they be passed at the present time.

Adopted.

LATE SESSION ANNOUNCEMENTS

Senator Gottesman Rule #44.

Senator Barnes Rule #44.

RESOLUTION

Senator Foster moved that the Senate recess to the Call of the Chair for the sole purpose of sending and receiving messages, and processing enrolled bill reports and amendments, and forming Committees of Conference.

Adopted.

In recess to the Call of the Chair.