

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twentieth Legislature
State of Maine

Volume 2

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May 24, 2001 to June 22, 2001

First Confirmation Session
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Second Confirmation Session
December 6, 2001

Second Regular Session
January 2, 2002 to April 1, 2002

Pages 912 - 1844

**STATE OF MAINE
ONE HUNDRED AND TWENTIETH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Tuesday
February 12, 2002

Senate called to order by Pamela L. Cahill, Secretary of the Senate, pursuant to Senate Rule 301.1.

The Senator from Oxford, Senator **FERGUSON**, was appointed to serve as President Pro Tem for the session.

The Secretary requested the Sergeant-At-Arms escort the Senator from Oxford, Senator **FERGUSON** to the Rostrum where he assumed the duties as President Pro Tem.

Senate called to order by President Pro Tem **NORMAN K. FERGUSON, JR.** of Oxford County.

Prayer by Reverend Donald Smith, Good Will Hinckley Home for Boys and Girls in Hinckley.

REVEREND SMITH: Would you bow your heads please. Lord, we come to this chamber amidst busy schedules and phone calls and lots of needs and issues and voices that clamber for our attention. We take this moment to be able to quiet our hearts and our minds before You. Lord, we know that we can be most effective when we are connected to our hearts and to our passions. We take this moment to remember why we're here. To remember the needs and the desires that are most important to us. Father, as we connect to our hearts today we ask that You give us the courage to be able to speak from our hearts and the wisdom to be able to express our desires clearly. Father, we ask that Your will would be accomplished in this chamber today by Your power. Amen.

Pledge of Allegiance led by Senator Richard Kneeland of Aroostook County.

Doctor of the day, Harry Grimmnitz, M.D. of Augusta.

Reading of the Journal of Thursday, February 7, 2002.

Off Record Remarks

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

COMMUNICATIONS

The Following Communication: S.C. 552

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
BUSINESS AND ECONOMIC DEVELOPMENT**

February 5, 2002

The Honorable Richard A. Bennett
President of the Senate of Maine
120th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on Business and Economic Development has had under consideration the nomination of Peter L. Judkins of Farmington, for reappointment to the Maine State Housing Authority.

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	Bromley of Cumberland, Shorey of Washington, Youngblood of Penobscot
Representatives	8	Bryant of Dixfield, Clough of Scarborough, Dorr of Camden, Hatch of Skowhegan, Michaud of Fort Kent, Morrison of Baileyville, Murphy of Kennebunk, Richardson of Brunswick

NAYS 0

ABSENT 2 Rep. Thomas of Orono, Rep. Duprey of Hampden

Eleven 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 Peter L. Judkins of Farmington, for reappointment to the Maine State Housing Authority be confirmed.

Signed,

S/Kevin L. Shorey
Senate Chair

S/John G. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

On motion by Senator **YOUNGBLOOD** of Penobscot, **TABLED 1** Legislative Day, pending **CONSIDERATION**.

S/Peggy A. Pendleton
Senate Chair

S/Martha A. Bagley
House Chair

READ and ORDERED PLACED ON FILE.

On motion by Senator **PENDLETON** of Cumberland, **TABLED 1** Legislative Day, pending **CONSIDERATION**.

The Following Communication: S.C. 555

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
STATE AND LOCAL GOVERNMENT**

February 6, 2002

The Honorable Richard A. Bennett
President of the Senate of Maine
120th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of Derek P. Langhauser of Cumberland, for reappointment to the Maine Governmental Facilities Authority.

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	2	Pendleton of Cumberland, Youngblood of Penobscot
Representatives	9	Chase of Levant, Cressey of Baldwin, Haskell of Milford, Hatch of Skowhegan, Kasprzak of Newport, Lessard of Topsham, McDonough of Portland, McLaughlin of Cape Elizabeth, Murphy of Berwick
NAYS	0	
ABSENT	2	Rep. Bagley of Machias, Sen. Rotundo of Androscoggin

Eleven 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 Derek P. Langhauser of Cumberland, for reappointment to the Maine Governmental Facilities Authority be confirmed.

Signed,

The Following Communication: S.C. 565

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON LABOR**

February 5, 2002

The Honorable Richard A. Bennett
President of the Senate of Maine
120th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 120th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Catherine R. Sullivan of Portland, for reappointment to the Maine State Retirement System, Board of Trustees.

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	2	Edmonds of Cumberland, Sawyer of Penobscot
Representatives	8	Bunker of Kossuth Township, Davis of Falmouth, Hutton of Bowdoinham, MacDougall of North Berwick, Matthews of Winslow, Norton of Bangor, Tarazewich of Waterboro, Treadwell of Carmel
NAYS	0	
ABSENT	3	Rep. Cressey of Baldwin, Rep. Smith of Van Buren, Sen. Turner of Cumberland

Ten 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 Catherine R. Sullivan of Portland, for reappointment to the Maine State Retirement System, Board of Trustees be confirmed.

Signed,

S/Betheda G. Edmonds
Senate Chair

S/George H. Bunker Jr.
House Chair

READ and ORDERED PLACED ON FILE.

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

The Following Communication: S.C. 564

**THE UNIVERSITY OF MAINE
MARGARET CHASE SMITH CENTER FOR PUBLIC POLICY**

February 5, 2002

Pamela L. Cahill
Secretary of the Senate
3 State House Station
3rd Floor, Room 327, State House
Augusta, ME 04333

Re: Maine State Government Summer Internship Program 2001
Annual Report

Dear Secretary Cahill:

In accordance with 1967 Public Law, Chapter 493, Section 294, Item 8, I am enclosing copies of the 2001 Maine State Government Summer Internship Annual Report for distribution to the Members of the Senate.

The Maine State Government Summer Internship Program is a full-time, 12-week paid work experience in a state agency. The Program combines work experience with an educational program designed to provide students an opportunity to participate in and contribute to Maine State Government.

Thank you for your assistance in making this Report available to the Members of the Senate.

Yours truly,

S/Suzanne K. Hart
Research Associate
Director, Maine State Government Internship Program

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 566

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
AGRICULTURE, CONSERVATION AND FORESTRY**

February 5, 2002

The Honorable Richard A. Bennett, President
The Honorable Michael V. Saxl, Speaker

120th Maine Legislature
State House
Augusta, ME 04333

Dear President Bennett and Speaker Saxl:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings and recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry from the review and evaluation of the Maine Dairy & Nutrition Council under the State Government Evaluation Act. In its review, the committee found that the council is operating within its statutory authority.

Sincerely,

S/Sen. Richard Kneeland
Senate Chair

S/Rep. Linda Rogers McKee
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 567

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
AGRICULTURE, CONSERVATION AND FORESTRY**

February 5, 2002

The Honorable Richard A. Bennett, President
The Honorable Michael V. Saxl, Speaker
120th Maine Legislature
State House
Augusta, ME 04333

Dear President Bennett and Speaker Saxl:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings and recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry from the review and evaluation of the Maine Dairy Promotion Board under the State Government Evaluation Act. In its review, the committee found that the board is operating within its statutory authority.

Sincerely,

S/Sen. Richard Kneeland
Senate Chair

S/Rep. Linda Rogers McKee
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 568

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
AGRICULTURE, CONSERVATION AND FORESTRY**

February 5, 2002

The Honorable Richard A. Bennett, President
The Honorable Michael V. Saxl, Speaker
120th Maine Legislature
State House
Augusta, ME 04333

Dear President Bennett and Speaker Saxl:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings and recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry from the review and evaluation of the Maine Milk Commission under the State Government Evaluation Act. In its review, the committee found that the commission is operating within its statutory authority.

Sincerely,

S/Sen. Richard Kneeland
Senate Chair

S/Rep. Linda Rogers McKee
House Chair

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act Directing the Department of Human Services to Annually Adjust Dental Reimbursement Rates Under the Medicaid Program"

H.P. 375 L.D. 477

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-783).**

Signed:

Senators:
GOLDTHWAIT of Hancock
CATHCART of Penobscot

Representatives:
BERRY of Livermore
MAILHOT of Lewiston
TESSIER of Fairfield
BRANNIGAN of Portland
ETNIER of Harpswell
JONES of Greenville
NASS of Acton
WINSOR of Norway

BELANGER of Caribou
ROSEN of Bucksport

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

Signed:

Senator:
MILLS of Somerset

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-783).**

Reports **READ.**

Senator **GOLDTHWAIT** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** 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 TO PASS AS AMENDED** Report, in concurrence.

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Enhance the Quality and Accessibility of HIV Services and Prevention Services"
H.P. 779 L.D. 1023

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-785).**

Signed:

Senators:
GOLDTHWAIT of Hancock
CATHCART of Penobscot

Representatives:
BERRY of Livermore
MAILHOT of Lewiston
TESSIER of Fairfield
BRANNIGAN of Portland
ETNIER of Harpswell
JONES of Greenville
BELANGER of Caribou
ROSEN of Bucksport

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

Signed:

Senator:
MILLS of Somerset

Representatives:
NASS of Acton
WINSOR of Norway

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-785)**.

Reports **READ**.

Senator **GOLDTHWAIT** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** 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 TO PASS AS AMENDED** Report, in concurrence.

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Continue the Sales Tax Exemption on Vehicles Sold and Leased and Removed from the State" (EMERGENCY)

H.P. 916 L.D. 1230

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-784)**.

Signed:

Senators:
CATHCART of Penobscot
MILLS of Somerset

Representatives:
MAILHOT of Lewiston
TESSIER of Fairfield
BRANNIGAN of Portland
ETNIER of Harpswell
JONES of Greenville
NASS of Acton
WINSOR of Norway
BELANGER of Caribou
ROSEN of Bucksport

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

Signed:

Senator:
GOLDTHWAIT of Hancock

Representative:
BERRY of Livermore

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-784)**.

Reports **READ**.

Senator **GOLDTHWAIT** of Hancock moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

Senate at Ease.

Senate called to order by President Pro Tem **NORMAN K. FERGUSON, JR.** of Oxford County.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Limit the Number of Chances a Person Has in the Moose Lottery"

H.P. 43 L.D. 52

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

Signed:

Senators:
CARPENTER of York
KILKELLY of Lincoln

Representatives:
CHICK of Lebanon
CLARK of Millinocket
DUNLAP of Old Town
USHER of Westbrook
TRACY of Rome
BRYANT of Dixfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-781)**.

Signed:

Senator:
WOODCOCK of Franklin

Representatives:
TRAHAN of Waldoboro
HONEY of Boothbay
PERKINS of Penobscot
McGLOCKLIN of Embden

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

Reports **READ**.

Senator **CARPENTER** 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 **INLAND FISHERIES AND WILDLIFE** on Resolve, for a Multi-year Experimental Program to Test the Effectiveness of Stocking Smelt in Maine Waters
H.P. 130 L.D. 141

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-786)**.

Signed:

Senator:
KILKELLY of Lincoln

Representatives:
TRAHAN of Waldoboro
CLARK of Millinocket
HONEY of Boothbay
USHER of Westbrook
TRACY of Rome
McGLOCKLIN of Embden

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

Signed:

Senators:
CARPENTER of York
WOODCOCK of Franklin

Representatives:
CHICK of Lebanon
DUNLAP of Old Town
PERKINS of Penobscot
BRYANT of Dixfield

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

Reports **READ**.

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

Senate

Ought to Pass

Senator DOUGLASS for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Clarify the On-premise Liquor License Application Process"
S.P. 681 L.D. 1883

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator DOUGLASS for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Allow Approval of Internet-based Alcohol Server Education Courses"
S.P. 717 L.D. 1919

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 KNEELAND for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Amend the Integrated Pest Management Laws"
S.P. 716 L.D. 1918

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-413)**.

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

READ ONCE.

Committee Amendment "A" (S-413) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator YOUNGBLOOD for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Separate Territory from the Town of Falmouth and Annex it to the City of Portland" S.P. 499 L.D. 1586

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-416)**.

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

READ ONCE.

Committee Amendment "A" (S-416) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator YOUNGBLOOD for the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, Extending the Authority of the Commissioner of Administrative and Financial Services to Convey a Portion of the Kennebec Arsenal in Augusta Pursuant to Resolve 1999, Chapter 56

S.P. 673 L.D. 1876

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-414)**.

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

READ ONCE.

Committee Amendment "A" (S-414) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator YOUNGBLOOD for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Assist Municipalities of Sagadahoc County with the Change in the County Budget Year" (EMERGENCY)

S.P. 726 L.D. 1967

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-417)**.

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

READ ONCE.

Committee Amendment "A" (S-417) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, Authorizing the Commissioner of Administrative and Financial Services to Acquire or Dispose of Property or Interest in Property Pursuant to the Augusta State Facilities Master Plan set out in Resolve 2001, Chapter 34 S.P. 676 L.D. 1879

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-415)**.

Signed:

Senators:
PENDLETON of Cumberland
YOUNGBLOOD of Penobscot
ROTUNDO of Androscoggin

Representatives:
BAGLEY of Machias
McDONOUGH of Portland
HATCH of Skowhegan
LESSARD of Topsham
McLAUGHLIN of Cape Elizabeth
MURPHY of Berwick
CHASE of Levant

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

Signed:

Representatives:
KASPRZAK of Newport
HASKELL of Milford
CRESSEY of Baldwin

Reports **READ**.

On motion by Senator **PENDLETON** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

SECOND READERS

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

House

Bill "An Act to Clarify Recent Amendments to the Maine Consumer Credit Code" (EMERGENCY) H.P. 1496 L.D. 1999

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

House As Amended

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

H.P. 1403 L.D. 1842
(C "A" H-770)

Bill "An Act Authorizing the Town of Waldoboro to Refinance Certain Temporary Bond Anticipation Notes Issued for its Water Project" (EMERGENCY)

H.P. 1407 L.D. 1845
(C "A" H-772)

Bill "An Act to Amend the Charter of the Mount Blue Water District" (EMERGENCY)

H.P. 1413 L.D. 1857
(C "A" H-773)

Bill "An Act to Maintain the Family Caregiver Initiative for Elderly Citizens in Maine"

H.P. 1441 L.D. 1938
(C "A" H-771)

Bill "An Act to Support the State's Homeless Youth"

H.P. 1528 L.D. 2031
(C "A" H-775)

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

Senate

Bill "An Act to Improve the Effectiveness of the Driver Education and Evaluation Programs"

S.P. 714 L.D. 1916

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act Regarding Certain Educational Requirements for Licensed Social Workers"

S.P. 709 L.D. 1911
(C "A" S-411)

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

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Senate at Ease.

Senate called to order by President Pro Tem **NORMAN K. FERGUSON, JR.** of Oxford County.

Off Record Remarks

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator DOUGLASS for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Prohibit the Consumption of Liquor by Minors on a Brewery Premises"
S.P. 706 L.D. 1908

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-418).**

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

READ ONCE.

Committee Amendment "A" (S-418) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

PAPERS FROM THE HOUSE

Pursuant to Joint Order

Joint Standing Committee on Education and Cultural Affairs

The **Joint Standing Committee on Education and Cultural Affairs** pursuant to Joint Order 2001, H.P. 1579 asked leave to report that the accompanying Bill "An Act Regarding Essential Programs and Services"

H.P. 1602 L.D. 2103

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Joint Order
Joint Standing Committee on Judiciary**

The **Joint Standing Committee on Judiciary** pursuant to Joint Order 2001, H.P. 1601 asked leave to report that the accompanying Bill "An Act to Enact the Maine Professional Service Corporation Act"

H.P. 1605 L.D. 2105

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order: H.P. 1604

ORDERED, the Senate concurring, that the Joint Standing Committee on Health and Human Services report out, to the House, a bill naming the new State Mental Health Institute in Augusta.

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

READ and **PASSED**, in concurrence.

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

ORDERS

Joint Order

On motion by Senator **GAGNON** of Kennebec, the following Joint Order: S.P. 770

ORDERED, the House concurring, that the Joint Standing Committee on Taxation report out, to the Senate, a bill concerning adjustments of state valuation due to a sudden and severe disruption of valuation.

READ and **PASSED**.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Senate at Ease.

Senate called to order by President Pro Tem **NORMAN K. FERGUSON, JR.** of Oxford County.

Senator **O'GARA** of Cumberland was granted unanimous consent to address the Senate off the Record.

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

Off Record Remarks

On motion by Senator **SMALL** of Sagadahoc, **ADJOURNED** to Wednesday, February 13, 2002, at 10:00 in the morning.