

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twentieth Legislature  
State of Maine

Volume 2

First Regular Session (Continued)  
May 24, 2001 to June 22, 2001

First Confirmation Session  
October 24, 2001

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  
Thursday  
March 7, 2002

Senate called to order by President Richard A. Bennett of Oxford County.

Prayer by Reverend Earl Ederly, Farmington Baptist Church in Farmington.

**REVEREND EDGERLY:** Let us pray together. Absolving Lord and Almighty God, Heavenly Father, we thank You for another day of opportunity to serve the people of this state. As we gather this day to give thoughtful consideration to the business at hand, keep us mindful that the decisions made here will impact the lives of the people in our communities for years to come. We acknowledge that we are privileged to live within a state and nation that is founded upon the faith and courage of our forefathers, the promise of freedom and opportunity, and justice for all people. A promise that illicit a respect for all people, regardless. A respect that permits the fair exchange of ideas within the confines of seeking what is best for the community and the people, the businesses, and organizations of which it is comprised. Grant us the courage to not only speak to those issues of our concern, but also to realize that we will not necessarily agree on every issue. Help us to disagree in a courteous and considerate manner that evokes the same from others. Grant us clear vision, genuine concern, and wisdom in seeking what is best for that quality of life for each of our neighbors throughout the state. Forgive us wherein we may have been short-sighted in planning and in our reluctance to change. Cause us to remember that the codes and the laws are to be the servant and not the master for the benefit for all. Lord, I'd ask that You would watch over these special public servants, in charge of such an awesome responsibility because of the position that they hold in our state government. I'd ask, Lord, that You grant them strength and endurance, coupled with great wisdom and patience to accomplish their task at hand. We're grateful for their allegiance to their given responsibility and pray Your guidance for them and Your hand upon them. For Your glory and our good, Amen.

Reading of the Journal of Wednesday, March 6, 2002.

**Off Record Remarks**

Out of order and under suspension of the Rules, on motion by Senator **SMALL** of Sagadahoc, the following Joint Order:  
S.P. 802

ORDERED, the House concurring, that when the House stands Adjourned it does so until Monday, March 11, 2002, at 9:00 in the morning and the Senate Adjourns until Monday, March 11, 2002, at 10:00 in the morning.

**READ and PASSED.**

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act to Create the Office of the Maine-Canada Envoy"  
H.P. 1505 L.D. 2008

In House, February 26, 2002, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-791) AS AMENDED BY HOUSE AMENDMENT "A" (H-809)** thereto.

In Senate, February 28, 2002, on motion by Senator **SHOREY** of Washington, the Bill and accompanying papers **COMMITTED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**, in **NON-CONCURRENCE**.

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

On motion by Senator **SHOREY** of Washington, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

**COMMUNICATIONS**

The Following Communication: S.C. 601

**120<sup>TH</sup> LEGISLATURE  
JOINT STANDING COMMITTEE ON  
EDUCATION AND CULTURAL AFFAIRS**

March 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 Education and Cultural Affairs has had under consideration the nomination of Elinor Multer of Orr's Island, for reappointment to the State Board of Education.

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	Mitchell of Penobscot, Rotundo of Androscoggin
Representatives	8	Andrews of York, Desmond of Mapleton, Estes of Kittery, Ledwin of Holden, Richard of Madison, Skoglund of St. George, Stedman of Hartland, Weston of Montville
NAYS	0	
ABSENT	3	Rep. Cummings of Portland, Sen. Nutting of Androscoggin, Rep. Watson of Farmingdale

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 Elinor Multer of Orr's Island, for reappointment to the State Board of Education be confirmed.

Signed,

S/Betty Lou Mitchell  
Senate Chair

S/Shirley K. Richard  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 120<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#233)**

YEAS:	Senators:	None
NAYS:	Senators:	BROMLEY, CARPENTER, CATHCART, DAVIS, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LAFOUNTAIN, LEMONT, LONGLY, MARTIN, MCALEVEY, MILLS, MITCHELL, O'GARA, PENDLETON, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - RICHARD A. BENNETT
ABSENT:	Senators:	DAGGETT, MICHAUD, NUTTING

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 3 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Elinor Multer** of Orr's Island, for reappointment to the State Board of Education was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 602

**120<sup>TH</sup> LEGISLATURE  
JOINT STANDING COMMITTEE ON  
EDUCATION AND CULTURAL AFFAIRS**

March 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 Education and Cultural Affairs has had under consideration the nomination of Joyce McPhetres of Waterville, for reappointment to the State Board of Education.

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	Mitchell of Penobscot, Rotundo of Androscoggin
Representatives	8	Andrews of York, Desmond of Mapleton, Estes of Kittery, Ledwin of Holden, Richard of Madison, Skoglund of St. George, Stedman of Hartland, Weston of Montville
NAYS	0	
ABSENT	3	Rep. Cummings of Portland, Sen. Nutting of Androscoggin, Rep. Watson of Farmingdale

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 Joyce McPhetres of Waterville, for reappointment to the State Board of Education be confirmed.

Signed,

S/Betty Lou Mitchell  
Senate Chair

S/Shirley K. Richard  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 120<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#234)**

YEAS: Senators: None  
NAYS: Senators: BROMLEY, CARPENTER, CATHCART, DAVIS, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LAFOUNTAIN, LEMONT, LONGLEY, MARTIN, MCALEVEY, MILLS, MITCHELL, O'GARA, PENDLETON, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - RICHARD A. BENNETT

ABSENT: Senators: DAGGETT, MICHAUD, NUTTING

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 3 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Joyce McPhetres** of Waterville, for reappointment to the State Board of Education was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 604

**120<sup>TH</sup> LEGISLATURE  
COMMITTEE ON JUDICIARY**

March 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 Judiciary has had under consideration the nomination of Honorable Jon Levy of York, for appointment as an Associate Justice of the Supreme Judicial Court.

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 Ferguson of Oxford, McAleveY of York, Rand of Cumberland  
Representatives 9 Bull of Freeport, Jacobs of Turner, LaVerdiere of Wilton, Madore of Augusta, Mendros of Lewiston, Mitchell of Vassalboro, Sherman of Hodgdon, Simpson of Auburn, Waterhouse of Bridgton  
NAYS 0  
ABSENT 1 Rep. Muse of South Portland

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Honorable Jon Levy of York, for appointment as an Associate Justice of the Supreme Judicial Court be confirmed.

Signed,

S/Anne M. Rand  
Senate Chair

S/Charles C. LaVerdiere  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 120<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#235)**

YEAS: Senators: None

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
CLERK'S OFFICE**

**NAYS:** Senators: BROMLEY, CARPENTER, CATHCART, DAVIS, DOUGLASS, EDMONDS, FERGUSON, GAGNON, GOLDTHWAIT, KILKELLY, KNEELAND, LAFOUNTAIN, LEMONT, LONGLEY, MARTIN, MCALEVEY, MILLS, MITCHELL, O'GARA, PENDLETON, RAND, ROTUNDO, SAVAGE, SAWYER, SHOREY, SMALL, TREAT, TURNER, WOODCOCK, YOUNGBLOOD, THE PRESIDENT - RICHARD A. BENNETT

March 6, 2002

The Honorable Pamela L. Cahill  
Secretary of the Senate  
120th Maine Legislature  
Augusta, Maine 04333

**ABSENT:** Senators: DAGGETT, MICHAUD, NUTTING

Dear Madam Secretary:

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 3 Senators being absent, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Jon Levy** of York, for appointment as an Associate Justice of the Supreme Judicial Court was **CONFIRMED**.

House Paper 1479 Legislative Document 1980 "An Act to Extend the Period During Which the Passamaquoddy Tribe May Acquire Land in the City of Calais," together with objections to the same, pursuant to the provisions of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

The Secretary has so informed the Speaker of the House of Representatives.

47 voted in favor and 94 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Millicent M. MacFarland  
Clerk of the House

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

The Following Communication: S.C. 603

**120<sup>TH</sup> LEGISLATURE  
COMMITTEE ON  
AGRICULTURE, CONSERVATION AND FORESTRY**

March 4, 2002

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

**ORDERS**

**Joint Orders**

Dear President Bennett and Speaker Saxl:

An Expression of Legislative Sentiment recognizing:

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 State Harness Racing Commission under the State Government Evaluation Act. In its review, the committee found that the commission is operating within its statutory authority.

The University of Maine Cooperative Extension 4-H Youth Development program, which has been working for 89 years to help Maine youth develop life skills through exciting, hands-on educational opportunities that enable them to be active citizens in their communities and world. The 4-H Youth Development program reaches over 30,000 young people in all of Maine's 16 counties, through the University of Maine Cooperative Extension;  
SLS 652

Sincerely,

Sponsored by Senator CATHCART of Penobscot.  
Cosponsored by Representatives: THOMAS of Orono, CHASE of Levant.

S/Sen. Richard Kneeland  
Senate Chair

S/Rep. Linda Rogers McKee  
House Chair

**READ.**

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

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

The Following Communication: H.C. 403

Senator **CATHCART:** Thank you, Mr. President. I am very proud to welcome the 4-H youth here today and to honor the people from the University of Maine Cooperative Extension who have helped to keep this program going for 89 years. It's great to

have the youth here and I'm sure they are going to be around today and there are going to be some performances and some opportunities for us to talk to them about 4-H and what it means to the young people of the state. I'm also very glad to recognize the director of the Cooperative Extension at the University of Maine so that we can all show our appreciation to her and to her associates who are here with us today. I'd like to congratulate the 4-H program on its 89 years of serving 30,000 young people in all of Maine's 16 counties. Thank you, Mr. President.

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

Senator **MCALVEY:** Thank you, Mr. President, men and women of the Senate. With your permission and unanimous consent of the body, I would like to recite, and ask the members of the 4-H and the members of this chamber who are former members of the 4-H to join me, in a recitation of the brief 4-H pledge. As you hear it for the second time as a former members, or the first time, you will find that the pledge really typifies why we are here and what we do everyday. I think, given the circumstances, it is very apt to quote. So with your permission, Mr. President. I would encourage the 4-H members to stand and join me in this pledge.

I pledge my head to greater thinking,  
my heart to greater loyalty,  
my hands to larger service,  
my health to better living  
for my club,  
my community,  
my country,  
and my world.  
Thank you, Mr. President.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the chamber Dr. Lavon Bartel, Director of the University of Maine Cooperative Extension, and Douglas Babkirk, Catherine Elliott, James Dill, and Rhonda Frey who are here as the guests of the Senator from Penobscot, Senator Cathcart. Will they please rise and receive the greetings of the Senate. The Chair is also pleased to recognize, in the chamber, members of the Franklin County 4-H Dairy Club; Erica Emery of Farmington, Andrew Hardy of Farmington, and Cassie Lane of New Vineyard. They are accompanied by their leader, Theresa Hardy of Farmington. Will they please rise and receive the greetings of the Senate.

An Expression of Legislative Sentiment recognizing:

Paul R. Cariani, of Presque Isle, on the occasion of his retirement from Maine Public Service Company, which he joined in 1977. Over the years, Mr. Cariani has held numerous positions in the company, including Chief Financial Officer and Treasurer, Executive Vice President and President and Chief Executive Officer. He is active in civic affairs and has also served as president of the Presque Isle Rotary Club, director of the Presque Isle Chamber of Commerce and a trustee of the

Loring Development Authority. We acknowledge his dedicated service to his company and his community, and we extend our congratulations and best wishes to him on his retirement;  
SLS 653

Sponsored by Senator MARTIN of Aroostook.  
Under suspension of the rules, cosponsored by Senators: KNEELAND of Aroostook, President Pro Tem MICHAUD of Penobscot, Representatives: BELANGER of Caribou, DESMOND of Mapleton, DUNCAN of Presque Isle, LANDRY of Patten, LUNDEEN of Mars Hill, MICHAUD of Fort Kent, PARADIS of Frenchville, SHERMAN of Hodgdon, SMITH of Van Buren, WHEELER of Bridgewater, YOUNG of Limestone.

**READ.**

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

Senator **MARTIN:** Thank you, Mr. President, members of the Senate. Last evening, the Aroostook County Delegation met with Paul Cariani and members of the family of the Maine Public Service Company and wished him good luck. We are sorry that he is leaving the Maine Public Service Company. I thought that it was appropriate that we invite him here this morning to be recognized by the entire Senate even though he really would have wished he were back in Aroostook. So I would ask you, Mr. President, to recognize him in the back of the chamber.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the chamber Paul R. Cariani of Presque Isle. Will he please rise and receive the greetings of the Senate.

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## REPORTS OF COMMITTEES

### House

#### Divided Report

The Majority of the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Require Continuing Education in the Cosmetology, Manicuring, Aesthetics and Barbering Fields"

H.P. 1107 L.D. 1476

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-827).**

Signed:

Senators:  
SHOREY of Washington  
YOUNGBLOOD of Penobscot  
BROMLEY of Cumberland

Representatives:

THOMAS of Orono  
MORRISON of Baileyville  
HATCH of Skowhegan  
RICHARDSON of Brunswick  
BRYANT of Dixfield  
CLOUGH of Scarborough  
DORR of Camden  
MURPHY of Kennebunk  
MICHAUD of Fort Kent

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

Signed:

Representative:

DUPREY of Hampden

Comes from the House with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.

Reports **READ**.

On motion by Senator **SHOREY** of Washington, Bill and accompanying papers **COMMITTED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**, in concurrence.

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**Senate**

**Ought to Pass As Amended**

Senator **YOUNGBLOOD** for the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act to Make Minor Changes to the Maine Technology Institute's Statute and to Make Minor Changes to the Applied Technology Development Centers' Statute"

S.P. 712 L.D. 1914

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-452)**.

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

**READ ONCE**.

Committee Amendment "A" (S-452) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

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Senator **DOUGLASS** for the Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act to Reduce the Fee Structure for Class II Liquor Licenses"

S.P. 684 L.D. 1886

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-453)**.

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

**READ ONCE**.

Committee Amendment "A" (S-453) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

---

**Divided Report**

The Majority of the Committees on **HEALTH AND HUMAN SERVICES** and **CRIMINAL JUSTICE** on Bill "An Act to Create a Pilot Project to Fully Implement the Maine Medical Marijuana Act of 1998"

S.P. 183 L.D. 611

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-451)**.

Signed:

Senators:

LONGLEY of Waldo  
TURNER of Cumberland  
MARTIN of Aroostook

Representatives:

DUGAY of Cherryfield  
O'BRIEN of Augusta  
KANE of Saco  
FULLER of Manchester  
NUTTING of Oakland  
SHIELDS of Auburn  
BROOKS of Winterport  
LAVERRIERE-BOUCHER of Biddeford  
DUDLEY of Portland  
O'BRIEN of Lewiston  
QUINT of Portland  
PEAVEY of Woolwich  
SNOWE-MELLO of Poland  
GERZOFKY of Brunswick  
MITCHELL of Vassalboro

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

Signed:

Senators:

MCALEVEY of York  
O'GARA of Cumberland  
DAVIS of Piscataquis



Representatives:  
LOVETT of Scarborough  
POVICH of Ellsworth  
BLANCHETTE of Bangor  
TOBIN of Dexter  
WHEELER of Bridgewater

Reports **READ**.

Senator **LONGLEY** of Waldo moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Implement the Recommendations of the Health Care Workforce Steering Committee"  
S.P. 711 L.D. 1913

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-454)**.

Signed:

Senators:  
LONGLEY of Waldo  
MARTIN of Aroostook

Representatives:  
KANE of Saco  
FULLER of Manchester  
NUTTING of Oakland  
SHIELDS of Auburn  
BROOKS of Winterport  
LAVERRIERE-BOUCHER of Biddeford  
DUDLEY of Portland

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

Signed:

Senator:  
TURNER of Cumberland

Representatives:  
DUGAY of Cherryfield  
O'BRIEN of Augusta  
LOVETT of Scarborough

Reports **READ**.

Senator **LONGLEY** of Waldo moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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**SECOND READERS**

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

**House**

Bill "An Act to Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to Review of the Land for Maine's Future Board Under the Government Evaluation Act"

H.P. 1650 L.D. 2156

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

---

**House As Amended**

Bill "An Act to Amend the Uniform Commercial Code, Article 9-A"  
H.P. 1401 L.D. 1840  
(C "A" H-857)

Bill "An Act to Amend the Laws Governing Background Checks on Prospective Adoptive Parents"  
H.P. 1507 L.D. 2010  
(C "A" H-856)

Bill "An Act to Protect Victims of Domestic Violence, Sexual Assault and Stalking"  
H.P. 1515 L.D. 2019  
(C "A" H-855; H "A" H-866)

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

---

**Senate As Amended**

Bill "An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2003"  
S.P. 736 L.D. 2047  
(C "A" S-450)

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

Sent down for concurrence.

---

**ENACTORS**

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

**Acts**

An Act Directing the Department of Human Services to Annually Adjust Dental Reimbursement Rates Under the Medicaid Program

H.P. 375 L.D. 477  
(C "B" H-783)

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

---

An Act to Create the Adult Education Outreach Grant Program  
H.P. 1530 L.D. 2033  
(C "A" H-774)

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

---

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act to Supplement Maine's Academic Attainment and to Retain Talent"  
H.P. 1655 L.D. 2162

Comes from the House, **REFERRED** to the Committees on **EDUCATION AND CULTURAL AFFAIRS** and **TAXATION** and ordered printed.

**REFERRED** to the Committees on **EDUCATION AND CULTURAL AFFAIRS** and **TAXATION** and ordered printed, in concurrence.

---

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act to Conform the Maine Tax Laws for 2001 With the United States Internal Revenue Code"  
H.P. 1654 L.D. 2161

Comes from the House, **REFERRED** to the Committee on **TAXATION** and ordered printed.

**REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

---

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Appropriate Funds for the Seeds of Peace International Camp Scholarships and Property Tax Payment"  
H.P. 1434 L.D. 1931

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-859)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-859)**.

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

**READ ONCE.**

Committee Amendment "A" (H-859) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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

**ENACTORS**

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

**Resolve**

Resolve, to Name the New Psychiatric Treatment Center Located in Augusta  
H.P. 1652 L.D. 2158

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

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

**REPORTS OF COMMITTEES**

**Senate**

**Divided Report**

Five members of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Ban the Use of Aircraft While Hunting"

S.P. 746 L.D. 2078

Reported in Report "A" that the same **Ought to Pass**.

Signed:

Senators:

CARPENTER of York  
KILKELLY of Lincoln  
WOODCOCK of Franklin

Representatives:

TRAHAN of Waldoboro  
HONEY of Boothbay

Five members of the same Committee on the same subject reported in Report "B" that the same **Ought To Pass as Amended by Committee Amendment "A" (S-455)**.

Signed:

Representatives:

DUNLAP of Old Town  
CHICK of Lebanon  
USHER of Westbrook  
McGLOCKLIN of Embden  
BRYANT of Dixfield

Three members of the same Committee on the same subject reported in Report "C" that the same **Ought Not To Pass**.

Signed:

Representatives:

CLARK of Millinocket  
PERKINS of Penobscot  
TRACY of Rome

Reports **READ**.

On motion by Senator **CARPENTER** of York, Report "A", **OUGHT TO PASS ACCEPTED**.

**READ ONCE**.

**ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

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Senator **SAVAGE** of Knox was granted unanimous consent to address the Senate off the Record.

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

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On motion by Senator **DAVIS** of Piscataquis, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act Regarding Conversions of Nonprofit Entities to For-profit Entities" H.P. 1307 L.D. 1770

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-869)**.

Signed:

Senators:

RAND of Cumberland  
McALEVEY of York  
FERGUSON of Oxford

Representatives:

LaVERDIERE of Wilton  
BULL of Freeport  
JACOBS of Turner  
MITCHELL of Vassalboro  
SIMPSON of Auburn  
MUSE of South Portland

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

Signed:

Representatives:

MADORE of Augusta  
WATERHOUSE of Bridgton  
SHERMAN of Hodgdon  
MENDROS of Lewiston

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 "A" (H-869)**.

Reports **READ**.

On motion by Senator **RAND** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

**READ ONCE**.

Committee Amendment "A" (H-869) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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

**SECOND READERS**

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

**Senate**

Bill "An Act to Ban the Use of Aircraft While Hunting"  
S.P. 746 L.D. 2078

**READ A SECOND TIME** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

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**Senate As Amended**

Bill "An Act to Reduce the Fee Structure for Class II Liquor Licenses"  
S.P. 684 L.D. 1886  
(C "A" S-453)

Bill "An Act to Make Minor Changes to the Maine Technology Institute's Statute and to Make Minor Changes to the Applied Technology Development Centers' Statute"  
S.P. 712 L.D. 1914  
(C "A" S-452)

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

Sent down for concurrence.

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

**ENACTORS**

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

**Acts**

An Act to Enhance the Quality and Accessibility of HIV Services and Prevention Services  
H.P. 779 L.D. 1023  
(C "B" H-785)

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

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An Act to Continue the Sales Tax Exemption on Vehicles Sold and Leased and Removed from the State  
H.P. 916 L.D. 1230  
(C "B" H-784)

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

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**ORDERS OF THE DAY**

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

**SENATE REPORTS** - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Implement the Recommendations of the Health Care Workforce Steering Committee"  
S.P. 711 L.D. 1913

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-454)** (9 members)

Minority - **Ought Not To Pass** (4 members)

Tabled - March 7, 2002, by Senator **LONGLEY** of Waldo

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, March 7, 2002, Reports **READ**.)

On motion by Senator **LONGLEY** of Waldo, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

**READ ONCE**.

Committee Amendment "A" (S-454) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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

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

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Off Record Remarks

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On motion by Senator **TREAT** of Kennebec, **ADJOURNED**, pursuant to the Joint Order, to Monday, March 11, 2002, at 10:00 in the morning.