

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

In Senate Chamber
Thursday
February 7, 2002

Senate called to order by President Pro Tem John L. Martin of Aroostook County.

Prayer by Reverend Lily James, Riverview Community Congregational Parish in Gardiner.

REVEREND JAMES: Our gracious and wonderful Lord, we thank You for this day. Another wonderful day to fulfill the duties which You have ordained for all men to complete. We humbly beseech Thee for Thy blessing of direction, wisdom, and strength for these men and women who strive to serve the people of Maine. Give them courage to stand for their convictions. Give them understanding as they represent the entirety of this vast state. Give them direction to do the just and righteous things in a complex and unforgiving world. Help each member of this Senate today, Oh Lord, to do Thy will, to find victory in the smallest of details, and to never waive from the very things which propel them to take office here. May this be a productive day for these within the hallowed halls of legislature, for the State of Maine, and for our great nation. We ask these things in Thy name. Amen.

Doctor of the day, Sydney Sewall, M.D., Kennebec Pediatrics in Augusta.

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator MITCHELL for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Authorize the Yarmouth School Department to use the Construction-Manager-at-Risk Method of Construction Delivery for Locally Funded School Projects" (EMERGENCY)

S.P. 737 L.D. 2048

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

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

Out of order and under suspension of the Rules, on motion by President Pro Tem **MICHAUD** of Penobscot, the following Joint Order:

S.P. 766

ORDERED, the House concurring, that when the House stands Adjourned it does so until Tuesday, February 12, 2002, at 9:30 in the morning and the Senate Adjourns until Tuesday, February 12, 2002, at 10:00 in the morning.

READ and **PASSED**.

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

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 556

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON BANKING AND
INSURANCE**

January 30, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

L.D. 600 An Act to Implement the Recommendations of the Joint Select Committee on School-based Health Care Services

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

Sincerely,

S/Sen. Lloyd P. LaFountain III S/Rep. Christopher P. O'Neil
Senate Chair House Chair

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

The Following Communication: S.C. 557

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

January 30, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

- L.D. 1731 An Act to Require Registration of Building Contractors
- L.D. 1749 Resolve, to Establish a Commission to Review Internet Policy

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

Sincerely,

S/Sen. Kevin L. Shorey S/Rep. John G. Richardson
Senate Chair House Chair

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

The Following Communication: S.C. 558

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE**

January 30, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

- L.D. 2032 An Act to Exclude Court Holidays from the Time Required in Which a Juvenile Detention Hearing Must be Held

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

Sincerely,

S/Sen. Michael J. McAlevey S/Rep. Edward J. Povich
Senate Chair House Chair

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

The Following Communication: S.C. 559

**120TH LEGISLATURE
JOINT STANDING COMMITTEE ON
EDUCATION AND CULTURAL AFFAIRS**

January 30, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

- L.D. 466 An Act to Remove Liability from School Units When Releasing Information on School Employees Accused of Crimes
- L.D. 889 An Act to Establish a Mandated Minimum for Teachers' Salaries

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

Sincerely,

S/Sen. Betty Lou Mitchell S/Rep. Shirley K. Richard
Senate Chair House Chair

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

The Following Communication: S.C. 560

**120TH LEGISLATURE
JOINT STANDING COMMITTEE
ON HEALTH AND HUMAN SERVICES**

January 30, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

L.D. 1512 An Act to Increase Long-term Care Options for Low-income Citizens of the State

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

Sincerely,

S/Sen. Susan W. Longley S/Rep. Thomas J. Kane
Senate Chair House Chair

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

The Following Communication: S.C. 561

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

January 30, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

L.D. 1015 An Act Regarding Health Insurance for Firefighters

L.D. 1211 An Act to Supplement Benefits for State Employees and Teachers Whose Pensions are Subject to Reductions Enacted in 1993

L.D. 1912 An Act to Ensure that Recipients of Trade Adjustment Assistance Retain Eligibility for Unemployment Compensation

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

Sincerely,

S/Sen. Betheda G. Edmonds S/Rep. George H. Bunker Jr.
Senate Chair House Chair

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

The Following Communication: S.C. 562

**120TH LEGISLATURE
JOINT STANDING COMMITTEE
ON MARINE RESOURCES**

January 30, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

L.D. 1036 An Act to Create a State Program for the Testing of Marine Dredge Spoils and Disposal of Contaminated Spoils

L.D. 1428 An Act to Amend the Aquaculture Leasing Law

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

Sincerely,

S/Sen. Kenneth F. Lemont S/Rep. David G. Lemoine
Senate Chair House Chair

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

The Following Communication: S.C. 563

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

January 30, 2002

Honorable Richard A. Bennett, President of the Senate
Honorable Michael V. Saxl, Speaker of the House
120th Maine Legislature
State House
Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

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

- L.D. 1851 Resolve, to Rename the Bridge Between Rumford and Mexico
- L.D. 1852 An Act to Require Tractor-trailer Drivers to Clean Off the Roofs of Their Vehicles
- L.D. 1859 An Act to Establish the Avon-Phillips Airport Authority
- L.D. 1927 Resolve, to Rename the Highland Avenue Bridge the Major General Henry Merriam Bridge

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

Sincerely,

S/Sen. Christine R. Savage Senate Chair	S/Rep. Charles D. Fisher House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

Off Record Remarks

SENATE PAPERS

**Pursuant to Resolve
Blue Ribbon Commission on Postsecondary Educational Attainment**

Senator CATHCART for the **Blue Ribbon Commission on Postsecondary Educational Attainment** pursuant to Resolve 2001, chapter 66, section 8 asked leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Blue Ribbon Commission on Postsecondary Educational Attainment"

S.P. 767 L.D. 2102

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

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

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

Sent down for concurrence.

**House
Divided Report**

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Support the State's Homeless Youth"

H.P. 1528 L.D. 2031

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-775).**

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 "A" (H-775).**

Reports **READ.**

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

READ ONCE.

Committee Amendment "A" (H-775) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Create the Adult Education Outreach Grant Program"

H.P. 1530 L.D. 2033

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-774).**

Signed:

Senator:

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:

Senators:

GOLDTHWAIT of Hancock
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 "A" (H-774).**

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

Divided Report

The Majority of the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** on Bill "An Act Regarding Certain Educational Requirements for Licensed Social Workers"

S.P. 709 L.D. 1911

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-411).**

Signed:

Senators:

SHOREY of Washington
BROMLEY of Cumberland
YOUNGBLOOD of Penobscot

Representatives:

THOMAS of Orono
RICHARDSON of Brunswick
BRYANT of Dixfield
DORR of Camden
MICHAUD of Fort Kent
HATCH of Skowhegan

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

Signed:

Representatives:

MORRISON of Baileyville
DUPREY of Hampden
CLOUGH of Scarborough
MURPHY of Kennebunk

Reports **READ.**

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

READ ONCE.

Committee Amendment "A" (S-411) **READ** and **ADOPTED.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House

Bill "An Act to Amend the Definition of 'Governmental Unit' as It Relates to the Maine Municipal Bond Bank Act"
H.P. 1412 L.D. 1856

Bill "An Act to Clarify the Application of Workers' Compensation Coverage Requirements to Wood Harvesters"
H.P. 1549 L.D. 2052

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

Bill "An Act to Adopt a New Interstate Compact Regarding Adults Who are on Probation or Parole"
H.P. 827 L.D. 1081

READ A SECOND TIME and **PASSED TO BE ENGROSSED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

House As Amended

Bill "An Act to Increase the Operating Subsidy to the Casco Bay Island Transit District"
H.P. 674 L.D. 874
(C "A" H-762)

Bill "An Act to Create a Digital Library to Meet the Educational, Research, Business and Economic Needs of Maine"
H.P. 1102 L.D. 1471
(C "B" H-767)

Bill "An Act to Clarify Licensure for the Operation of Antique Trucks"
H.P. 1397 L.D. 1836
(C "A" H-768)

Bill "An Act to Eliminate Unnecessary Filing Requirements for Water Utilities"
H.P. 1399 L.D. 1838
(C "A" H-765)

Bill "An Act to Amend the Charter of the Winterport Sewerage District" (EMERGENCY)
H.P. 1418 L.D. 1862
(H "A" H-769 to C "A" H-761)

Bill "An Act to Repeal the Sunset Provision Regarding the State Police Providing Services at Cost to Governmental and Nongovernmental Entities" (EMERGENCY)
H.P. 1457 L.D. 1954
(C "A" H-766)

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

Senate

Bill "An Act to Enable the State to Enter into an Agreement with Other States to Simplify and Modernize Sales and Use Tax Administration" (EMERGENCY)

S.P. 668 L.D. 1872

READ A SECOND TIME.

On motion by Senator **DAVIS** of Piscataquis, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED.**

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 **JOHN L. MARTIN** of Aroostook 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

Senator **LONGLEY** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Improve the Effectiveness of the Driver Education and Evaluation Programs"

S.P. 714 L.D. 1916

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Clarify that the Sales Tax Exemption for Purchase of Manufacturing Equipment Applies Equitably"

S.P. 133 L.D. 457

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-412).**

Signed:

Senator:

CATHCART of Penobscot

Representatives:

BERRY of Livermore
MAILHOT of Lewiston
TESSIER of Fairfield
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:

Senators:

GOLDTHWAIT of Hancock
MILLS of Somerset

Representatives:

BRANNIGAN of Portland
ETNIER of Harpswell

Reports **READ.**

Senator **GOLDTHWAIT** of Hancock moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

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

Off Record Remarks

Senate at Ease.

Senate called to order by President Pro Tem **JOHN L. MARTIN** of Aroostook County.

THE PRESIDENT PRO TEM: The Chair is pleased to recognize in the back of the chamber the Skowhegan Area High School

Field Hockey Team who are here today. We congratulate them for their victory. They are the guests of the Senator from Somerset, Senator Mills. Would they please stand to accept the greetings of the Maine Senate. The Chair recognizes the Senator from Somerset, Senator Mills.

Senator **MILLS**: Mr. President and men and women of the Senate, we're very pleased to have these young ladies here today. Field hockey is one of my favorite sports. I have three daughters, two of them played it on occasion, and it developed certain habits of character that I think stayed with them into adult life. I don't know of a more aggressive sport and a sport that generates more cardiovascular benefits. It's a fabulous sport. I'm very pleased to see you folks here today. We're very proud of you in Somerset County and in Skowhegan, specifically, although SAD 54 occupies a major part of the southern end of the county. It's a fabulous sport. You've done very well. We're very proud of you and I can't think of a better sport for young women to be engaged in after school. Thank you for coming here today and we're very pleased.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **UTILITIES AND ENERGY** on Bill "An Act Authorizing the Town of Waldoboro to Refinance Certain Temporary Bond Anticipation Notes Issued for its Water Project" (EMERGENCY)

H.P. 1407 L.D. 1845

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-772)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-772)**.

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

READ ONCE.

Committee Amendment "A" (H-772) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **UTILITIES AND ENERGY** on Bill "An Act to Amend the Charter of the Mount Blue Water District" (EMERGENCY)

H.P. 1413 L.D. 1857

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-773)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-773)**.

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

READ ONCE.

Committee Amendment "A" (H-773) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Maintain the Family Caregiver Initiative for Elderly Citizens in Maine"

H.P. 1441 L.D. 1938

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-771)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-771)**.

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

READ ONCE.

Committee Amendment "A" (H-771) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

Senate called to order by President Pro Tem **JOHN L. MARTIN** of Aroostook County.

Off Record Remarks

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

ORDERS

Joint Order

On motion by Senator **MCALLEVEY** of York, the following Joint Order:
S.P. 768

ORDERED, the House concurring, that the Joint Standing Committee on Criminal Justice report out, to the Senate, legislation regarding the County Jail Prisoner Support and Community Corrections Fund.

READ and PASSED.

Sent down for concurrence.

Off Record Remarks

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **BANKING AND INSURANCE** on Bill "An Act to Clarify Recent Amendments to the Maine Consumer Credit Code" (EMERGENCY)

H.P. 1496 L.D. 1999

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

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

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

READ ONCE.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **TAXATION** on 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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-770).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-770).**

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

READ ONCE.

Committee Amendment "A" (H-770) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **DAVIS** of Piscataquis was granted unanimous consent to address the Senate off the Record.

Senator **CARPENTER** of York was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

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

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

President Pro Tem **MICHAUD** of Penobscot was granted unanimous consent to address the Senate off the Record.

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

Off Record Remarks

Senator **KILKELLY** of Lincoln was granted unanimous consent to address the Senate off the Record.

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

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

ORDERS

Joint Order

On motion by Senator **SHOREY** of Washington, the following Joint Order: S.P. 769

ORDERED, the House concurring, that the Joint Standing Committee on Business and Economic Development and the Joint Standing Committee on Judiciary jointly report out, to the Senate, legislation regarding the establishing of a statewide prescription and controlled substances monitoring and intervention program.

READ and PASSED.

Sent down for concurrence.

Off Record Remarks

Senate at Ease.

Senate called to order by President Pro Tem **JOHN L. MARTIN** of Aroostook County.

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:

Emergency Measure

An Act to Authorize the Yarmouth School Department to use the Construction-Manager-at-Risk Method of Construction Delivery for Locally Funded School Projects

S.P. 737 L.D. 2048

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

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

PAPERS FROM THE HOUSE

**Pursuant to Statutes
Department of Conservation**

The **Department of Conservation** pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 10, Section 17(A)(2), (3) and (6), Standards for the Clearing of Vegetation for Development, Major Substantive Rules of the Maine Land Use Regulation Commission within the Department of Conservation (EMERGENCY)

H.P. 1590 L.D. 2095

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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 **NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Report **READ and REJECTED.**

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

Off Record Remarks

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

On motion by Senator **MITCHELL** of Penobscot, **ADJOURNED**, pursuant to the Joint Order, to Tuesday, February 12, 2002, at 10:00 in the morning.