

MAINE STATE LEGISLATURE

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One Hundred and Twentieth Legislature
State of Maine

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

In Senate Chamber
Thursday
March 14, 2002

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

Prayer by Reverend Allison Smith, Winslow Congregational Church United Church of Christ in Belfast.

REVEREND SMITH: Good morning. Let us pray.

Gracious and loving God, we pause here at the beginning of this beautiful new day that You have made to put things into perspective. Our minds are full of agenda items, reports, meetings, schedules, family commitments, places we have to be, people we have to call, things we have to do. So slow us down, God. Help us in these moments, and indeed, throughout our day to listen for Your spirit, to remember that we are not the center of the universe, to be still and let Your still, small voice speak to us and lead us. To the one who pours forth blessings, we begin today with thanks for the blessings You share, which are innumerable as the rocks on a Maine seashore or mountain. To be alive, to breathe, to laugh. For family and friends who sustain us. For the astounding diversity and beauty of Your creation in this place we love that we call Maine. For enough to eat and even more to share. Oh giving and generous God, make us a people of gratitude who live from a place of thankfulness, ready to give and share as You have given and shared with us. As we go about our work today, oh compassionate God, help us remember Your love and care for those who are most vulnerable in our society; the poor, the unemployed, children and youth, the elderly, immigrants, those who are struggling, those without health care or education. May we make decisions with them in our minds and hearts. Society is our judge on many things; architecture, power, wealth, armies. May we be remembered for how we cared for the most vulnerable in our midst. Oh gracious God, we pray for the work before us and humbly ask Your blessing upon it. In spite of the differences we bring to the table, enable us to work together with humor, patience, and listening to one another with passion and commitment for the good of all. Give us courage to make difficult and perhaps unpopular decisions. Help us to stand up for what we believe is right. Give us patience and care for one another and persistence when the wheels grind slow. Give us wisdom to let go of ideas or ways of doing things that may not be helpful as well as energy and new vision for the challenges before us. God of our ancestors, of our present and of our future, we are here because of many people on whose shoulders we stand. We pray for those in our hearts today. For those in need of healing, comfort, discernment, and hope. We lift up these names to You silently, oh healer. We pray, indeed, for our world. For our sisters and brothers beyond Maine. For peace in the Middle East and for our own country, that we will act out of humility, wisdom, and peace. We remember, oh God who created us all, that we are tied together as Your children. Amen.

Doctor of the day, Laurel Coleman, M.D. of Manchester.

Reading of the Journal of Wednesday, March 13, 2002.

COMMUNICATIONS

The Following Communication: S.C. 624

**COMMITTEE STUDY TO REVIEW TRANSITION TO A NEW
SCHOOL FUNDING FORMULA BASED ON THE ESSENTIAL
PROGRAMS AND SERVICE MODEL**

March 4, 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 the authority granted by the Legislative Council, during the First Regular Session of the 120th Legislature, the Joint Standing Committee on Education and Cultural Affairs has completed its Study to Review Transition to a New School Funding Formula Based on the Essential Programs and Service Model. We are pleased to submit the final report including recommended legislation. Copies of the report have been transmitted to the members of the Legislative Council and the Joint Standing Committee on Taxation. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Senator Betty Lou Mitchell, Chair

S/Representative Shirley K. Richard, Chair

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

The Following Communication: S.C. 625

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

March 7, 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 Land for Maine's Future 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.**

Off Record Remarks

Senator **FERGUSON** of Oxford was granted unanimous consent to address the Senate on the Record.

Senator **FERGUSON**: Thank you very much, Mr. President, ladies and gentlemen of the Senate. We are honored today to have with us the Dirigo High School Girls Basketball Team. They are the State of Maine Champions. They have won 8 consecutive Western Maine Championships and they have to their credit 6 State titles. It takes a lot of dedication and commitment to achieve this goal. I can say that I am very proud that they are here today so that we can honor them. I used to have a lot of fun with former Senator Cassidy. We'd bet a steak or some little thing like that. I can say that Senator Cassidy provided me with my supper more than I provided him with his. I thank the girls for that. I would like to say that they probably will be back next year and whoever follows me will have the honor for the 8 years, 2 years, or whatever tenure they have in the Senate. There is not a senior on the team. I'm about 6' and there a couple of them that are as tall as I am if not taller. We wish them well and appreciate their being here with their coach and staff today. Thank you very much.

Senator **WOODCOCK** of Franklin was granted unanimous consent to address the Senate on the Record.

Senator **WOODCOCK**: Thank you, Mr. President, men and women of the Senate. I, too, would like to add a brief congratulatory note to the good words from the Senator from Oxford, Senator Ferguson. One of the reasons I retired from coaching was because of Coach Kane's ability to prepare his team to the level to which he prepares them. Although they weren't in our class, we had the opportunity each year to participate in Dirigo's Christmas tournament. They came very

close to beating us. We were Class A champions for a couple of years. I felt as if, while he was running up his opportunities to create great basketball teams in Dixfield and the surrounding area, it was a good time for me to leave because, without any doubt, he has one of the finest programs in the State of Maine and is one of the very best coaches, for men or women, that has ever graced the sidelines in this state. I would like to congratulate Coach Kane and member of his team and only add to the good Senator from Oxford, Senator Ferguson's comments that they will probably be back that they will be back. Congratulations ladies on all your accomplishments. Thank you, Mr. President.

THE PRESIDENT: The Chair is pleased to recognize with us today in the chamber the Dirigo High School Girls Basketball Team and their coaches. They are the State of Maine Class C champions. Will they please rise and receive the greetings of the Senate.

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **NATURAL RESOURCES** on Bill "An Act to Facilitate the Closure of Privately Owned Solid Waste Landfills" (EMERGENCY)

S.P. 695 L.D. 1897

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-465).**

Signed:

Senators:

MARTIN of Aroostook
SAWYER of Penobscot

Representatives:

ANNIS of Dover-Foxcroft
BAKER of Bangor
TOBIN of Windham
KOFFMAN of Bar Harbor
COWGER of Hallowell
CLARK of Millinocket
DAIGLE of Arundel
DUPLESSIE of Westbrook
CRABTREE of Hope

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

Signed:

Representative:

TWOMEY of Biddeford

Reports **READ.**

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

READ ONCE.

Committee Amendment "A" (S-465) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Change the Standard for Requesting an Adjustment to State Valuation Because of a Sudden and Severe Disruption of Valuation" (EMERGENCY)

S.P. 799 L.D. 2154

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

Signed:

Senators:

GAGNON of Kennebec
LEMONT of York
KNEELAND of Aroostook

Representatives:

GREEN of Monmouth
STANLEY of Medway
GAGNE of Buckfield
PERRY of Bangor
McGOWAN of Pittsfield
MURPHY of Berwick
BUCK of Yarmouth
BUMPS of China
BOWLES of Sanford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-467)**.

Signed:

Representative:

McLAUGHLIN of Cape Elizabeth

Reports **READ**.

On motion by Senator **GAGNON** of Kennebec, the Majority **OUGHT TO PASS** Report **ACCEPTED**.

READ ONCE.

ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION.

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

ORDERS

Joint Resolution

On motion by Senator **GOLDTHWAIT** of Hancock (Cosponsored by Representative **KOFFMAN** of Bar Harbor and Senators: President **BENNETT** of Oxford, President Pro Tem **MICHAUD** of Penobscot, **SAWYER** of Penobscot, Representatives: **BRUNO** of Raymond, Speaker **SAXL** of Portland, **VOLENIK** of Brooklin), the following Joint Resolution:

S.P. 808

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO PROVIDE FULL ANNUAL OPERATING FUNDING FOR ACADIA NATIONAL PARK

WE, your Memorialists, the Members of the One Hundred and Twentieth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President of the United States and the Congress of the United States, as follows:

WHEREAS, Acadia National Park is Maine's most visited natural destination, with approximately 3 million annual visits, and is one of the most heavily used parks in the National Park System; and

WHEREAS, Acadia National Park is among the most beautiful places in Maine and its Atlantic shore represents 25% of the Maine coastline that is available for public use and enjoyment; and

WHEREAS, Acadia National Park generates \$132,000,000 in direct economic benefits to the Mount Desert Island region and many additional millions of dollars in indirect benefits throughout Maine, making the park's 45,000 acres of land and easements among the most economically productive natural assets in the State; and

WHEREAS, Acadia National Park has conducted a rigorous financial analysis leading to a business plan that demonstrates an average operating annual budget that supplies only 47% of what is needed to operate the park in compliance with laws and regulations; and

WHEREAS, Acadia National Park's annual operating budget shortfall is the 3rd largest calculated to date in the 40 national parks that have undertaken business plans; and

WHEREAS, Acadia National Park's total annual operating budget need is approximately \$14,000,000, and additional millions of dollars are needed for anticipated park operations at Schoodic Point; and

WHEREAS, Acadia National Park has 121 full-time equivalent employees but needs 230 full-time equivalent employees to execute the park's mission in accordance with laws and regulations; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge the President of the United States and the Congress of the United States to increase the annual budget of Acadia National Park to amounts that will meet the park's full operational needs, including the needs of Schoodic Point; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and to each Member of the Maine Congressional Delegation.

READ and ADOPTED.

Sent down for concurrence.

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

Off Record Remarks

On motion by President Pro Tem **MICHAUD** of Penobscot, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Paper

Resolve, Authorizing Michelle Booker to Sue the State
H.P. 1672 L.D. 2174

Comes from the House, **REFERRED** to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed.

REFERRED to the Committee on **LEGAL AND VETERANS AFFAIRS** and ordered printed, in concurrence.

Off Record Remarks

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. 1671

ORDERED, the Senate concurring, that the Task Force to Study the Creation of a Registry of Personal Care Attendants is established as follows.

1. Task force established. The Task Force to Study the Creation of a Registry of Personal Care Attendants, referred to in this order as the "task force," is established.

2. Task force membership. The task force consists of 9 members appointed as follows: the President of the Senate shall appoint 2 Senators; the Speaker of the House shall appoint 5 members of the House; the President of the Senate shall invite the participation of one member of the public who represents a provider of services to mentally retarded persons; and the Speaker of the House shall invite the participation of one member of the public who represents families of mentally retarded persons. When making the appointments, the President of the Senate and the Speaker of the House shall give preference to members who serve the on Joint Standing Committee on Health and Human Services.

3. Task force chairs. The first named Senator is the Senate chair of the task force and the first named member of the House is the House chair of the task force.

4. Appointments; convening of task force. All appointments must be made no later than 30 days following the passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force, which must be no later than June 1, 2002.

5. Meetings; duties. The task force may meet up to 5 times. The task force shall hold its meetings at various locations in the State, to be determined by the chairs. The task force shall gather information and request necessary data from public and private entities in order to assess the need for a registry of personal care attendants who work with mentally retarded persons.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the task force.

7. Compensation. Members of the task force who are Legislators are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the task force. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses for their attendance at authorized meetings of the task force.

8. Report. The task force shall submit its report that includes its findings and recommendations, including suggested

legislation, to the Legislative Council no later than November 6, 2002.

9. Extension. If the task force requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension. Upon submission of its required report, the task force terminates.

10. Budget. The chairs of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for approval. The task force may not incur expenses that would result in the task force's exceeding its approved budget. Upon request from the task force, the Executive Director of the Legislative Council shall promptly provide the task force chairs and staff with a status report on the task force's budget, expenditures incurred and paid and available funds.

Comes from the House, **READ** and **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

READ and **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **CRIMINAL JUSTICE** on Resolve, Regarding Legislative Review of Chapter 1 - Requirements for Written Prescription of Schedule II Drugs, a Major Substantive Rule of the Department of Public Safety (EMERGENCY)

H.P. 1626 L.D. 2126

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Increase the Permit Fees for Pulling Events"

H.P. 1454 L.D. 1951

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-898)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-898)**.

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

READ ONCE.

Committee Amendment "A" (H-898) **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 Improve the Safety Provided by the Underground Facilities Protection Law" (EMERGENCY)

H.P. 1520 L.D. 2024

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-895)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-895)**.

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

READ ONCE.

Committee Amendment "A" (H-895) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **UTILITIES AND ENERGY** on Resolve, Regarding Legislative Review of Portions of Chapter 395 - Construction Standards and Ownership and Cost Allocation Rules for Electric Distribution Line Extensions, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 1609 L.D. 2107

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-894).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-894).**

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

READ ONCE.

Committee Amendment "A" (H-894) **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:

ENACTORS

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

Act

An Act Regarding Public Charities, Nonprofit Corporations and Conversions of Nonprofit Entities to For-profit Entities
H.P. 1307 L.D. 1770
(C "A" H-869)

PASSED TO BE ENACTED and having been signed by the President was presented by the Secretary to the Governor for his approval.

Resolve

Resolve, Appropriating Funds for the Seeds of Peace International Camp

H.P. 1434 L.D. 1931
(C "A" H-859)

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

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 **NATURAL RESOURCES** on Bill "An Act to Regulate Lead Smart Renovators and Lead Sampling Technicians"

H.P. 1439 L.D. 1936

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-901).**

Signed:

Senators:

MARTIN of Aroostook
SAWYER of Penobscot

Representatives:

ANNIS of Dover-Foxcroft
BAKER of Bangor
TOBIN of Windham
KOFFMAN of Bar Harbor
COWGER of Hallowell
CLARK of Millinocket
DUPLESSIE of Westbrook
TWOMEY of Biddeford
DAIGLE of Arundel

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

Signed:

Representative:

CRABTREE of Hope

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-901).**

Reports **READ.**

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

READ ONCE.

Committee Amendment "A" (H-901) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

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 **NATURAL RESOURCES** on Bill "An Act to Ensure the Public Benefits of Solid Waste Facilities"

H.P. 1502 L.D. 2005

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

Signed:

Senators:

MARTIN of Aroostook
SAWYER of Penobscot

Representatives:

ANNIS of Dover-Foxcroft
COWGER of Hallowell
DAIGLE of Arundel
DUPLESSIE of Westbrook
CRABTREE of Hope

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-900)**.

Signed:

Representatives:

BAKER of Bangor
TOBIN of Windham
KOFFMAN of Bar Harbor
CLARK of Millinocket
TWOMEY of Biddeford

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

Reports **READ**.

On motion by Senator **MARTIN** of Aroostook, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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

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 Change the Standard for Requesting an Adjustment to State Valuation Because of a Sudden and Severe Disruption of Valuation" (EMERGENCY)

S.P. 799 L.D. 2154

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Facilitate the Closure of Privately Owned Solid Waste Landfills" (EMERGENCY)

S.P. 695 L.D. 1897
(C "A" S-465)

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

Sent down for concurrence.

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 Amend the Charter of the Portland Water District for the Purpose of Redistricting Trustee Representation to Reflect 2000 Census Data

H.P. 1568 L.D. 2073
(C "A" H-818)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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, 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:

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **LEGAL AND VETERANS AFFAIRS** on Bill "An Act Regarding Horse Racing"

H.P. 253 L.D. 289

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-794)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-794)**.

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

READ ONCE.

Committee Amendment "A" (H-794) **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:

ENACTORS

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

Act

An Act Concerning Confidentiality of Investigations by the Commission on Governmental Ethics and Election Practices
S.P. 688 L.D. 1890

PASSED TO BE ENACTED and having been signed by the President 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:

ENACTORS

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

Act

An Act to Promote Equity Among Health Care Clinics
S.P. 128 L.D. 404
(C "B" S-403)

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:

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act to Safeguard Volunteer Firefighters' Regular Employment"
H.P. 1449 L.D. 1946

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-892)**.

Signed:

Senator:
EDMONDS of Cumberland

Representatives:
BUNKER of Kossuth Township
MATTHEWS of Winslow
HUTTON of Bowdoinham
NORTON of Bangor
SMITH of Van Buren
TARAZEWICH of Waterboro

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

Signed:

Senators:
TURNER of Cumberland
SAWYER of Penobscot

Representatives:
TREADWELL of Carmel
MacDOUGALL of North Berwick
DAVIS of Falmouth
CRESSEY of Baldwin

Comes from the House with the Bill and accompanying papers **COMMITTED** to the Committee on **LABOR**.

Reports **READ**.

Senator **EDMONDS** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** 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 Majority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**.

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

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

REPORTS OF COMMITTEES

House

Senate at Ease.

Divided Report

Senate called to order by the President.

The Majority of the Committee on **LABOR** on Bill "An Act to Protect the Rights of Maine Citizens Under Collective Bargaining Agreements" (EMERGENCY)

H.P. 1595 L.D. 2098

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-887).**

Signed:

Senator:

EDMONDS of Cumberland

Representatives:

BUNKER of Kossuth Township

MATTHEWS of Winslow

HUTTON of Bowdoinham

NORTON of Bangor

SMITH of Van Buren

TARAZEWICH of Waterboro

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

Signed:

Senators:

TURNER of Cumberland

SAWYER of Penobscot

Representatives:

TREADWELL of Carmel

MacDOUGALL of North Berwick

DAVIS of Falmouth

CRESSEY of Baldwin

Comes from the House with the Bill and accompanying papers **COMMITTED** to the Committee on **LABOR.**

Reports **READ.**

Senator **EDMONDS** of Cumberland moved the Senate **ACCEPT** the Majority **OUCHT TO PASS AS AMENDED** 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 Majority **OUCHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE.**

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later (3/6/02) Assigned matter:

Bill "An Act to Allow Mechanics Licensed by the Manufactured Housing Board to Install and Maintain Oil Tanks"
S.P. 686 L.D. 1888

Tabled - March 6, 2002 by Senator **SHOREY** of Washington

Pending - **FURTHER CONSIDERATION**

(In Senate, February 27, 2002, the Minority **OUCHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED.**)

(In House, March 5, 2002, the Majority **OUCHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE.**)

On motion by Senator **SHOREY** of Washington, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED.**

On further motion by same Senator, Senate Amendment "A" (S-466) **READ.**

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Shorey.

Senator **SHOREY:** Thank you, Mr. President, men and women of the Senate. This is a bill that I originally opposed because it lacked certain ingredients. I think this amendment really takes care of that. What the amendment does is change the Oil and Solid Fuel Board membership by adding a 7th member that will include the Service Managers Association from the northern and southern part of the state. This board will also create a limited license for the manufactured housing mechanics. It will give them a limited license to install outside heating oil tanks on certain manufactured housing units. What it will also do is require, and this is probably the most important part, at least 4 hours of training from an approved course for the proper installation of the outside home heating oil tanks. I would urge your support on this. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-466) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-466), in NON-CONCURRENCE.

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

The Chair laid before the Senate the following Tabled and Specially (3/4/02) Assigned matter:

Bill "An Act to Amend the Tax Laws" (EMERGENCY)
S.P. 669 L.D. 1873

Tabled - February 28, 2002, by Senator **GAGNON** of Kennebec

Pending - **ADOPTION OF COMMITTEE AMENDMENT "A" (S-444)**

(In Senate, February 28, 2002, Report **READ** and **ACCEPTED**.
READ ONCE. Committee Amendment "A" (S-444) **READ**.)

Committee Amendment "A" (S-444) **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

On motion by Senator **RAND** of Cumberland, **ADJOURNED** to Friday, March 15, 2002, at 10:00 in the morning.