

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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  
Friday  
March 15, 2002

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

Prayer by Reverend David Glusker, First Radio Parish Church of America in South China.

**REVEREND GLUSKER:** Thank you. If I were to deliver a devotional message to you this morning, I think I would use the theme of intelligence, insight, and integrity. But I'm not delivering a devotional message. I'm offering a prayer and my prayer is that God will guide you to do the right thing, to make wise decisions, and will keep you from making big mistakes. Amen.

Doctor of the day, Robert Grover, M.D. of Bangor.

Reading of the Journal of Thursday, March 14, 2002.

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Resolve, to Continue the Study of the Benefits and Costs for Increasing Access to Family and Medical Leave for Maine Families

H.P. 1556 L.D. 2058  
(C "A" H-847)

In Senate, March 5, 2002, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-847)**, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-847) AS AMENDED BY HOUSE AMENDMENT "A" (H-903)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **EDMONDS** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

**COMMUNICATIONS**

The Following Communication: S.P. 809

STATE OF MAINE  
120<sup>TH</sup> MAINE LEGISLATURE

March 11, 2002

Hon. Betheda G. Edmonds  
Senate Chair, Joint Standing Committee on Labor  
Hon. George H. Bunker, Jr.  
House Chair, Joint Standing Committee on Labor  
120<sup>th</sup> Legislature  
Augusta, ME 04333

Dear Senator Edmonds and Representative Bunker:

Please be advised that Governor Angus S. King, Jr. has nominated Dennis L. Libby of Windham as the Labor Representative to the Maine Unemployment Insurance Commission.

Pursuant to Title 26, M.R.S.A. §1081, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,

S/Richard A. Bennett  
President of the Senate

S/Michael V. Saxl  
Speaker of the House

**READ and REFERRED** to the Committee on **LABOR**.

Sent down for concurrence.

The Following Communication: S.C. 626

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

March 13, 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 Lyndel J. Wishcamper of Freeport, for appointment to the University Of Maine Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Mitchell of Penobscot, Nutting of Androscoggin, Rotundo of Androscoggin
	Representatives	9	Cummings of Portland, Desmond of Mapleton, Estes of Kittery, Ledwin of Holden, Richard of Madison, Skoglund of St. George, Stedman of Hartland, Watson of Farmingdale, Weston of Montville
NAYS		0	
ABSENT		1	Rep. Andrews of York

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 Lyndel J. Wishcamper of Freeport, for appointment to the University Of Maine Board of Trustees 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.

The Chair noted the absence of the Senator from Kennebec, Senator **TREAT** and further excused the same Senator from today's Roll Call votes.

**ROLL CALL (#240)**

YEAS: Senators: None

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

ABSENT: Senators: DAGGETT, DOUGLASS, LONGLEY, MILLS, NUTTING, SMALL

EXCUSED: Senator: TREAT

No Senator having voted in the affirmative and 28 Senators having voted in the negative, with 6 Senators being absent and 1 Senator being excused, 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 **Lyndel J. Wishcamper** of Freeport, for appointment to the University Of Maine Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 627

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

March 13, 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 Gregory G. Cyr of Portage, for reappointment to the University Of Maine Board of Trustees.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Mitchell of Penobscot, Nutting of Androscoggin, Rotundo of Androscoggin
------	----------	---	---

Representatives 9 Cummings of Portland, Desmond of Mapleton, Estes of Kittery, Ledwin of Holden, Richard of Madison, Skoglund of St. George, Stedman of Hartland, Watson of Farmingdale, Weston of Montville

NAYS 0

ABSENT 1 Rep. Andrews of York

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 Gregory G. Cyr of Portage, for reappointment to the University Of Maine Board of Trustees 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 120th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#241)

YEAS: Senators: None

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

ABSENT: Senators: DAGGETT, LONGLEY, MILLS, NUTTING

EXCUSED: Senator: TREAT

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being absent and 1 Senator being excused, 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 Gregory G. Cyr of Portage, for reappointment to the University Of Maine Board of Trustees was CONFIRMED.

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

The Following Communication: S.C. 628

STATE OF MAINE DEPARTMENT OF THE ATTORNEY GENERAL 6 STATE HOUSE STATION AUGUSTA, MAINE 04333-0006

March 14, 2002

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

Re: Petroleum Market Share Act/Annual Report to the Legislature

Dear President Bennett and Speaker Saxl:

Enclosed, in accordance with the provisions of 10 M.R.S.A. § 1677, is the Attorney General's Annual Report to the Legislature concerning levels of concentration in Maine's retail petroleum markets.

Thank you for your consideration of these materials; please do not hesitate to call if you should have any questions in this regard.

Sincerely,

S/Francis Ackerman Chief, Public Protection Division

READ and with accompanying papers ORDERED PLACED ON FILE.

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator YOUNGBLOOD for the Committee on BUSINESS AND ECONOMIC DEVELOPMENT on Bill "An Act to Create the Washington County Development Authority"

S.P. 541 L.D. 1672

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-468).**

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

**READ ONCE.**

Committee Amendment "A" (S-468) **READ** and **ADOPTED**.

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

---

Senator SAVAGE for the Committee on **TRANSPORTATION** on Bill "An Act to Facilitate Water Well Drilling if Necessitated by Current Conditions" (EMERGENCY)

S.P. 795 L.D. 2150

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-469).**

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

**READ ONCE.**

Committee Amendment "A" (S-469) **READ** and **ADOPTED**.

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

---

**SECOND READERS**

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

**House**

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

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

---

**House As Amended**

Bill "An Act Regarding Horse Racing"

H.P. 253 L.D. 289  
(C "A" H-794)

Bill "An Act to Regulate Lead Smart Renovators and Lead Sampling Technicians"

H.P. 1439 L.D. 1936  
(C "A" H-901)

Bill "An Act to Increase the Permit Fees for Pulling Events"  
H.P. 1454 L.D. 1951  
(C "A" H-898)

Bill "An Act to Improve the Safety Provided by the Underground Facilities Protection Law" (EMERGENCY)  
H.P. 1520 L.D. 2024  
(C "A" H-895)

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  
(C "A" H-894)

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

---

**Senate As Amended**

Bill "An Act to Amend the Tax Laws" (EMERGENCY)  
S.P. 669 L.D. 1873  
(C "A" S-444)

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

Sent down for concurrence.

---

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

---

**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 (2/26/02) Assigned matter:

JOINT ORDER - relative to Boy Scout Troop #478, of Orono-Veazie as it celebrates 90 years of continuous service  
SLS 632

Tabled - February 26, 2002, by Senator **CATHCART** of Penobscot

Pending - motion by Senator **SAWYER** of Penobscot to **PASS**

(In Senate, February 26, 2002, on motion by Senator **SAWYER** of Penobscot **READ**.)

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

Senator **CATHCART:** Thank you, Mr. President, men and women of the Senate. I rise to congratulate Boy Scout Troop #478 of Orono-Veazie on their 90 years of continuous service to the Boy Scouts of America. This is the second oldest troop in the State of Maine. Eighty-one boys have earned Eagle Scout rank in Troop #478 during this time. I think it's just wonderful that we could have them here in Augusta and in the State House to celebrate with us and for us to express our congratulations to them. The official birthday for the Boy Scouts of America is February 8, 1910. Ninety years is a very long time for this group to have been in existence. I congratulate them and their leaders and welcome them to the Senate. Thank you, Mr. President.

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

Senator **SAWYER:** Thank you, Mr. President. I'd like to join with the other good Senator from Penobscot, Senator Cathcart, in congratulating the troop and also point out that they, at 90 years, are only one of 7 troops in the entire country to have exceeded their 90<sup>th</sup> year in existence. I would also like to add my congratulations. Thank you.

**PASSED.**

**THE PRESIDENT:** The Chair wishes to extend the Senate's congratulations to Boy Scout Troop #478 of Orono-Veazie as they celebrate 90 years of continuous service at their annual charter night dinner on April 8, 2002. The official birthday for the Boy Scouts of America is February 8, 1910. Boy Scout Troop #478 is only the 7<sup>th</sup> group in the country to be listed by Scouting Magazine as celebrating its 90<sup>th</sup> anniversary. Boy Scout Troop #478 is the second oldest troop in the State of Maine. Eighty-one boys have earned Eagle Scout rank in Troop #478 throughout that time. The Chair is pleased to recognize with us today scouts Ryland Charronsmith, Ryan Tripp, Julian Bishop, Steven Bishop, Scott Wheaton, Andrew Clark, Philip Gillett, Nathaniel Kellogg, and Ryan Criner. Accompanying the scouts are Marlene Charron, Carol Tripp, Johanna Szillery, and Fred Otto. Will they all please rise and receive the greetings of the Senate.

---

The Chair laid before the Senate the following Tabled and Later (3/14/02) Assigned matter:

HOUSE REPORTS - from the Committee on **LABOR** on Bill "An Act to Safeguard Volunteer Firefighters' Regular Employment"  
H.P. 1449 L.D. 1946

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-892)** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - March 14, 2002, by Senator **EDMONDS** of Cumberland

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

(In House, March 14, 2002, Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **LABOR**.)

(In Senate, March 14, 2002, Reports **READ**.)

On motion by Senator **EDMONDS** of Cumberland, Bill and accompanying papers **COMMITTED** to the Committee on **LABOR**, in concurrence.

---

The Chair laid before the Senate the following Tabled and Later (3/14/02) Assigned matter:

HOUSE REPORTS - from 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

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-887)** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - March 14, 2002, by Senator **EDMONDS** of Cumberland

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

(In House, March 14, 2002, Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **LABOR**.)

(In Senate, March 14, 2002, Reports **READ**.)

On motion by Senator **EDMONDS** of Cumberland, Bill and accompanying papers **COMMITTED** to the Committee on **LABOR**, in concurrence.

---

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

---

Senate at Ease.

Senate called to order by the President.

---

Off Record Remarks

---

The Chair laid before the Senate the following Tabled and Later (3/7/02) Assigned matter:

**SENATE REPORTS** - from 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

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-451)** (18 members)

Minority - **Ought Not to Pass** (8 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-451) **READ** and **ADOPTED**.

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

---

Senate at Ease.

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**

**Joint Resolution**

The following Joint Resolution: H.P. 1674

**JOINT RESOLUTION HONORING THE UNITED STATES MILITARY ACADEMY AT WEST POINT ON ITS 200TH ANNIVERSARY**

WHEREAS, on March 16, 1802, President Thomas Jefferson and the United States Congress established the United States Military Academy at West Point, New York; and

WHEREAS, West Point is the oldest regularly garrisoned military post in the United States, having been continuously occupied since January 20, 1778; and

WHEREAS, with little funding, West Point became the premier school in the country for teaching undergraduate engineering; and

WHEREAS, graduates of West Point were instrumental in building the nation's railroads, highways, water supplies and telegraph systems, as well as numerous civil engineering feats across the country and around the world; and

WHEREAS, notable graduates of West Point include Sylvanus Thayer, Robert E. Lee, Ulysses S. Grant, Thomas J. "Stonewall" Jackson, Henry O. Flipper, Douglas MacArthur, George S. Patton, Omar N. Bradley, Dwight D. Eisenhower, Edwin E. "Buzz" Aldren, Edward White II, Michael Collins, H. Norman Schwarzkopf, Pete Dawkins and Andrea Lee Hollen; and

WHEREAS, the mission of West Point is "to educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country; professional growth throughout a career as an officer in the United States Army; and a lifetime of selfless service to the nation"; and

WHEREAS, West Point celebrates its 200th anniversary on March 16, 2002; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twentieth Legislature, now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to express our sincere appreciation to the United States Military Academy at West Point for 200 years of educating America's finest men and women; and be it further

**RESOLVED:** That we send our heartfelt congratulations to the United States Military Academy at West Point and its graduates on this auspicious occasion for the many irreplaceable contributions they have made to our society; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the United States Military Academy at West Point with our best wishes and appreciation.

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

**READ** and **ADOPTED**, 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 **HEALTH AND HUMAN SERVICES** on Bill "An Act to Amend the Laws Regarding Public Health" H.P. 1525 L.D. 2029



Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-904).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-904).**

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

**READ ONCE.**

Committee Amendment "A" (H-904) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Chapters I to IV: Regulations Governing the Licensing and Functioning of Assisted Living Facilities, a Major Substantive Rule of the Department of Human Services (EMERGENCY)

H.P. 1547 L.D. 2050

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-905).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-905).**

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

**READ ONCE.**

Committee Amendment "A" (H-905) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **NATURAL RESOURCES** on Bill "An Act to Reduce Pollution of Androscoggin Lake by Repairing and Altering the Existing State-owned Barrier on the Dead River in Leeds"

H.P. 1465 L.D. 1962

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-902).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-902).**

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

**READ ONCE.**

Committee Amendment "A" (H-902) **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:

**Emergency Measure**

An Act to Make Certain Changes to the State's Child Support Enforcement Laws

H.P. 1521 L.D. 2025  
(C "A" H-868)

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, was presented by the Secretary to the Governor for his approval.

---

Senate at Ease.

Senate called to order by the President.

---

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 Resolve**

Resolve, Establishing a Commission to Study County Jail Population, Cost and Reimbursement by the State

H.P. 1499 L.D. 2002  
(C "A" H-861)

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:

**ENACTORS**

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

**Mandate**

An Act to Clarify the Status of Retirees Who Return to Service Under the Maine State Retirement System

H.P. 1469 L.D. 1970  
(C "A" H-874)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 30 Members of the Senate, with no Senators having voted in the negative, and 30 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:

**ENACTORS**

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

**Acts**

An Act Regarding Possession of Firearms by Prohibited Persons  
H.P. 526 L.D. 681  
(C "A" H-862)

An Act Regarding Criminal History Record Checks  
H.P. 1486 L.D. 1989  
(C "A" H-863)

An Act to Establish the Asthma Prevention and Control Program in the Department of Human Services, Bureau of Health  
H.P. 1495 L.D. 1998  
(C "A" H-877)

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)

An Act to Amend the Subdivision Review Criteria for Traffic  
H.P. 1576 L.D. 2082  
(C "A" H-867)

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

---

Senate at Ease.

Senate called to order by the President.

---

An Act to Protect Retirement Income

H.P. 1503 L.D. 2006  
(C "A" H-873)

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:

**SECOND READERS**

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

**Senate As Amended**

Bill "An Act to Facilitate Water Well Drilling if Necessitated by Current Conditions" (EMERGENCY)  
S.P. 795 L.D. 2150  
(C "A" S-469)

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

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 Senator **DOUGLASS** of Androscoggin, **ADJOURNED** to Monday, March 18, 2002, at 9:00 in the morning.