

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 3, 1980 to May 1, 1981

KJ PRINTING
AUGUSTA, MAINE

STATE OF MAINE
One Hundred and Tenth Legislature
First Regular Session
JOURNAL OF THE SENATE

January 12, 1981

Senate called to order by the President.

Prayer by the Reverend Larry Fairbanks of the First Church of the Nazarene of Augusta.

REVEREND FAIRBANKS: Let us pray. Almighty God, it is with grateful hearts that we pause to thank You for Your love and many blessings to each of us. It is while we are remembering these blessings that we are reminded that while we are enjoying the warmth of this building today, there are many in our State who are cold because of lack of heat. There are many who are hungry because of lack of food. There are many who are lonely because of a lack of love. Grant, O God, that we who enjoy warm homes, good food, and the love of family and friends, will do all that is within our power to solve these problems for the people of this great State. At the same time I pray that You will make us more thankful for the provisions of Your love.

We could not forget to offer a special prayer for our fellow Americans who are being held hostage in Iran. We pray for their safety and mental well-being until they can be freed.

Grant special guidance and wisdom to our President as he leads our nation, to our Governor as he leads our State, and to each Senator and Representative as they represent the people of this great State. Amen.

Reading of the Journal of yesterday.

**Papers From the House
Joint Orders**

Expressions of Legislative Sentiment recognizing:

Principal Stasio, and the staff and students of Wells High School, for bringing the parents of Mexican exchange student Pat Velasco to Wells for homecoming. (H. P. 129)

Mrs. Diane Carney and the York County Corps De Ballet, for their most professional performances of the Nutcracker, free of charge, to York County audiences. (H. P. 130)

Come from the House, Read and Passed.

Which were Read and Passed, in concurrence.

Joint Resolutions

Joint Resolutions in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of David F. Martin, Sr., of Skowhegan, teacher and coach of Lawrence High School. (H. P. 127)

WHEREAS, the Legislature has learned with deep regret of the death of The Honorable Elmont S. Tyndale, who served in the 100th, 101st and 104th through the 108th Legislatures. (H. P. 128)

Come from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

(Off Record Remarks)

House Papers

Bill, "An Act Relating to the Licensing of Dealers in Certain Agricultural Commodities." (H. P. 50) (L. D. 114)

Bill, "An Act Relating to Dog Licensing Funds." (H. P. 94) (L. D. 124)

Come from the House, referred to the Committee on Agriculture and Ordered Printed.

Which were referred to the Committee on Agriculture and Ordered Printed, in concurrence.

Bill, "An Act to Eliminate Rule-Making Authority under the Bottle Bill and to Repeal Changes made in the Bottle Bill since it was Approved by the Voters." (H. P. 95) (L. D. 125)

Bill, "An Act to Remove the Sunset Provi-

sion on the Regulation of Business Between Motion Picture Distributors and Exhibitors." (H. P. 96) (L. D. 126)

Bill, "An Act Concerning the Selection of Attorneys to Conduct Real Estate Title Searches." (H. P. 97) (L. D. 127)

Bill, "An Act to Increase the Licensing Fees for Chiropractors." (H. P. 98) (L. D. 128)

Come from the House, referred to the Committee on Business Legislation and Ordered Printed.

Which were referred to the Committee on Business Legislation and Ordered Printed, in concurrence.

Bill, "An Act to Remove Restrictions Preventing the Spouse of a Teacher from Serving on a School Board." (H. P. 99) (L. D. 129)

Bill, "An Act to Require School Districts to Account for Federally Subsidized Pupils as Residents of the District." (H. P. 100) (L. D. 130)

Come from the House, referred to the Committee on Education and Ordered Printed.

Which was referred to the Committee on Education and Ordered Printed, in concurrence.

Bill, "An Act to Prohibit Campaigning Within 250 Feet of Voter Registration on Election Day." (H. P. 101) (L. D. 131)

Come from the House, referred to the Committee on Election Laws and Ordered Printed.

Which was referred to the Committee on Election Laws and Ordered Printed, in concurrence.

Bill, "An Act Defining Responsibility over Septic Systems in Municipalities having a Sanitary District." (H. P. 102) (L. D. 135)

Come from the House, referred to the Committee on Energy and Natural Resources and Ordered Printed.

Which was referred to the Committee on Energy and Natural Resources and Ordered Printed, in concurrence.

Bill, "An Act to Change the Name of Roadside Menagerie to Wildlife Exhibit under the Inland Fisheries and Wildlife Laws." (H. P. 59) (L. D. 103)

Come from the House, referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed, in concurrence.

Bill, "An Act Redesignating the Bureau of Resource Development as the Bureau of Social Services, and the Bureau of Social Welfare as the Bureau of Income Maintenance." (H. P. 64) (L. D. 95)

Bill, "An Act to Increase the Eating, Lodging and Recreational Place Licensing Fee." (H. P. 63) (L. D. 97)

Bill, "An Act Relating to Conflict of Interest under the Medicaid Program." (H. P. 65) (L. D. 116)

Come from the House, referred to the Committee on Health and Institutional Services and Ordered Printed.

Which were referred to the Committee on Health and Institutional Services and Ordered Printed, in concurrence.

Bill, "An Act to Amend the Motor Vehicle Statutes to Allow the Secretary of State to Enter into the Nonresident Violator Compact." (Emergency) (H. P. 66) (L. D. 96)

Bill, "An Act to Prohibit the Sale and Use of Drug Paraphernalia." (H. P. 67) (L. D. 104)

Come from the House, referred to the Committee on Judiciary and Ordered Printed.

Which were referred to the Committee on Judiciary and Ordered Printed, in concurrence.

Bill, "An Act to Permit School Bus Drivers to be Eligible for Unemployment Compensa-

tion." (H. P. 70) (L. D. 98)

Bill, "An Act to Exempt Small Businessmen from the Workers' Compensation Law." (H. P. 68) (L. D. 117)

Bill, "An Act Relating to Safety and Health Regulation of Compressed Air Work, Public Sector Farm Workers and Variance Procedures." (H. P. 69) (L. D. 118)

Come from the House, referred to the Committee on Labor and Ordered Printed.

Which were referred to the Committee on Labor and Ordered Printed, in concurrence.

Bill, "An Act to Establish Guidelines for the Refusal of Concealed Weapon Permits." (H. P. 71) (L. D. 119)

Come from the House, referred to the Committee on Legal Affairs and Ordered Printed.

Which was referred to the Committee on Legal Affairs and Ordered Printed, in concurrence.

Bill, "An Act to Change the Method of Apportioning County Sheriffs' Costs Among Unorganized Territories." (H. P. 72) (L. D. 99)

Come from the House, referred to the Committee on Local and County Government and Ordered Printed, in concurrence.

Which was referred to the Committee on Local and County Government and Ordered Printed, in concurrence.

Bill, "An Act to Clarify Certain Provisions of the Marine Resources Laws." (Emergency) (H. P. 73) (L. D. 134)

Come from the House, referred to the Committee on Marine Resources and Ordered Printed.

Which was referred to the Committee on Marine Resources and Ordered Printed, in concurrence.

Bill, "An Act Relating to Bids for Public Utility Construction Projects." (H. P. 74) (L. D. 121)

Come from the House, referred to the Committee on Public Utilities and Ordered Printed.

Which was referred to the Committee on Public Utilities and Ordered Printed, in concurrence.

Bill, "An Act Relating to the Protection of Underground Facilities under the Local Highway Law." (H. P. 75) (L. D. 123)

Come from the House, referred to the Committee on Transportation and Ordered Printed.

Which was referred to the Committee on Transportation and Ordered Printed, in concurrence.

Bill, "An Act to Establish a Standard of Type for Governmental Use to Assure Readability of Published Information." (H. P. 77) (L. D. 100)

Bill, "An Act to Establish the Salary Range for the Director of the Office of Energy Resources." (H. P. 76) (L. D. 122)

Come from the House, referred to the Committee on State Government and Ordered Printed.

Which was referred to the Committee on State Government and Ordered Printed, in concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide that the House of Representatives be Reduced from 151 to 132 Members. (H. P. 151) (L. D. 133)

Come from the House, referred to the Committee on State Government and Ordered Printed.

Which were referred to the Committee on State Government and Ordered Printed, in concurrence.

Bill, "An Act to Remove the State Board of Education from the Nominating Process for the Commissioner of Educational and Cultural Services." (H. P. 150) (L. D. 132)

Comes from the House, referred to the Committee on State Government and Ordered Printed.

Which was referred to the Committee on State Government and Ordered Printed, in concurrence.

(See Action Later Today)

Bill, "An Act to Exempt Regional Planning Commissions from Real and Personal Property Taxes." (H. P. 78) (L. D. 101)

Bill, "An Act to Permit a Trade-in Credit Under the Sales Tax Statutes for Utility Tractors." (H. P. 84) (L. D. 102)

Bill, "An Act to Provide a Limited Exemption from Maine Income Taxes on Interest Earned on Accounts in Maine Financial Institutions and on Certain Dividends." (H. P. 86) (L. D. 115)

Bill, "An Act Relating to Appeals by Taxpayers from Municipal Assessment." (H. P. 81) (L. D. 120)

Come from the House, referred to the Committee on Taxation and Ordered Printed.

Which were referred to the Committee on Taxation and Ordered Printed, in concurrence.

Communications
Senate Chamber
President's Office

January 8, 1981

Honorable Howard M. Trotzky
Honorable Laurence Connolly, Jr.
Chairmen, Joint Standing
Committee on Education
State House
Augusta, ME

Please be advised that Governor Joseph E. Brennan is nominating Julia L. Nault of Machias for appointment as a member of the State Board of Education.

Pursuant to Title 20 MRSA Section 51, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,
S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House
(S. P. 80)

Which was Read and referred to the Committee on Education.

Sent down for concurrence.

Department of Conservation

December 31, 1980

Honorable John L. Martin, Speaker
Maine House of Representatives
State House
Augusta, Maine
Dear Speaker Martin

In accordance with the provisions of 12 M.R.S.A. 1601, we hereby submit our estimate, in the amount of \$3,021,390, as being the estimate of the total anticipated costs of the Maine Forestry District for the 1982 fiscal year.

Very truly yours
S/RICHARD E. BARRINGER
Commissioner
(H. P. 155)

Comes from the House, Read and Ordered Placed on File.

Which was Read and Ordered Placed on File in concurrence.

Senate Chamber
President's Office

January 9, 1981

Honorable David R. Ault
Honorable Judy C. Kany
Chairman, Joint Standing
Committee on State Government
State House
Augusta, ME

Please be advised that Governor Joseph E. Brennan is nominating Robert E. Baldacci, Jr., of Bangor for appointment to the Maine Guarantee Authority.

Pursuant to Title 10 MRSA Section 751, this nomination will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,
S/JOHN L. MARTIN
Speaker of the House
(S. P. 100)

Which was Read and referred to the Committee on State Government.

Sent down for concurrence.

Senate Papers

Senator HICHENS of York (Cosponsor: Representative DRINKWATER of Belfast) presented, Bill, "An Act Concerning Cruelty to Animals." (S. P. 86)

Which was referred to the Committee on Agriculture and Ordered Printed.

Sent down for concurrence.

Senator HUBER of Cumberland presented, Bill, "An Act to Make Funding of the "Local Government Fund" Part of the Appropriations Process." (S. P. 90)

Senator SEWALL of Penobscot (Cosponsor: Representative MARTIN of Eagle Lake) presented, Bill, "An Act to Adjust the Level of Compensation and Certain Statutory Duties of the Senate Secretary and House Clerk and their Assistants." (S. P. 97) (L. D. 136)

Which were referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Senator DEVOE of Penobscot presented, Bill, "An Act to Amend the Maine Business Corporation Act." (S. P. 83)

Senator CLARK of Cumberland (Cosponsor: Senator SEWALL of Lincoln) presented, Bill, "An Act to Conform the Maine Consumer Credit Code to the Federal Truth-in-Lending Simplification and Reform Act." (S. P. 94)

(Submitted by the Department of Business Regulation pursuant to Joint Rule 24.)

Which was referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

Senator DUTREMBLE of York (Cosponsor: Senator KERRY of York) presented, Bill, "An Act to Establish a Presidential Primary." (S. P. 91)

Which was referred to the Committee on Election Laws and Ordered Printed.

Sent down for concurrence.

Senator McBREAIRTY of Aroostook presented, Bill, "An Act to Undedicate Funds Received from Public Reserved Lands." (S. P. 92)

Senator O'LEARY of Oxford presented, Bill, "An Act to Repeal the Authority of the Bureau of Public Lands to Lease Timber Management Rights to Organized Towns." (S. P. 96)

Which were referred to the Committee on Energy and Natural Resources and Ordered Printed.

Sent down for concurrence.

Senator PERKINS of Hancock (Cosponsors: Senator GILL of Cumberland, Representative PERKINS of Brooksville and Representative PRESCOTT of Hampden) presented,

Bill, "An Act Requiring the Reporting of Reyes Syndrome by Persons Examining or Treating the Disease." (S. P. 88)

Which was referred to the Committee on Health and Institutional Services and Ordered Printed.

Sent down for concurrence.

Senator DEVOE of Penobscot presented, Bill, "An Act to Amend the Short Form Deeds Act." (S. P. 84)

Senator SHUTE of Waldo (Cosponsors: Senator SUTTON of Oxford, Representative STE-

VENSON of Unity, and Representative DRINKWATER of Belfast) presented, Bill, "An Act to Require Restitution by a Criminal Offender to his Victim and to Require Payment of Prosecution and Court Costs." (S. P. 87)

Senator KERRY of York (Cosponsor: Representative DRINKWATER of Belfast) presented, Bill, "An Act to Clarify a Sentencing Disposition of Juvenile Offenders." (S. P. 93)

(Submitted by the Department of Mental Health and Corrections pursuant to Joint Rule 24.)

Senator CONLEY of Cumberland presented, Bill, "An Act to Conform Confidentiality Requirements of the Maine Committee on Aging with the 1978 Older Americans Act." (S. P. 98)

(Submitted by the Department of Human Services pursuant to Joint Rule 24.)

Which were referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Senator O'LEARY of Oxford (Cosponsor: Representative PERRY of Mexico) presented, Bill, "An Act to Require Liquor Inspectors to be Uniformed before Entering any Licensed Premise." (S. P. 89)

Senator COLLINS of Knox (Cosponsors: Senator HICHENS of York and Senator CLARK of Cumberland) presented, Bill, "An Act to Abolish the State Lottery." (S. P. 99)

Which were referred to the Committee on Legal Affairs and Ordered Printed.

Sent down for concurrence.

Senator McBREAIRTY of Aroostook presented, Bill, "An Act to Prevent Part-time Deputy Sheriffs from Serving as Selectmen." (S. P. 85)

Which was referred to the Committee on Local and County Government and Ordered Printed.

Sent down for concurrence.

Senator EMERSON of Penobscot presented, RESOLVE, Designating the Scenic Overlook on Interstate 95 in T1-R6 WELS as the "The Albert J. 'Allie' Cole Memorial Scenic Overlook." (S. P. 82)

Senator O'LEARY of Oxford presented, Bill, "An Act to Reimburse Certain Licensed Drivers who Paid a \$16 Fee During the Transition to the New License Fee System under the Motor Vehicle Laws." (S. P. 95)

Which were referred to the Committee on Transportation and Ordered Printed.

Sent down for concurrence.

Orders

An Expression of Legislative Sentiment recognizing:

Joseph L. Faber, of Rockland, upon attaining the high rank and distinction of Eagle Scout. (S. P. 81)

Presented by Senator Collins of Knox (Cosponsor: Representative Fowlie of Rockland.)

Which was Read and Passed.

Sent down for concurrence.

Second Readers

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

Bill, "An Act to Amend the Law Relating to Engineers to Provide for a Biennial Publication of a Roster of Registered Professional Engineers." (S. P. 18) (L. D. 16)

Which was Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

(Off Record Remarks)

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

Communications
Committee on Judiciary

January 12, 1981

The Honorable Joseph Sewall
President of the Senate of Maine
State House
Augusta, Maine
Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 110th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Elmer H. Violette to the position of Justice of the Maine Superior Court.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 110th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS:

Senators — 3
Representatives — 9

NAYS:

Senators — 0
Representatives — 0

ABSENT:

Senators — 0
Representatives: Rep. Carrier of Westbrook
12 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Elmer H. Violette be confirmed.

Sincerely,
S/DANA C. DEVOE
Senate Chairman
S/BARRY J. HOBBS
House Chairman

Which was Read and Ordered Placed on File.

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended that the nomination of Elmer H. Violette be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Judiciary be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 110th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Violette. SENATOR VIOLETTE: Mr. President, Ladies and Gentlemen of the Senate, I don't know exactly what the precedent is in this area, but I cannot, quite frankly, allow this opportunity to escape me.

It is indeed with a great deal of pride that I serve in this Chamber, in my father's footsteps. I'm, quite frankly, very honored to have the opportunity here today to be able to vote in the confirmation of a man that means a great deal to me and in whose footsteps I truly hope that I can only try to follow as closely as possible. I have the greatest respect for him and of all of the many things he has done for this State, both by serving in this body and by serving in the judiciary, and so, it is with a great deal of pride today that I sit here and that I do vote in the confirmation of my father to his reappointment to the Superior Court. Thank you.

THE PRESIDENT: Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.
The Secretary will call the roll.

ROLL CALL

YEA—None.

NAY—Ault, Brown, Bustin, Carpenter, Charette, Clark, Collins, Conley, Devoe, Dutremble, Emerson, Gill, Hichens, Huber, Kerry, McBreairey, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Sewall, C.; Shute, Teague, Trafton, Trotzky, Violette, Wood, Sewall, J.

ABSENT—Redmond, Sutton, Usher.

No Senators having voted in the affirmative and 30 Senators in the negative, with 3 Senators

being absent and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Elmer H. Violette is confirmed.

(Off Record Remarks)

Committee on Judiciary

January 12, 1981

The Honorable Joseph Sewall
President of the Senate of Maine
State House
Augusta, Maine

Dear President Sewall:

In accordance with M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 110th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Sumner J. Goffin to the position of Justice of the Maine Superior Court.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 110th Maine Legislature that the nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS:

Senators — 3
Representatives — 9

NAYS:

Senators — 0
Representatives — 0

ABSENT:

Senators — 0
Representatives — 1; Rep. Carrier of Westbrook

12 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Sumner J. Goffin be confirmed.

Sincerely,
S/DANA C. DEVOE
Senate Chairman
S/BARRY J. HOBBS
House Chairman

Which was Read and Ordered Placed on File.

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended that the nomination of Sumner J. Goffin be confirmed.

The pending question before the Senate is:

Shall the recommendation of the Committee on Judiciary be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 110th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.
The Secretary will call the roll.

ROLL CALL

YEA—None.

NAY—Ault, Brown, Bustin, Carpenter, Charette, Clark, Collins, Conley, Devoe, Dutremble, Emerson, Gill, Hichens, Huber, Kerry, McBreairey, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Sewall, C.; Shute, Teague, Trafton, Trotzky, Violette, Wood, Sewall, J.

ABSENT—Redmond, Sutton, Usher.

No Senators having voted in the affirmative and 30 Senators in the negative, with 3 Senators being absent and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Sumner J. Goffin is confirmed.

(Off Record Remarks)

Committee on Judiciary

January 12, 1980

The Honorable Joseph Sewall

President of the Senate of Maine
State House

Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 110th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Harriet P. Henry to the position of Judge of the Maine District Court.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 110th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS:

Senators — 3
Representatives — 9

NAYS:

Senators — 0
Representatives — 0

ABSENT:

Senators — 0
Representatives — 1; Rep. Carrier of Westbrook

12 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Harriet P. Henry be confirmed.

Sincerely,
S/DANA C. DEVOE
Senate Chairman
S/BARRY J. HOBBS
House Chairman

Which was Read and Ordered Placed on File.

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended that the nomination of Harriet P. Henry be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Judiciary be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 110th Legislature, the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.
The Secretary will call the roll.

ROLL CALL

YEA—None.

NAY—Ault, Brown, Bustin, Carpenter, Charette, Clark, Collins, Conley, Devoe, Dutremble, Emerson, Gill, Hichens, Huber, Kerry, McBreairey, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Pray, Sewall, C.; Shute, Teague, Trafton, Trotzky, Violette, Wood, Sewall, J.

ABSENT—Redmond, Sutton, Usher.

No Senators having voted in the affirmative and 30 Senators in the negative, with 3 Senators being absent and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Harriet P. Henry is confirmed.

(Off Record Remarks)

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Senator TROTZKY: Mr. President I move that the Senate reconsider its action whereby L. D. 132 "An Act to Remove the State Board of Education from the Nominating Process for the Commissioner of Educational and Cultural Services," be referred to the Committee on State Government.

On Motion by Senator Conley of Cumberland, Tabled for 1 Legislative Day, pending the Motion by Senator Trotzky of Penobscot.

(Off Record Remarks)

On motion by Senator Pierce of Kennebec, Adjourned until 10 o'clock tomorrow morning.