

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Tenth

Legislature

OF THE

STATE OF MAINE

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

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FOURTH SPECIAL SESSION

April 28, 1982 and April 29, 1982

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FIFTH SPECIAL SESSION

May 13, 1982

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SECOND CONFIRMATION SESSION

July 16, 1982

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STATE OF MAINE
One Hundred and Tenth Legislature
Second Confirmation Session
JOURNAL OF THE SENATE

Augusta, Maine
July 16, 1982

Pursuant to the provisions of Article 5, Part 1, section 8 of the Constitution and the laws of the State of Maine, the Senate convened at two o'clock in the afternoon.

Senate called to order by the President.

Prayer by the Reverend Russell M. Chase of the United Church of Monmouth.

REVEREND CHASE: Let us pray. God, our heavenly Father, we thank You for the opportunity that we may serve in this capacity. We thank You for this great body of men and women, as they struggle with the issues that they face this day, and when they are in session. We thank you, our Father, for the blessings You have bestowed upon us.

Keep us humble in this task. May Thy blessings rest upon us and our families. Keep us steadfast, as we would follow in the footsteps of the Master. For in His name we pray. Amen.

Off Record Remarks

Senate Chamber
President's Office

May M. Ross
Secretary of the Senate of Maine
State House
Augusta, Maine

Dear Madam Secretary:

Please be advised that in accordance with Article 5, Part 1, Section 8 of the Constitution of Maine, the Senate of Maine will convene on July 16, 1982, at two o'clock in the afternoon for the purpose of voting upon confirmation of the various appointments made by The Honorable Joseph E. Brennan, Governor of the State of Maine.

Sincerely,
S/JOSEPH SEWALL

Which was Read and Ordered Placed on File.

The Roll being called the following Senators responded to their names:

Ault, Brown, Bustin, Carpenter, Charette, Clark, Collins, Conley, Devoe, Dutremble, Emerson, Gill, Hichens, Huber, McBreaity, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Violette, Wood, The President - J. Sewall.

31 Senators having answered to the roll, the President declared that a quorum was present.

Out of Order and Under Suspension of the Rules:

On motion by Senator COLLINS of Knox, ORDERED, that a message be sent to His Excellency, the Governor, informing him that in accordance with Article 5, Part 1, section 8 of the Constitution of Maine, a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

Which was Read and Passed.

The President appointed Senator Collins of Knox to deliver the message to His Excellency the Governor.

Subsequently, Senator Collins of Knox reported that he had delivered the message with which he was charged.

Communications
Office of the Governor
Augusta, Maine

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

This is to inform you that I am nominating

Douglas A. Clapp of Pittsfield for appointment as a Commissioner of the Workers' Compensation Commission.

Pursuant to Title 39 MRSA Section 91, this nomination will require review by the Joint Standing Committee on the Judiciary and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine
Augusta

June 24, 1982

The Honorable Dana C. Devoe
The Honorable Barry J. Hobbins
Chairmen, Judiciary Committee
110th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Douglas A. Clapp of Pittsfield as a Commissioner of the Workers' Compensation Commission.

Pursuant to Title 39 MRSA, Section 91, this nomination will require review by the Joint Standing Committee on Judiciary.

Sincerely,
S/MAY M. ROSS
Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Judiciary

July 12, 1982

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 Douglas A. Clapp of Pittsfield as a Commissioner of the Workers' Compensation Commission.

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:

2 Senators
8 Representatives

NAYS:

0 Senators
2 Representatives (Rep. Carrier & Reeves)

ABSENT:

1 Senator (Sen. Kerry)
0 Representatives

10 members of the Committee having voted in the affirmative and 2 in the negative, it was the vote of the Committee that the nomination of Douglas A. Clapp 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 Douglas A. Clapp 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—Perkins.

NAY—Ault, Brown, Bustin, Carpenter, Charette, Clark, Collins, Conley, Devoe, Dutremble, Emerson, Gill, Hichens, Huber, McBreaity, Minkowsky, Najarian, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Violette, Wood, The President- J. Sewall.

ABSENT—Kerry, O'Leary.

1 Senator having voted in the affirmative and 30 Senators in the negative, with 2 Senators being absent and 1 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 Douglas A. Clapp is confirmed.

Office of the Governor
Augusta, Maine

June 28, 1982

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

This is to inform you that I am nominating Anthony J. Peverada, Jr., of Scarborough for re-appointment as the Employer Representative of Maine Employment Security Commission. Pursuant to Title 26 MRSA Section 1081, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine
Augusta

June 28, 1982

The Honorable Charlotte Zahn Sewall
The Honorable Edith S. Beaulieu
Chairmen, Labor Committee
110th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Anthony J. Peverada, Jr., of Scarborough as the Employer Representative of Maine Employment Security Commission.

Pursuant to Title 26 MRSA, Section 1081, this nomination will require review of the Joint Standing Committee on Labor.

Sincerely,
S/MAY M. ROSS
Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Labor

July 15, 1982

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 Labor has had under consideration the nomination of Anthony J. Peverada, Jr., as the Employer Representative of the Maine Employment Security Commission.

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

Yeas:

Senators 1
Representatives 7

Nays: 0

Absent: Sen. Sutton - Oxford — Sen. Dutremble - York — Rep. Martin - Brunswick — Rep.

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Laverriere - Biddeford — Rep. Jackson - Harrison

Eight 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 Anthony J. Peverada, Jr., as the Employer Representative of the Maine Employment Security Commission be Confirmed.

Sincerely,
S/CHARLOTTE Z. SEWALL
Senate Chairman
S/EDITH S. BEAULIEU
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Labor has recommended that the nomination of Anthony J. Peverada, Jr. be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Labor 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, McBreaity, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Violette, Wood, The President - J. Sewall.

ABSENT—Kerry, O'Leary.

No Senators having voted in the affirmative and 31 Senators in the negative, with 2 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 Anthony J. Peverada, Jr. is confirmed.

Office of the Governor
Augusta, Maine

June 30, 1982

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

This is to inform you that I am today nominating Harold C. Pachios of Portland for appointment to the Board of Trustees of the Maine Maritime Academy.

Pursuant to 1941 P & SL Chapter 37, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine
Augusta

June 30, 1982

The Honorable Howard M. Trotzky
The Honorable Laurence E. Connolly, Jr.
Chairmen, Education Committee
110th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Harold C. Pachios of Portland to the Board of Trustees of the Maine Maritime Academy.

Pursuant to 1941 P & SL Chapter 37, this nomination will require review of the Joint Standing Committee on Education.

Sincerely,

S/MAY M. ROSS

Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Education

July 13, 1982

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 Education has had under consideration the nomination of Harold C. Pachios to the position of member of the Board of Trustees of the Maine Maritime Academy.

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 2
Representatives 5

NAYS: 0

ABSENT:

6

Senator Richard Pierce - Kennebec, Representative Locke - Sebec, Representative Rolde - York, Representative Theriault - Fort Kent, Representative Thompson - South Portland, Representative Matthews - Caribou.

Seven members of the Committee having voted in the affirmative and none in the negative, with six members being absent, it was the vote of the Committee that the nomination of Harold C. Pachios to the position of member of the Board of Trustees of the Maine Maritime Academy be confirmed.

Sincerely,

S/HOWARD M. TROTZKY
Senate Chairman

S/LAURENCE E. CONNOLLY, Jr.
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Education has recommended that the nomination of Harold C. Pachios be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Education 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, McBreaity, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Violette, Wood, The President - J. Sewall.

ABSENT—Kerry, O'Leary.

No Senators having voted in the affirmative and 31 Senators in the negative, with 2 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 Harold C. Pachios, is confirmed.

(Off Record Remarks)

Office of the Governor

Augusta, Maine

June 30, 1982

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

Dear Senator Sewall:

This is to inform you that I am nominating Gerald M. Tabenken of Bangor for appointment to the Maine State Retirement System Board of Trustees.

Pursuant to Title 5 MRSA Section 1031, this nomination will require review by the Joint Standing Committee on Aging, Retirement and Veterans and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,

S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine
Augusta

June 30, 1982

The Honorable Thomas M. Teague
The Honorable Daniel B. Hickey
Chairmen, Aging, Retirement and Veterans Committee
110th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Gerald M. Tabenken of Bangor as a member of the Board of Trustees of the Maine State Retirement System.

Pursuant to Title 5 MRSA, Section 1031, this nomination will require review by the Joint Standing Committee on Aging, Retirement and Veterans.

Sincerely,

S/MAY M. ROSS
Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Aging, Retirement and Veterans
July 13, 1982

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Standing Committee on Aging, Retirement and Veterans has had under consideration the nomination of Gerald M. Tabenken of Bangor for appointment to the Maine State Retirement System Board of Trustees.

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: 1

Rep. Raynold Theriault of Fort Kent
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 Gerald M. Tabenken of Bangor to the position of member of the Board of Trustees of the Maine State Retirement System be confirmed.

Sincerely,

S/THOMAS M. TEAGUE
Senate Chairman

S/DANIEL B. HICKEY
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Aging, Retirement and Veterans has

recommended that the nomination of Gerald M. Tabenken be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Aging, Retirement and Veterans 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, McBreairty, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Viollette, Wood, The President - J. Sewall.

ABSENT—Kerry, O'Leary.

No Senators having voted in the affirmative and 31 Senators in the negative with 2 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 Gerald M. Tabenken is confirmed.

Office of the Governor
Augusta, Maine

June 30, 1982

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

Dear Senator Sewall:

This is to inform you that I am today nominating Jean M. Larson of Houlton for reappointment to the Health Facilities Cost Review Board.

Pursuant to Title 22 MRSA Section 353, this nomination will require review by the Joint Standing Committee on Health and Institutional Services and confirmation by the Senate. Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine
Augusta

June 30, 1982

The Honorable Barbara A. Gill
The Honorable Merle R. Nelson
Chairmen, Health and Institutional Services Committee
110th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Jean M. Larson of Houlton to the Health Facilities Cost Review Board.

Pursuant to Title 22 MRSA Section 353, this nomination will require review by the Joint Standing Committee on Health and Institutional Services.

Sincerely,
S/MAY M. ROSS

Secretary of the Senate

Which was Read and Ordered Placed on File.

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

Committee on Health and Institutional Services

July 16, 1982

The Honorable Joseph Sewall
President of the Senate
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 Health and Institutional Services has had under consideration the nomination of Jean M. Larson of Houlton to the Health Facilities Cost Review Board.

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 2
Representatives 7

NAYS:

Senators 0
Representative 1
Rep. McCollister

ABSENT: 3

Sen. Hichens
Representative Nelson, Randall

Nine members of the Committee having voted in the affirmative and one in the negative, it was the vote of the Committee that the nomination of Jean M. Larson of Houlton to the position of member of the Health Facilities Cost Review Board be confirmed.

Sincerely,
S/BARBARA A. GILL
Senate Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Health and Institutional Services has recommended that the nomination of Jean M. Larson be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Health and Institutional Services 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, McBreairty, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Viollette, Wood, The President - J. Sewall.

ABSENT—Kerry, O'Leary.

No Senators having voted in the affirmative and 31 Senators in the negative with 2 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 Jean M. Larson is confirmed.

(Off Record Remarks)

Office of the Governor
Augusta, Maine

July 1, 1982

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

Dear Senator Sewall:
This is to inform you that I am today nominating Paul R. Bonneau of Lewiston for appointment to the Maine State Liquor Commission. Pursuant to Title 3 MRSA Section 151-A, this nomination will require review by the Joint Standing Committee on Legal Affairs and confirmation by the Senate. Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine
Augusta

July 1, 1982

The Honorable Melvin A. Shute
The Honorable Harold R. Cox
Chairmen, Legal Affairs Committee
110th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Paul R. Bonneau of Lewiston to the Maine State Liquor Commission.

Pursuant to Title 3 MRSA, Section 151-A, this nomination will require review by the Joint Standing Committee on Legal Affairs.

Sincerely,
S/MAY M. ROSS
Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Legal Affairs

July 15, 1982

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 Legal Affairs has had under consideration the nomination of Paul R. Bonneau of Lewiston for appointment to the Maine State Liquor Commission.

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 7

NAYS:

Senators 0
Representatives: 0

ABSENT: 3

Representatives: Dudley, Soulas, Studley

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Paul R. Bonneau of Lewiston to the position of member of the Maine State Liquor Commission be confirmed.

Sincerely,
S/MELVIN A. SHUTE
Senate Chairman
S/HAROLD R. COX
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Legal Affairs has recommended that the nomination of Paul R. Bonneau be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Education 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,

McBreairty, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Viollette, Wood, The President - J. Sewall.

ABSENT—Kerry, O'Leary.

No Senators having voted in the affirmative and 31 Senators in the negative, with 2 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 Paul R. Bonneau, is confirmed.

Office of the Governor
Augusta, Maine

July 1, 1982

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

Dear Senator Sewall:

This is to inform you that I am nominating Linwood E. Palmer, Jr., of Nobleboro for appointment to the Board of Environmental Protection.

Pursuant to Title 38 MRSA Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine
Augusta

July 1, 1982

The Honorable James A. McBreairty
The Honorable Donald M. Hall
Chairmen, Energy and Natural Resources Committee
110th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Linwood E. Palmer, Jr., to the Board of Environmental Protection.

Pursuant to Title 38 MRSA, Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources.

Sincerely,
S/MAY M. ROSS
Secretary of the Senate
Which was Read and Ordered Placed on File.

Under Suspension of the Rules, the Senate voted to consider the following:
Committee on Energy and Natural Resources

July 16, 1982

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 Energy and Natural Resources has had under consideration the nomination of Linwood E. Palmer, Jr., of Nobleboro to be a member of the Board of Environmental Protection.

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 2
Representatives 9

NAYS: 0

ABSENT: 2

(Senator O'Leary of Oxford and Rep. Michaud of Auburn)

Eleven members of the Committee having voted in the affirmative and none in the neg-

ative, it was the vote of the Committee that the nomination of Linwood E. Palmer, Jr., of Nobleboro as Member of the Board of Environmental Protection be confirmed.

Sincerely,
S/JAMES A. MCBREAIRTY
Senate Chairman
S/DONALD M. HALL
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended that the nomination of Linwood E. Palmer, Jr., be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Energy and Natural Resources 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, McBreairty, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Viollette, Wood, The President - J. Sewall.

ABSENT—Kerry, O'Leary.

No Senators having voted in the affirmative and 31 Senators in the negative, with 2 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 Linwood E. Palmer, Jr., is confirmed.

(Off Record Remarks)

Office of the Governor
Augusta, Maine

July 2, 1982

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

Dear Senator Sewall:

This is to inform you that I am nominating Carlton Day Reed, Jr., of Woolwich for reappointment and Jane Holt deFrees of Rumford Center for appointment to the State Board of Education.

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

Thank you for your assistance in this matter.

Sincerely,
S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine
Augusta

July 2, 1982

The Honorable Howard M. Trotzky
The Honorable Laurence E. Connolly, Jr.
Chairmen, Education Committee
110th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Carlton Day Reed, Jr., of Woolwich and Jane Holt deFrees of Rumford Center to be members 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.

Sincerely,
S/MAY M. ROSS
Secretary of the Senate

Which was Read and Ordered Placed on File.

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

Committee on Education

July 16, 1982

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 Education has had under consideration the nomination of Carlton Day Reed of Woolwich for appointment to the State Board of Education.

After public hearing and discussion on this nomination the Committee proceeded to vote on the motion to recommend to the Senate 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 7

NAYS:

Senators 0
Representatives 0

ABSENT: 3

Representative Neil Rolde - York
Representative Raynold Theriault
Fort Kent

Representative A. Mavourneen
Thompson - So. Portland

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Carlton Day Reed to the position of member of the State Board of Education be confirmed.

Sincerely,
S/HOWARD M. TROTZKY
Senate Chairman

S/LAURENCE E. CONNOLLY, Jr.
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Education has recommended that the nomination of Carlton Day Reed, Jr., be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Education 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, McBreairty, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Viollette, Wood, The President - J. Sewall.

ABSENT—Kerry, O'Leary.

No Senators having voted in the affirmative and 31 Senators in the negative, with 2 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 Carlton Day Reed, Jr., is confirmed.

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

Committee on Education
July 16, 1982

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 Education has had under consideration the nomination of Jane Holt deFrees of Rumford Center for appointment to the State Board of Education.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate 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 5

NAYS:

Senators 0
Representatives 2
Representative Ada Brown-Gorham
Representative Kenneth Matthews-

Caribou

ABSENT: 3

Representative Neil Rolde - York
Representative Raynold Theriault -

Fort Kent

Representative A. Mavourneen
Thompson - So. Portland

Eight 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 Jane Holt deFrees to the position of member of the State Board of Education be confirmed.

Sincerely,
S/HOWARD M. TROTZKY
Senate Chairman
S/LAURENCE E. CONNOLLY, Jr.
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Education has recommended that the nomination of Jane Holt deFrees, be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Education 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—Violette.

NAY—Ault, Brown, Bustin, Carpenter, Charette, Clark, Collins, Conley, Devoe, Dutremble, Emerson, Gill, Hichens, Huber, McBreairty, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Wood, The President - J. Sewall.

ABSENT—Kerry, O'Leary.

1 Senator having voted in the affirmative and 30 Senators in the negative, with 2 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 Jane Holt deFrees, is confirmed.

Office of the Governor
Augusta, Maine

July 2, 1982

Honorable Joseph Sewall
President of the Senate
Senate Chamber
State House

Augusta, Maine

Dear Senator Sewall:

This is to inform you that I am nominating Peter A. Bradford of Hallowell for appointment as a Commissioner of the Public Utilities Commission.

Pursuant to Title 35 MRSA Section 1, this nomination will require review by the Joint Standing Committee on Public Utilities and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,

S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine
Augusta

July 2, 1982

The Honorable Howard M. Trotzky
The Honorable Richard S. Davies
Chairmen, Public Utilities Committee
110th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Peter A. Bradford of Hallowell to be Commissioner of the Public Utilities Commission.

Pursuant to Title 35 MRSA, Section 1, this nomination will require review by the Joint Standing Committee on Public Utilities.

Sincerely,

S/MAY M. ROSS
Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Public Utilities

July 15, 1982

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 Public Utilities has had under consideration the nomination of Peter A. Bradford of Hallowell for appointment as Commissioner of the Public Utilities Commission.

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 2
Representatives 9

NAYS:

Senators 0
Representatives 0

ABSENT: 2

Senator Barbara Trafton - Androscog-

gin

Representative Vinton Ridley - Shap-

leigh

Eleven 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 Peter A. Bradford to the position as a Commissioner of the Public Utilities Commission be confirmed.

Sincerely,

S/HOWARD M. TROTZKY
Senate Chairman
S/RICHARD S. DAVIES
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Public Utilities has recommended that the nomination of Peter A. Bradford, be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Public Utilities 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, Huber, McBreairty, Minkowsky, Najarian, Perkins, Pierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Violette, Wood, The President - J. Sewall.

ABSENT—Hichens, Kerry, O'Leary.

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 Peter A. Bradford, is confirmed.

Office of the Governor
Augusta, Maine

July 6, 1982

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

Dear Senator Sewall:

This is to inform you that I am nominating Cheryl Harrington of Winthrop for appointment as a Commissioner of the Public Utilities Commission.

Pursuant to Title 35 MRSA Section 1, this nomination will require review by the Joint Standing Committee on Public Utilities and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,

S/JOSEPH E. BRENNAN
Governor

Which was Read and Ordered Placed on File.

The Senate of Maine
Augusta

July 6, 1982

The Honorable Howard M. Trotzky
The Honorable Richard S. Davies
Chairmen, Public Utilities Committee
110th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Cheryl Harrington of Winthrop as a Commissioner of the Public Utilities Commission.

Pursuant to Title 35 MRSA, Section 1, this nomination will require review by the Joint Standing Committee on Public Utilities.

Sincerely,

S/MAY M. ROSS
Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Public Utilities

July 15, 1982

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 Public Utilities has had under consideration the nomination of Cheryl Harrington of Winthrop for appointment as a Commissioner of the Public Utilities Commission.

After public hearing and discussion on this

PRINTER'S ERROR

Due to an error by the printer the remaining portion of the July 16, 1982 Record is reconstructed from the Senate Journal of that date. 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 2
Representatives 9

NAYS:

Senators 0
Representatives 0

ABSENT: 2

Senator Barbara Trafton—
Androscoggin
Representative Vinton Ridley—
Shapleigh

Eleven members of the Committee having voted in the affirmative and none in the negative with two being absent, it was the vote of the Committee that the nomination of Cheryl Harrington to the position as a Commissioner of the Public Utilities Commission be confirmed.

Sincerely,

/S/ HOWARD M. TROTZKY

Senate Chairman

/S/ RICHARD S. DAVIES

House Chairman

Which was Read and Ordered Placed on File.

The President laid before the Senate the following:

"Shall the recommendation of the Committee on Public Utilities be overridden?"

According to 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 110th Maine Legislature, the vote was taken by the yeas and nays. The Secretary called the roll with the following result:

YEAS: None**NAYS:**

Senators: Ault, Brown, Bustin, Carpenter, Charette, Clark, Collins, Conley, Devoe, Dutremble, Emerson, Gill, Hichens, Huber, McBreairty, Minkowsky, Najarian, Perkins, Bierce, Pray, Redmond, Sewall, C.; Shute, Sutton, Teague, Trafton, Trotzky, Usher, Violette, Wood, and the President Senator J. Sewall.

ABSENT:

Senators: Kerry, O'Leary.

No Senator having voted in the affirmative and 31 in the negative, with 2 Senators being absent, and none being less than two-thirds of the membership present, it was the vote of the Senate that the recommendation of the Committee on Public Utilities be accepted and the nomination of Cheryl Harrington to the Public Utilities Commission was confirmed.

Under suspension of the rules, the Senate voted to consider the following:

Order

On motion by Senator Pierce of Kennebec (Cosponsors: Senator Ault of Kennebec, Senator Redmond of Somerset and Senator Gill of Cumberland)

WHEREAS, the Maine Senate affords one the opportunity to serve a time-honored process in a most meaningful way; and

WHEREAS, Mary S. Porter of Belgrade, in service to this distinguished chamber has met this challenge with continuing grace and charm; and

WHEREAS, Mary S. Porter began her Senate service in 1967 and was elevated to Assistant Secretary of the Senate during the 108th Legislature; and

WHEREAS, after 14 years of dedicated service to the Senate on May 11, 1982, Mary resigned her position to travel and devote more time to her family; now, therefore, be it

ORDERED, that we the members of the Senate of the 110th Legislature take this opportu-

nity to acknowledge the timeless dedication and exemplary service of Mary S. Porter upon entering retirement and extend to her our warmest appreciation for her outstanding contribution, and be it further

ORDERED, that a suitable copy of this order be prepared and presented to Mary with our best wishes and good luck on her well-deserved retirement.

Which was Read and Passed.

Under suspension of the rules, on motion by Senator Conley of Cumberland,

ORDERED, that a message be sent to His Excellency, the Governor, informing him that the Senate has transacted all the business which has come before it and is ready to Adjourn Without Day.

Which was Read and Passed.

The President appointed the Senator from Cumberland, Senator Conley, to convey the message.

Subsequently, Senator Conley reported that he had delivered the message with which he was charged.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator McBreairty.

Senator McBREAIRTY: Mr. President, I move that the Senate Adjourn Sine Die.

Thereupon, at 3:08 p.m. on Friday, July 16, 1982, the Honorable Joseph Sewall, President of the Senate, declared the Senate of the 110th Maine Legislature Adjourned Without Day.