

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

STATE OF MAINE

**Volume II**

**FIRST REGULAR SESSION**

**May 16, 1983 to June 24, 1983**

**INDEX**

**FIRST CONFIRMATION SESSION**

**August 4, 1983**

**INDEX**

**FIRST SPECIAL SESSION**

**September 6 and 7, 1983**

**INDEX**

**SECOND CONFIRMATION SESSION**

**September 23, 1983**

**INDEX**

**THIRD CONFIRMATION SESSION**

**October 28, 1983**

**INDEX**

**SECOND SPECIAL SESSION**

**November 18, 1983**

**INDEX**

STATE OF MAINE  
One Hundred and Eleventh Legislature  
Third Confirmation Session  
JOURNAL OF THE SENATE

Augusta, Maine  
October 28, 1983

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 John Mallin of the Grace Presbyterian Church of Augusta.

REVEREND MALLIN: Hear the word of God as it is written in the first letter of the Apostle Paul to Timothy, the second Chapter, the first six verses.

"I urge then, first of all, that requests, prayers, intercessions, and thanksgiving be made for everyone.

For kings and all those in authority, that we may live peaceful and quiet lives in all godliness and holiness.

This is good and pleases, God, our saviour.

Who wants all men to be saved and to come to a knowledge of the truth.

For there is one God and one mediator between God and men, the man, Christ Jesus.

Who gave himself as a ransom for all men, the testimony given in its proper time."

Let's pray! Most gracious and merciful God I stand before you in awe knowing that our lives rest in your hands and that you might justly destroy everyone of us your creatures who have sinned against you, failing to love, honor and obey you as we ought.

Yet you have chosen not only to give men and women time to return to you and sent your son the Lord Jesus Christ to be a mediator, but you have appointed some to be your servants in government. I thank you for these men and women to whom you have given authority to govern in this state.

I thank you, too, for the great number of ways in which so many may participate in the work of government.

I ask that you would: give help to these your servants, bless their homes and families, grant them confidence and faith in the Lord Jesus Christ, give them wisdom from above and true discernment concerning the affairs of men, that they might exercise the authority given to them with justice and righteousness; Enable them to labor that we may live peaceful and quiet lives in all godliness and holiness, and so remove all that might hinder people coming to the knowledge of the truth and a knowledge of the one living and true God and the one mediator between God and men, even Jesus Christ.

Give strength and clarity of mind and speech to those who speak in the Senate today, and to those who are confirmed that the Senator's may know of a certainty whom you have appointed to office. May each one take seriously the responsibilities given to them. Give to each one that honesty and integrity which pleases you and move the people of this government and of this State to give to them the honor which is due them.

Make us a people who look to you in all things, and who seek to labor as faithful stewards and as the Psalmist says, "May the beauty of the Lord our God rest upon us and establish the work of our hands."

All this and whatever else you know that we need we ask in the name of him who has made man to die and rise again on behalf of men, even Jesus Christ into whose hands are given all authority in heaven and earth. Amen.

The Senate of Maine  
Augusta

October 17, 1983

The Honorable Joy J. O'Brien

Secretary of the Senate of Maine  
State House  
Augusta, Maine 04333

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 Friday, October 28, 1983 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/GERARD P. CONLEY  
President of the Senate

Which was Read and Ordered Placed on File.

The Roll being called, the following Senators answered to their names:

Senators: BALDACCI, BROWN, BUSTIN, CARPENTER, CHARETTE, CLARK, COLLINS, DANTON, DIAMOND, DOW, DUTREMBLE, EMERSON, ERWIN, GILL, HAYES, KANY, MINKOWSKY, PEARSON, PERKINS, PRAY, REDMOND, SEWALL, SHUTE, TEAGUE, TRAF-TON, TWITCHELL, VIOLETTE, WOOD, THE PRESIDENT — GERARD P. CONLEY

29 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 PRAY of Penobscot.

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 consideration of such business as may come before the Senate.

Which was Read and Passed.

The President appointed Senator Pray of Penobscot to deliver the message to His Excellency, the Governor.

Subsequently, Senator Pray of Penobscot reported that in accordance with Title 2, subsection 1 of the Maine Revised Statutes, he had notified the Governor's private secretary of the message with which he was charged.

(Off Record Remarks)

Communications

The Following Communication:  
State of Maine  
Office of the Governor  
Augusta, Maine  
04333

October 6, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating Thomas E. Delahanty, II of Lewiston for appointment as a Superior Court Justice.

Pursuant to Title 4 MRSA Section 152, 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 Following Communication:  
The Senate of Maine  
Augusta

October 6, 1983

The Honorable Richard L. Trafton  
The Honorable Barry J. Hobbins  
Chairmen, Judiciary Committee  
111th Legislature

Augusta, Maine 04333  
Gentlemen:

Please be advised that Governor Joseph E. Brennan has appointed Thomas E. Delahanty, II of Lewiston for appointment as a Superior Court Justice.

Pursuant to Title 4 MRSA Section 152, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,  
S/JOY J. O'BRIEN

Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:

State of Maine  
One Hundred and Eleventh Legislature  
Committee on Judiciary

October 21, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
State House  
Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Thomas E. Delahanty, II, as a 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 that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
Representatives 6

NAYS: 2 (Rep. Carrier and Rep. Reeves)

ABSENT: 2 (Rep. Benoit and Rep. Soule)

Nine members of the Committee having voted in the affirmative and two in the negative, it was the vote of the Committee that the nomination of Thomas E. Delahanty, II of Lewiston, be confirmed.

Sincerely,  
S/RICHARD L. TRAF-TON

Senate Chair

S/BARRY J. HOB-BINS  
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Judiciary has recommended that the nomination of Thomas E. Delahanty, II 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 111th 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 Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President and Members of the Senate, in behalf of the people of the city of Lewiston I would like to have it on the Record that really this is a noteworthy occasion for us.

I would like to call the Senate's attention that within the very recent past the city of Lewiston has had the privilege of some high caliber people to serve in key appointed positions nominated by the Governor of the State of Maine. You may recall recently: we elected Louis Scolnik to the Maine Supreme Judicial Court, we elected Geneva Kirk to the University of Maine Board of Trustees and today Thomas Delahanty II.

My reason for bringing this up today simply is to reinforce to the Maine Senate, and to the

Maine Legislature, and people of the State of Maine at-large how proud we are of the skills and talents of the people that we have coming from the city of Lewiston. Too many times have we been complacent in not recognizing the true value of the people that we actually have.

Again, Mr. President and Members of the Senate in behalf of myself, and I am sure in behalf of the mayor, and the citizens of the city of Lewiston we are extremely honored, proud and privileged to have Thomas E. Delahanty, II, a man of good morale character, a dynamic person who could have gone far maybe in private practice, but decided to serve the people of the State of Maine in this particular capacity.

The PRESIDENT: Is the Senate ready for the question?

The Chair restated the question.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

**ROLL CALL**

YEA—None.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairey, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hichens, Usher.

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 Thomas E. Delahanty, II is confirmed.

The Secretary was directed to inform the Speaker of the House.

(Off Record Remarks)

The Following Communication:

**State of Maine  
Office of the Governor  
Augusta, Maine  
04333**

October 6, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating Ian MacInnes of Bangor for appointment as an Active Retired Justice of the Maine Superior Court.

Pursuant to Title 4 M.R.S.A., Section 104, 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 Following Communication:

**The Senate of Maine  
Augusta**

October 6, 1983

The Honorable Richard L. Trafton  
The Honorable Barry J. Hobbins  
Chairmen, Judiciary Committee  
111th Legislature

Please be advised that Governor Joseph E. Brennan has nominated Ian MacInnes of Bangor for appointment as an Active Retired Justice of the Maine Superior Court.

Pursuant to Title 4 M.R.S.A., Section 104, this nomination will require review by the Joint Standing Committee on the Judiciary and confirmation by the Senate.

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:

**State of Maine  
One Hundred and Eleventh Legislature  
Committee on Judiciary**

October 21, 1983

The Honorable Gerard P. Conley

President of the Maine Senate

State House

Augusta, Maine 04333

Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Ian MacInnes of Bangor as an Active Retired 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 that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
Representatives 8

NAYS: 0

ABSENT: 2 (Rep. Benoit and Rep. Soule)

Eleven members having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Ian MacInnes of Bangor as an Active Retired Superior Court Justice be confirmed.

Sincerely,

S/RICHARD L. TRAFTON

Senate Chair

S/BARRY J. HOBBS

House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Judiciary has recommended that the nomination of Ian MacInnes 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 111th 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—Baldacci, Brown, Bustin, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairey, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Carpenter, Hichens, 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 Ian MacInnes is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:

**State of Maine  
Office of the Governor  
Augusta, Maine  
04333**

October 7, 1983

Honorable Gerard P. Conley

President of the Senate

Senate Chambers

State House

Augusta, Maine 04333

Dear Senator Conley:

This is to inform you that I am nominating S. Kirk of Studstrup of Winthrop for appointment as a Commissioner of the Workers' Compensation Commission.

Pursuant to Title 39 M.R.S.A., 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 Following Communication:

**The Senate of Maine  
Augusta**

October 7, 1983

The Honorable Richard L. Trafton

The Honorable Barry J. Hobbins

Chairmen, Judiciary Committee

111th Legislature

Please be advised that Governor Joseph E. Brennan has nominated S. Kirk Studstrup of Winthrop for appointment as a Commissioner of the Workers' Compensation Commission.

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

Sincerely,

S/JOY J. O'BRIEN

Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:

**State of Maine  
One Hundred and Eleventh Legislature  
Committee on Judiciary**

October 21, 1983

The Honorable Gerard P. Conley

President of the Maine Senate

State House

Augusta, Maine 04333

Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of S. Kirk Studstrup of Winthrop 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 that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3  
Representatives 8

NAYS: 0

ABSENT: 2 (Rep. Benoit and Rep. Soule)

Eleven members having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of S. Kirk Studstrup as a Commissioner of the Workers' Compensation Commission be confirmed.

Sincerely,

S/RICHARD L. TRAFTON

Senate Chair

S/BARRY J. HOBBS

House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Judiciary has recommended that the nomination of S. Kirk Studstrup 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 111th 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—Baldacci, Brown, Bustin, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Carpenter, Hichens, 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 S. Kirk Studstrup is confirmed.

The Secretary was directed to inform the Speaker of the House.

(Off Record Remarks)

The Following Communication:  
**State of Maine**  
**Office of the Governor**  
**Augusta, Maine**  
**04333**

October 14, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating Peter A. Howe and Gloria E. Tardif-Ranslow for reappointments as Commissioners of the Maine State Housing Authority.

Pursuant to Title 30 M.R.S.A., Section 4602, these nominations will require review by the Joint Standing Committee on State Government 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 Following Communication:  
**The Senate of Maine**  
**Augusta**

October 14, 1983

The Honorable Paul Violette  
The Honorable Dan Gwadosky  
Chairmen, State Government Committee  
111th Legislature

Please be advised that Governor Joseph E. Brennan has nominated Peter A. Howe of Portland and Gloria E. Tardif-Ranslow of Augusta for reappointment as Commissioners of the Maine State Housing Authority.

Pursuant to Title 30 M.R.S.A., Section 4602, these nominations will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine**  
**One Hundred and Eleventh Legislature**  
**Committee on State Government**

October 26, 1983

The Honorable Gerard P. Conley

President of the Maine Senate  
State House  
Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on State Government has had under consideration the nomination of Peter A. Howe of Portland for reappointment as a Commissioner of the Maine State Housing Authority.

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 vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS: Senators 1  
Representatives 7  
NAYS: Senators 0  
Representatives 0

ABSENT: Sen. Baldacci of Penobscot, Sen. Hichens of York, Rep. Gwadosky of Fairfield, Rep. LaPlante of Sabattus, Rep. Dillenback of Cumberland.

8 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 Peter A. Howe of Portland for reappointment as a Commissioner of the Maine State Housing Authority be confirmed.

Sincerely,  
S/PAUL E. VIOLETTE  
Senate Chairman  
S/DAN A. GWADOSKY  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on State Government has recommended that the nomination of Peter A. Howe be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on State Government be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th 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.

YEA—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Collins, Hichens, 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 Peter A. Howe is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:  
**State of Maine**  
**One Hundred and Eleventh Legislature**  
**Committee on State Government**

October 26, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
State House  
Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6,

Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on State Government has had under consideration the nomination of Gloria E. Tardif-Ranslow of Augusta for reappointment as a Commissioner of the Maine State Housing Authority.

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 vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS: Senators 1  
Representatives 7  
NAYS: Senators 0  
Representatives 0

ABSENT: Sen. Baldacci of Penobscot, Sen. Hichens of York, Rep. Gwadosky of Fairfield, Rep. LaPlante of Sabattus, Rep. Dillenback of Cumberland.

8 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 Gloria E. Tardif-Ranslow of Augusta for reappointment as a Commissioner of the Maine State Housing Authority be confirmed.

Sincerely,  
S/PAUL E. VIOLETTE  
Senate Chairman  
S/DAN A. GWADOSKY  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on State Government has recommended that the nomination of Gloria E. Tardif-Ranslow be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on State Government be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th 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—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hichens, Usher.

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 Gloria E. Tardif-Ranslow is confirmed.

The Secretary was directed to inform the Speaker of the House.

(Off Record Remarks)

The Following Communication:  
**State of Maine**  
**Office of the Governor**  
**Augusta, Maine**  
**04333**

October 14, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating

Jon A. Lund of Hallowell for appointment to the Maine State Retirement System Board of Trustees.

Pursuant to Title 5 M.R.S.A., 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 Following Communication:  
**The Senate of Maine**  
**Augusta**

October 14, 1983

The Honorable Charles Dow  
The Honorable Daniel Hickey  
Chairmen, Aging, Retirement  
and Veterans Committee  
111th Legislature

Please be advised that Governor Joseph E. Brennan has nominated Jon A. Lund of Hallowell for appointment to the Maine State Retirement System Board of Trustees.

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

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine**  
**One Hundred and Eleventh Legislature**  
**Committee on Aging, Retirement**  
**and Veterans**

October 26, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
State House  
Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Aging, Retirement and Veterans has had under consideration the nomination of Jon A. Lund, as a member of 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 that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 2  
Representatives 8  
NAYS: Senators 0  
Representatives 0

ABSENT: 3 (Rep. Teague of Somerset, Rep. Perry of Mexico, Rep. Paradis of Old Town)

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 Jon A. Lund of Hallowell, as a member of the Maine State Retirement System Board of Trustees be confirmed.

Sincerely,  
S/CHARLES G. DOW,  
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 Jon A. Lund 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 111th

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—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hichens, Perkins, 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 Jon A. Lund is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:

**State of Maine**  
**Office of the Governor**  
**Augusta, Maine**  
**04333**

October 14, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating Linda D. McGill of Litchfield for appointment as the First Alternate Employer Member of the Maine Labor Relations Board.

Pursuant to Title 26 M.R.S.A., Section 968, 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 Following Communication:  
**The Senate of Maine**  
**Augusta**

October 14, 1983

The Honorable Dennis Dutremble  
The Honorable Edith Beaulieu  
Chairpersons, Labor Committee  
111th Legislature

Please be advised that Governor Joseph E. Brennan has nominated Linda D. McGill of Litchfield for appointment as the First Alternate Employer Member of the Maine Labor Relations Board.

Pursuant to Title 26 M.R.S.A., Section 968, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine**  
**One Hundred and Eleventh Legislature**  
**Committee on Labor**

October 26, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
State House  
Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Linda D. McGill to the Maine Labor Relations Board.

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

Representatives 9

NAYS: 0

ABSENT: 1

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 Linda D. McGill be confirmed.

Sincerely,  
S/DENNIS DUTREMBLE  
Senate Chair  
S/EDITH BEAULIEU  
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Labor has recommended that the nomination of Linda D. McGill 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 111th 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—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Erwin, Gill, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Emerson, Hayes, Hichens, Usher. No Senators having voted in the affirmative and 29 Senators in the negative, with 4 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 Linda D. McGill, is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:  
**State of Maine**  
**Office of the Governor**  
**Augusta, Maine**  
**04333**

October 14, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating Gwendolyn Gatcomb of Winthrop for appointment as the Second Alternate Employee Member on the Maine Labor Relations Board.

Pursuant to Title 26 M.R.S.A., Section 968, 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 Following Communication:  
**The Senate of Maine**  
**Augusta**

October 14, 1983

The Honorable Dennis Dutremble  
The Honorable Edith Beaulieu  
Chairpersons, Labor Committee  
111th Legislature

Please be advised that Governor Joseph E. Brennan has nominated Gwendolyn Gatcomb of Winthrop for appointment as the Second Alternate Employee Member on the Maine Labor Relations Board.

Pursuant to Title 26 M.R.S.A., Section 968, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine**

**One Hundred and Eleventh Legislature**  
**Committee on Labor**

October 26, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
State House

Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Labor has had under consideration the nomination of Gwendolyn Gatcomb to the Maine Labor Relations Board.

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  
Representatives 9  
NAYS: 0  
ABSENT 1

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 Gwendolyn Gatcomb be confirmed.

Sincerely,  
S/DENNIS DUTREMBLE  
Senate Chair  
S/EDITH BEAULIEU  
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Labor has recommended that the nomination of Gwendolyn Gatcomb 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 111th 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—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Kany, McBreairey, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hayes, Hichens, 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 Gwendolyn Gatcomb is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:  
**State of Maine**  
**Office of the Governor**  
**Augusta, Maine**  
**04333**

October 14, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333

Dear Senator Conley:

This is to inform you that I am nominating James L. Warren of Brewer for reappointment and Willis Spear, Jr. for appointment to the Maine Resources Advisory Council.

Pursuant to Title 12 MRSA Section 6024, these nominations will require review by the Joint Standing Committee on Marine 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 Following Communication:  
**The Senate of Maine**  
**Augusta**

October 14, 1983

The Honorable Carroll Minkowsky  
The Honorable Nathaniel Crowley  
Chairmen, Marine Resources Committee  
111th Legislature

Please be advised that Governor Joseph E. Brennan has nominated James L. Warren of Brewer for reappointment and Willis Spear, Jr. of Cousins Island for appointment to the Marine Resources Advisory Council.

Pursuant to Title 12 MRSA Section 6024, these nominations will require review by the Joint Standing Committee on Marine Resources and confirmation by the Senate.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine**  
**One Hundred and Eleventh Legislature**  
**Committee on Marine Resources**

October 27, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
State House  
Augusta, Maine 04333

Dear President Conley:  
In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of James L. Warren of Brewer for reappointment to the Marine Resources Advisory Council.

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 vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS:  
Senators 1  
Representatives 8

NAYS:

Senators 0  
Representatives 0

ABSENT: Sen. Dutremble of York, Sen. Shute of Waldo, Rep. Ainsworth of Yarmouth, Rep. Scarpino of St. George.

9 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 James L. Warren of Brewer for reappointment to the Marine Resources Advisory Council be confirmed.

Sincerely,  
S/CARROLL E. MINKOWSKY  
Senate Chairman  
S/NATHANIEL J. CROWLEY, Sr.  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Marine Resources has recommended that the nomination of James L. Warren be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Marine Resources be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th 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 Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President and Members of the Senate, the Committee on Marine Resources felt that it was important to state for the Record, this afternoon, that on the Senate Calendar it indicates that James L. Warren is of Eastport Maine. Mr. Warren is a resident of Brewer, Maine since 1977. The reason that this came up is there was some questions raised that we were appointing two people from the same geographic location, that is Mr. David B. Turner of Eastport, and subsequently Mr. James L. Warren, also, listed as from Eastport, Maine.

Mr. Warren did clarify the fact that he has been a resident of Brewer, Maine which conforms to the statutory regulations.

The PRESIDENT: Is the Senate ready for the question?

The Chair restated the question.

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

**ROLL CALL**

YEA—None.  
NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Kany, McBreairey, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hayes, Hichens, 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 James L. Warren is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:  
**State of Maine**  
**One Hundred and Eleventh Legislature**  
**Committee on Marine Resources**  
October 27, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
State House  
Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of Willis Spear, Jr. of Cousins Island for appointment to the Marine Resources Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate 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 1  
Representatives 8

NAYS:  
Senators 0  
Representatives 0

ABSENT: Sen. Dutremble of York, Sen. Shute of Waldo, Rep. Ainsworth of Yarmouth, Rep. Scarpino of St. George.

9 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 Willis Spear, Jr. of Cousins Island for appointment to the Marine Resources Advisory Council be confirmed.

Sincerely,  
S/CARROLL E. MINKOWSKY  
Senate Chairman  
S/NATHANIEL J. CROWLEY, Sr.  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Marine Resources has recommended that the nomination of Willis Spear, Jr. be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Marine Resources be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th 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—Baldacci, Brown, Bustin, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Carpenter, Hichens, 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 Willis Spear, Jr. is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:  
**State of Maine**  
**Office of the Governor**  
**Augusta, Maine**  
**04333**

October 14, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating David B. Turner of Eastport for appointment

to the Marine Resources Advisory Council.

Pursuant to Title 12 MRSA Section 6024, this nomination will require review by the Joint Standing Committee on Marine 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 Following Communication:  
**The Senate of Maine**  
**Augusta**

October 14, 1983

The Honorable Carroll Minkowsky  
The Honorable Nathaniel Crowley, Jr.  
Chairmen, Joint Standing Committee  
on Marine Resources  
111th Legislature

Please be advised that Governor Joseph E. Brennan has nominated David B. Turner of Eastport for appointment to the Marine Resources Advisory Council.

Pursuant to Title 12 MRSA Section 6024, this nomination will require review by the Joint Standing Committee on Marine Resources and confirmation by the Senate.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine**  
**One Hundred and Eleventh Legislature**  
**Committee on Marine Resources**

October 27, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
State House  
Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the nomination of David B. Turner of Eastport for appointment to the Marine Resources Advisory Council.

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 vote was taken by the yeas and nays. The Committee clerk called the roll with the following result:

YEAS:  
Senators 1  
Representatives 8

NAYS:  
Senators 0  
Representatives 0

ABSENT: Sen. Dutremble of York, Sen. Shute of Waldo, Rep. Ainsworth of Yarmouth, Rep. Scarpino of St. George.

9 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 David B. Turner of Eastport for appointment to the Marine Resources Advisory Council be confirmed.

Sincerely,  
S/CARROLL E. MINKOWSKY  
Senate Chairman  
S/NATHANIEL J. CROWLEY, Jr.  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Marine Resources has recommended that the nomination of David B. Turner be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Marine Resources be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th Legisla-

ture, 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—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hichens, Najarian, Trafton, Usher.

No Senators having voted in the affirmative and 29 Senators in the negative, with 4 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 David B. Turner is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:  
**State of Maine**  
**Office of the Governor**  
**Augusta, Maine**  
**04333**

October 14, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating Samuel M. Zaitlin of Biddeford for reappointment 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 Following Communication:  
**The Senate of Maine**  
**Augusta**

October 14, 1983

The Honorable Judy C. Kany  
The Honorable Donald M. Hall  
Chairpersons, Energy & Natural  
Resources Committee  
111th Legislature

Please be advised that Governor Joseph E. Brennan has nominated Samuel M. Zaitlin of Biddeford for reappointment 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.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine**  
**One Hundred and Eleventh Legislature**  
**Committee on Energy**  
**and Natural Resources**

October 27, 1983

The Honorable Gerard P. Conley  
President of the Maine Senate  
State House  
Augusta, Maine 04333



Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6 Section 15 and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Samuel M. Zaitlin of Biddeford for reappointment to 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 111th 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 8

NAYS:

Senators 0  
Representatives 0

ABSENT: 3 (Sen. Pearson of Penobscot, Rep. D. Brown of Livermore Falls, Rep. Jacques of Waterville)

10 Members of the Committee having voted in the affirmative and 0 in the negative with 3 being absent. It was the vote of the Committee that the nomination of Samuel M. Zaitlin of Biddeford for the reappointment to the Board of Environmental Protection is confirmed.

Sincerely,

S/JUDY C. KANY  
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 Samuel M. Zaitlin 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 111th 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—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hichens, Usher.

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 Samuel M. Zaitlin is confirmed.

The Secretary was directed to inform the Speaker of the House.

(Off Record Remarks)

The Following Communication:  
**State of Maine**  
**Office of the Governor**  
**Augusta, Maine**  
**04333**

October 14, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House

Augusta, Maine 04333

Dear Senator Conley:

This is to inform you that I am nominating Paul H. Phelan of Calais for appointment to 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.

Thank you for your assistance in this matter.

Sincerely,  
S/JOSEPH E. BRENNAN  
Governor

Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine**  
**Augusta**

October 14, 1983

The Honorable Kenneth Hayes  
The Honorable Stephanie Locke  
Chairpersons, Education Committee  
111th Legislature

Please be advised that Governor Joseph E. Brennan has nominated Paul H. Phelan of Calais for appointment to the State Board of Education.

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

Sincerely,

S/JOY J. O'BRIEN  
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine**  
**One Hundred and Eleventh Legislature**  
**Committee on Education**

October 27, 1983

The Honorable Gerard P. Conley  
President of the Senate of Maine  
State House  
Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Paul H. Phelan of Calais to the Board of Education.

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 2  
Representatives 5

NAYS:

Senators 0  
Representatives 4

ABSENT: Senator Hichens of York, Rep. Crouse of Washburn

Seven members of the Committee having voted in the affirmative and four in the negative with two being absent, it was the vote of the Committee that the nomination of Paul H. Phelan of Calais to the Board of Education be confirmed.

Sincerely,

S/KENNETH P. HAYES  
Senate Chair  
S/STEPHANIE LOCKE  
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Education has recommended that the nomination of Paul H. Phelan be confirmed.

The pending question before the Senate is: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, I intend to vote in opposition to this appointment, today. I

recognize that the vote may be mostly symbolic, but I approach it in a very serious vein for this reason. The statute concerning the Board of Education says this, "the membership of the State board shall be broadly representative of the public. A person whose income is derived in substantial portion from income as a teacher, or as an administrator in an educational institution, other than as a college president, may not be eligible for appointment to or service on the State board."

I do not intend in making these remarks to cast any discredit in the direction of any member of the board, or this particular nominee, but I speak to the point that I think that the spirit of this particular statute is not being carried out.

This, of course, means once again as was said in this Chamber about six weeks ago that every member of the board is a registered Democrat.

The other thing I think that we need to look at is the composition of the board in respect to the backgrounds of its members. This particular nominee has a background as a teacher, this is also the background of other members of the board, I am not sure whether it is four or five. We seem to be approaching the position where possibly a majority of this board are people who have been largely engaged in the teaching profession.

Now it is normal that people in that profession should take an interest in education and that we should listen to what they have to say, but this is a Statewide board and I think that it is very important to the future of education in this State that there be just what the statute says, "broad public representation."

I hope that the Governor will hear this message and think about it seriously, because if every member is to be a member of the same political party, and if we approach the point where a majority of the members are going to be people who largely have been teachers, then I think that we are not paying attention to the meaning of that statute.

This in no way detracts from the individual worth and value of those people, but part of public education is to bring everybody in, this is America, and we try to involve all segments of society. We try to get a breadth there.

I point out to Governor Brennan that when the Governorship and the Legislature was largely dominated by Republicans that there was always a member of the Minority party involved in this board. I think that we are making a mistake to go so far in the opposite direction. That is the reason that I will vote Yes on the pending motion.

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

Senator HAYES: Mr. President and Members of the Maine Senate, the Committee on Education shares some of the feelings of the good Senator, Senator Collins. The Committee on Education is directing a letter to the Governor of the State of Maine expressing its concern over the nomination of members to the State Board of Education.

It is our feeling too that that board should be broadly representative. We really are not sure just what that means in terms of legal requirements. We do believe that it means some sort of geographical representation, representation of males and females, and perhaps other considerations, but political party considerations have not been one of those characteristics so far as we know.

We are, also, concerned with the distribution of former teachers, which now I believe is four.

I would on the other hand tell you that Paul H. Phelan is not an active teacher, he is a retired teacher. He is a very well qualified person for this position. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Brown.

Senator BROWN: Mr. President and Ladies and Gentlemen, I do not believe that the good Senator from Knox, Senator Collins in any fa-

shion meant to cast any dispersions concerning this particular nominee. I want to be absolutely certain of that. Mr. Phelan is a personal friend of mine and a delightful eminently qualified individual to serve on this particular board. He does replace an individual who, also, was from this particular geographic territory of Washington County and this, perhaps, is another reason why he was chosen at this time not because of the party that he happened to belong to. He is an eminently qualified capable individual who will do an outstanding job serving in the capacity that he has been chosen for. Thank you.

The PRESIDENT: Is the Senate ready for the question?

The pending question 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 111th 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—Collins, Emerson, Gill, McBreairey, Perkins, Redmond, Sewall, Shute, Teague.

NAY—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Danton, Diamond, Dow, Du Tremble, Erwin, Hayes, Kany, Minkowsky, Najarian, Pearson, Pray, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hichens, Usher.

Nine Senators having voted in the affirmative and 22 Senators in the negative, with 2 Senators being absent, and 9 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 H. Phelan is confirmed.

The Secretary was directed to inform the Speaker of the House.

Senator Gill of Cumberland was granted unanimous consent to address the Senate, On the Record.

Senator GILL: Mr. President and Members of the Senate, today I rise to express my outrage and my indignation at an educator. I wanted to this particular time in the agenda, because we were dealing with the Board of Education.

An incident occurred at the University of Maine at Orono that appeared in the paper today, and before I left this morning quite a few calls from my constituents about, I am sure that you have all read about it or heard about it, about a professor using the flag in a distressed manner to create a forum.

I would hope that an educator could express their point of view without the use of sensationalism and without using our flag as a cheap prop to create attention for himself.

I've not had the opportunity to serve in the armed services of this country, but I was married to a man who served in the Navy, I, also, have a son who serves in the Air Force and who had volunteered for duty in Turkey.

I am angered about this. That flag to me is a symbol of the freedom and the rights that we have. The flag stands beside you, Mr. President, along with the Maine State Flag. That flag is flying half staff at all the buildings in the State of Maine right now. That flag has been draped over coffins, that flag has been presented to families whose sons have died for it. That flag is a symbol of our right to disagree with others whether it be in this particular Chamber, whether it be in the printed media, or on television.

We may disagree on the policy of this State or the Federal government and we may dis-

agree in the form of a march or a rally or a sit down or any forum that we chose.

You here present today know that I do not get up and express my feelings too vehemently on too many things, but I am angered, again.

I do disagree with the professor's method. He has the right to protest anything he wishes to protest, but I find fault with his poor judgment.

I feel distressed today, parents and students have felt distressed in the last few days in Grenada. The flag is usually put in that position in a form of distress. I feel that that particular professor had the forum to speak and he, himself, was not in distress.

I would demand that this man apologize for his use and abuse of that flag of this country, to the citizens of the State of Maine, who do pay his salary, and who do give him the privilege of using any particular forum that he chooses to use.

I do not take away from him his privilege to disagree, but I feel that the flag is the most respected thing that we have. We have two right before us, the State of Maine flag which we live under and the United States flag, and I think that we should all keep holding them in respect.

Senator Hayes of Penobscot was granted unanimous consent to address the Senate, On the Record.

Senator HAYES: I would only briefly respond to this comment by Senator Gill, the good Senator from Cumberland.

I think in the sense it is inappropriate for this Body, which is a political Body, and firmly believe in freedom of speech to raise a personal issue of this regarding a persons right to dissent. The right to freedom of speech and the right to dissent is one of the most cherished rights of free people.

We are presently engaged in some foreign activities, military activities which many of us are not certain as to whether we are in favor of them or disagreeing with them. Our people are in doubt as to the virtue and the rightness of certain kinds of action.

I think that it is only proper that people be given the right to express their dissent and their concern in the ways that they understand and which are legally and constitutionally their right.

I, too, feel very uncomfortable when we start talking about a university professor who is paid by the State. I think that we would be better off if we talked about citizens of this State, people who are faculty members of the University of Maine are, also, citizens, and primarily so. We should consider them as such and they have certain rights, including all the rights that other citizens of this State have. The right to freedom of speech is certainly not one of those rights that we wish to attack.

No one has ever held including the Supreme Court has ever held that one couldn't indicate through the use of none speech items, such as the flag, their sense of what is right and what is wrong, and to express their feelings.

I think that where we go astray is when we begin to personalize it and when we attack university faculty, I do not think that that is proper. Let's talk about citizens and the right to dissent and the freedom of speech.

I think that we are involved in a controversy that is deeply distressing to many of us, both those who are in favor and those who are opposed.

I think that it is wrong to use this forum to attack an individuals freedom of speech.

The Following Communication:  
State of Maine  
Office of the Governor  
Augusta, Maine  
04333

October 17, 1983  
Honorable Gerard P. Conley

President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating Irving Kagan of Bangor for reappointment 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 Following Communication:  
The Senate of Maine  
Augusta

October 17, 1983

The Honorable Kenneth P. Hayes  
The Honorable Stephanie Locke  
Chairmen, Joint Standing Committee  
on Education  
111th Legislature  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Irving Kagan of Bangor for reappointment 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.

Sincerely,  
S/JOY J. O'BRIEN

Secretary of the Senate  
Which was Read and Ordered Placed on File.

The Following Communication:  
State of Maine  
One Hundred and Eleventh Legislature  
Committee on Education

October 27, 1983

The Honorable Gerard P. Conley  
President of the Senate of Maine  
State House  
Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Irving Kagan of Bangor to 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 that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS:  
Senators 2  
Representatives 8

NAYS: 0  
ABSENT: Senator Hichens of York, Rep. Crouse of Washburn and Rep. Thompson of South Portland

Ten members of the Committee having voted in the affirmative and none in the negative with three being absent, it was the vote of the Committee that the nomination of Irving Kagan of Bangor to the Board of Trustees of the Maine Maritime Academy be confirmed.

Sincerely,  
S/KENNETH P. HAYES  
Senate Chair  
S/STEPHANIE LOCKE  
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Education has recommended that the nomination of Irving Kagan 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 111th 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—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hichens, Usher.

No Senators 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 Irving Kagan is confirmed.

The Secretary was directed to inform the Speaker of the House.

The Following Communication:

**State of Maine  
Office of the Governor  
Augusta, Maine  
04333**

October 17, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating Robert F. Chadwick of Bath and Peter Coe of Walpole for appointment to the Maine Real Estate Commission.

Pursuant to Title 32 MRSA Section 4051-A, these nominations will require review by the Joint Standing Committee on Business Legislation 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 Following Communication:  
**The Senate of Maine  
Augusta**

October 17, 1983

The Honorable Nancy Randall Clark  
The Honorable Joseph C. Brannigan  
Chairmen, Joint Standing Committee  
on Business Legislation  
111th Legislature  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Robert F. Chadwick of Bath and Peter Coe of Walpole for appointment to the Maine Real Estate Commission.

Pursuant to Title 32 MRSA Section 4051-A, these nominations will require review by the Joint Standing Committee on Business Legislation and confirmation by the Senate.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Which was Read and Ordered Placed on File.

The Following Communication:  
**State of Maine  
Office of the Governor  
Augusta, Maine  
04333**

October 18, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am hereby withdrawing my nomination of Peter Coe of Walpole for appointment as a member of the Maine Real Estate Commission. This nomination is currently pending before the Joint Standing Committee on Business Legislation.

Thank you for your assistance in this matter.

Sincerely,  
S/JOSEPH E. BRENNAN  
Governor

Which was Read and Ordered Placed on File.

The Following Communication:  
**111th Legislature**

October 18, 1983

The Honorable Nancy Randall Clark  
The Honorable Joseph C. Brannigan  
Chairmen, Joint Standing Committee  
on Business Legislation  
111th Legislature  
Dear Chairs:

This letter is to inform you that Governor Joseph E. Brennan has withdrawn the nomination of Peter Coe of Walpole for appointment as a member of the Maine Real Estate Commission. This nomination is currently pending before your Joint Standing Committee on Business Legislation.

Sincerely,  
S/JOHN L. MARTIN  
Speaker of the House  
S/GERARD P. CONLEY  
President of the Senate

Which was Read and Ordered Placed on File.

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

**Communication  
The Following Communication:  
State of Maine**

**One Hundred and Eleventh Legislature  
Committee on Business Legislation**

October 28, 1983

The Honorable Gerard P. Conley  
President of the Senate of Maine  
State House  
Augusta, Maine 04333  
Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the Maine Legislature, the Joint Standing Committee on Business Legislation has under consideration the nomination of Robert Chadwick of Bath for appointment to the Real Estate Commission.

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  
Representatives 8  
NAYS:  
Representative 1  
ABSENT: 1 (Rep. Stevens of Bangor)

Eleven 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 Robert F. Chadwick of Bath to the Real Estate Commission be confirmed.

Sincerely,  
S/NANCY RANDALL CLARK  
Senate Chair  
S/JOSEPH C. BRANNIGAN  
House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Business Legislation has recom-

mended that the nomination of Robert Chadwick be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Business Legislation be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th 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—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hichens, Usher.

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 Robert Chadwick is confirmed.

The Secretary was directed to inform the Speaker of the House.

(Off Record Remarks)

The Following Communication:

**State of Maine  
Office of the Governor  
Augusta, Maine  
04333**

October 18, 1983

Honorable Gerard P. Conley  
President of the Senate  
Senate Chambers  
State House  
Augusta, Maine 04333  
Dear Senator Conley:

This is to inform you that I am nominating Dennis D. Soucy of Bangor for appointment to the Maine Real Estate Commission.

Pursuant to Title 32 MRSA Section 4051-A, this nomination will require review by the Joint Standing Committee on Business Legislation 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 Following Communication:  
**The Senate of Maine  
Augusta**

October 18, 1983

The Honorable Nancy Randall Clark  
The Honorable Joseph C. Brannigan  
Chairmen, Joint Standing Committee  
on Business Legislation  
111th Legislature  
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Dennis D. Soucy of Bangor for appointment to the Maine Real Estate Commission.

Pursuant to Title 32 MRSA Section 4051-A, these nominations will require review by the Joint Standing Committee on Business Legislation and confirmation by the Senate.

Sincerely,  
S/JOY J. O'BRIEN  
Secretary of the Senate

Which was Read and Ordered Placed on File.

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

**Communication**

The Following Communication:

**State of Maine****One Hundred and Eleventh Legislature  
Committee on Business Legislation**

October 28, 1983

The Honorable Gerard P. Conley  
President of the Senate of Maine  
State House  
Augusta, Maine 04333

Dear President Conley:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 111th Maine Legislature, the Joint Standing Committee on Business Legislation has had under consideration the nomination of Dennis D. Soucy of Bangor for appointment to the Real Estate Commission.

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

Representatives 9

NAYS: 0

ABSENT: 1 (Rep. Stevens of Bangor)

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 Dennis D. Soucy of Bangor to the Real Estate Commission be confirmed.

Sincerely,

S/NANCY RANDALL CLARK

Senate Chair

S/JOSEPH C. BRANNIGAN

House Chair

Which was Read and Ordered Placed on File.

The PRESIDENT: The Joint Standing Committee on Business Legislation has recommended that the nomination of Dennis D. Soucy be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Business Legislation be overridden: In accordance with 3 M.R.S.A., Chapter 6, section 151 and with Joint Rule 38 of the 111th 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—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Collins, Danton, Diamond, Dow, Dutremble, Emerson, Erwin, Gill, Hayes, Kany, McBreairty, Minkowsky, Najarian, Pearson, Perkins, Pray, Redmond, Sewall, Shute, Teague, Trafton, Twitchell, Violette, Wood, The President-Gerard P. Conley.

ABSENT—Hichens, Usher.

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 Dennis D. Soucy is confirmed.

The Secretary was directed to inform the Speaker of the House.

Senator Pearson of Penobscot was granted unanimous consent to address the Senate, Off the Record.

(Off Record Remarks)

**Order**

On motion by Senator CARPENTER of Aroostook the following Order:

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 Senator Carpenter of Aroostook to convey the message to His Excellency, the Governor.

Subsequently, Senator Carpenter of Aroostook 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, Without Day.

On motion by Senator McBREAIRTY of Aroostook, at 3:50 p.m. on Friday, October 28, 1983 the Honorable Gerard P. Conley, declared the Senate of the Third Confirmation Session of the 111th Legislature, Adjourned Sine Die.