

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

STATE OF MAINE
One Hundred and Twelfth Legislature
First Regular Session
JOURNAL OF THE SENATE
In Senate Chamber
Wednesday
January 23, 1985
Senate called to order by the President.

Prayer by the Reverend Robert E. Stuart of the Winter Street Baptist Church of Gardiner.
REVEREND STUART: May we join before God in prayer? Almighty God, we pause at the beginning of our work today to acknowledge You. We humbly seek Your continued guidance in all of our ways, and we are glad to offer thanks for all of Your mercy and goodness unto us.

Help us, we pray, to be faithful and responsible in the trust that has been given to us in State Government. Grant us wisdom and discernment in our decision-making that the affairs of State may be meaningful and helpful to all.

We do pray for a sensitive conscience regarding equity and justice. May the things that we do here today be those things that will be in keeping with Your will and purpose for the benefit of all. This we pray in the Name of God the Father, God the Son, God the Holy Spirit, Amen.

Reading of the Journal of Yesterday.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Relating to Retirement Benefits of Superior Court Employees" (H.P. 81) (L.D. 101)

Bill "An Act to Establish Eligibility for Burial on the Maine Veterans' Memorial Cemetery for Members of the Maine National Guard" (H.P. 90) (L.D. 110)

Comes from the House referred to the Committee on **AGING, RETIREMENT AND VETERANS** and **ORDERED PRINTED**.

Which were referred to the Committee on **AGING, RETIREMENT AND VETERANS** and **ORDERED PRINTED**, in concurrence.

(Off Record Remarks)

Bill "An Act to Establish a Greenbelt Area Along the Kennebec River" (H.P. 82) (L.D. 102)

Comes from the House referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**.

Which was referred to the Committee on **ENERGY AND NATURAL RESOURCES** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Require a Trespass Reminder on Hunting and Fishing Licenses" (H.P. 84) (L.D. 104)

Bill "An Act to Establish a Uniform Fee for Whitewater Guides Licenses" (Emergency) (H.P. 91) (L.D. 111)

Comes from the House referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.

Which were referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**, in concurrence.

Bill "An Act Authorizing Officers of the United States Fish and Wildlife Service to have the Powers of State Game Wardens" (H.P. 83) (L.D. 103)

Comes from the House referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.

On motion by Senator VIOLETTE of Aroostook, Tabled until later in today's session, pending REFERENCE.

Bill "An Act to Make Incest a Class C Crime When the Victim is Under 18 Years of

Age" (H.P. 92) (L.D. 112)

Comes from the House referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Which was referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Provide 'Presumption of Validity to Certain Collective Bargaining Provisions'" (H.P. 85) (L.D. 105)

Comes from the House referred to the Committee on **LABOR** and **ORDERED PRINTED**.

Which was referred to the Committee on **LABOR** and **ORDERED PRINTED**, in concurrence.

Bill "An Act Pertaining to Polling Times" (H.P. 86) (L.D. 106)

Bill "An Act to Establish the Last Friday in October Preceding a General Election as the Final Day for Voter Registration" (H.P. 94) (L.D. 114)

Comes from the House referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**.

Which were referred to the Committee on **LEGAL AFFAIRS** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Allow Corrections to a Warrant after it has been Committed" (H.P. 87) (L.D. 107)

Comes from the House referred to the Committee on **LOCAL AND COUNTY GOVERNMENT** and **ORDERED PRINTED**.

Which was referred to the Committee on **LOCAL AND COUNTY GOVERNMENT** and **ORDERED PRINTED**, in concurrence.

Bill "An Act to Protect the Voting Rights of Township Residents" (H.P. 93) (L.D. 113)

Committee on **LEGAL AFFAIRS** suggested and **ORDERED PRINTED**.

Comes from the House referred to the Committee on **LOCAL AND COUNTY GOVERNMENT** and **ORDERED PRINTED**.

Which was referred to the Committee on **LOCAL AND COUNTY GOVERNMENT** and **ORDERED PRINTED**, in concurrence.

Bill "An Act Concerning Issuance of Licenses and Permits to Persons Whose Personal Property Tax is Unpaid" (Emergency) (H.P. 88) (L.D. 108)

Bill "An Act to Amend the Law Relating to the Tax Exemption for Parsonages" (H.P. 89) (L.D. 109)

Comes from the House referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **TAXATION** and, **ORDERED PRINTED**, in concurrence.

Bill "An Act to Provide for Alternate Financing for Displaced Homeowners" (H.P. 95) (L.D. 115)

Bill "An Act to Clarify the Authority of the Department of Transportation to Manage and Dispose of Property" (H.P. 96) (L.D. 116)

Comes from the House referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**.

Which were referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**, in concurrence.

Study Report

Committee on STATE GOVERNMENT
Report of the Committee on **STATE GOVERNMENT** to which was referred the Study Relative to Policies and Procedures of State Economic Development Agencies have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act to Consolidate State Business Loan Programs into One

Organization, the Finance Authority of Maine" (H.P. 79) (L.D. 99)

Be referred to the Joint Standing Committee on **STATE GOVERNMENT** for Public Hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report **READ** and **ACCEPTED** and the accompanying Bill referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED**.

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

The accompanying Bill referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED** pursuant to Joint Rule 19, in concurrence.

Study Report

Committee on STATE GOVERNMENT
Report of the Committee on **STATE GOVERNMENT** to which was referred the Study Relative to the Need for Protection from Discrimination for State Employees Who Testify Before Legislative Committees have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act Defining the Right of State Employees to Testify Before Legislative Committees" (H.P. 78) (L.D. 98)

Be referred to the Joint Standing Committee on **STATE GOVERNMENT** for Public Hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report **READ** and **ACCEPTED** and the accompanying Bill referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED**.

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

The accompanying Bill referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED** pursuant to Joint Rule 19, in concurrence.

Study Report

Committee on STATE GOVERNMENT
Report of the Committee on **STATE GOVERNMENT** to which was referred the Study Relative to Policies and Procedures of State Economic Development Agencies have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act to Establish a Business Assistance Referral Program Within the State Development Office" (H.P. 76) (L.D. 96)

Be referred to the Joint Standing Committee on **STATE GOVERNMENT** for Public Hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report **READ** and **ACCEPTED**, and the accompanying Bill referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED**.

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

The accompanying Bill referred to the Committee on **STATE GOVERNMENT** and **ORDERED PRINTED** pursuant to Joint Rule 19, in concurrence.

Study Report

Committee on STATE GOVERNMENT
Report of the Committee on **STATE GOVERNMENT** to which was referred the Study Relative to Policies and Procedures of State Economic Development Agencies have had the same under consideration and ask leave to submit its findings and to report that the accompanying Resolve, Requiring the Bureau of Public Improvements to Study and Evaluate Various Alternatives for Centrally Locating the Several Economic Development Agencies of the State Within a Single Facility (Emergency) (H.P. 77) (L.D. 97)

Be referred to the Joint Standing Committee on **STATE GOVERNMENT** for Public Hearing and printed pursuant to Joint Rule 19.

Comes from the House with the Report **READ** and **ACCEPTED**, and the accompanying Resolve referred to the Committee on

STATE GOVERNMENT and ORDERED PRINTED.

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

The accompanying Resolve referred to the Committee on **STATE GOVERNMENT and ORDERED PRINTED** pursuant to Joint Rule 19, in concurrence.

Communications

The Following Communication: (H.P. 80)

**State of Maine
DEPARTMENT OF STATE
Augusta, Maine 04333**

January 17, 1985

The Honorable John L. Martin

Speaker of the House of Representatives of the One Hundred and Twelfth Legislature Dear Mr. Speaker:

In accordance with the provisions of Title 30, Section 253, of the Revised Statutes, as amended, I have the honor to transmit herewith the budget estimates of expenses of the sixteen counties within the State for the year 1985.

Respectfully,

S/RODNEY S. QUINN
Secretary of State

Comes from the House **READ** and with accompanying papers referred to the Committee on **LOCAL AND COUNTY GOVERNMENT.**

Which was **READ** and with accompanying papers referred to the Committee on **LOCAL AND COUNTY GOVERNMENT**, in concurrence.

The Following Communication:

**MAINE STATE LEGISLATURE
COMMITTEE ON STATE GOVERNMENT
January 22, 1985**

The Honorable Charles P. Pray
President of the Senate of Maine
State House

Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 112th Maine Legislature, the Joint Standing Committee on State Government has had under consideration the nomination of Stanley Provus of Hallowell, as the Chief Executive Officer of the Finance Authority of Maine.

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	10
NAYS:	0
ABSENT:	0

Thirteen 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 Stanley Provus of Hallowell, as the Chief Executive Officer of the Finance Authority of Maine be confirmed.

Sincerely,

S/JUDY KANY

Senate Chair

S/DAN GWADOSKY

House Chair

Which was **READ** and **ORDERED PLACED ON FILE.**

THE PRESIDENT: The Joint Standing Committee on **STATE GOVERNMENT** has recommended that the nomination of Stanley Provus 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 112th Legislature, the vote will be taken by the yeas and the 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

YEAS:—Senators, None

NAYS:—Senators, Andrews, Baldacci, Berube, Black, Brown, Bustin, Carpenter, Chalmers, Clark, Danton, Diamond, Dow, Emerson, Erwin, Gauvreau, Gill, Hichens, Kany, Maybury, McBreairsty, Pearson, Perkins, Sewall, Shute, Stover, Trafton, Tuttle, Twitchell, Usher, Violette, Webster, The President—Charles P. Pray

ABSENT:—Senators, Dutremble, Matthews, Najarian

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent, and None being less than two-thirds of the membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED.**

The nomination of **Stanley Provus** was **CONFIRMED.**

The Secretary has so informed the Speaker of the House.

SENATE PAPERS

Bill "An Act to Amend the Law Concerning the Student Incentive Scholarship Program Under the Education Law" (S.P. 68) (L.D. 119) (Presented by Senator **GAUVREAU** of Androscoggin) (Cosponsored by: Representative **ROBERTS** of Farmington, Representative **HANDY** of Lewiston, Senator **PERKINS** of Hancock) (Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24)

Which was referred to the Committee on **EDUCATION and ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act to Increase the Classification for the Crime of Incest" (S.P. 69) (L.D. 120) (Presented by Senator **DIAMOND** of Cumberland) (Cosponsored by: Senator **TRAFTON** of Androscoggin, Representative **VOSE** of Eastport, Representative **CASHMAN** of Old Town)

Which was referred to the Committee on **JUDICIARY and ORDERED PRINTED.**

Sent down for concurrence.

Bill "An Act Concerning Salary Provisions for Automotive Industry Personnel" (S.P. 70) (L.D. 121) (Presented by Senator **BLACK** of Cumberland)

Which was referred to the Committee on **LABOR and ORDERED PRINTED.**

Sent down for concurrence.

SECOND READERS

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

Senate

Bill "An Act Relating to Potato Labeling" (Emergency) (S.P. 59) (L.D. 85)

Which was **READ A SECOND TIME.**

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator **CARPENTER:** Mr. President, I present Senate Amendment "A" to L.D. 85 and move its adoption and briefly explain what the amendment does.

THE PRESIDENT: The Senator from Aroostook, Senator Carpenter presents Senate Amendment "A" (S-1) and moves its Adoption. Senate Amendment "A" (S-1) was **READ.**

THE PRESIDENT: The Senator has the floor. Senator **CARPENTER:** Mr. President, Ladies and Gentlemen of the Senate, this is the first bill that we're kinda rushing through here. I want to just briefly explain what the bill does and the amendment just simply clarifies a few things.

There are some people who prefer to purchase American products as opposed to imported products whenever possible. Two years

ago I presented a bill to the Legislature that was to clarify or take care of a situation that existed in the potato industry. Namely, that some of the person packaging potatoes had their containers—their bags—listed the names where their offices were and all were in the United States; and therefore the implications was that the product was American grown. In fact, that wasn't often the case. The law simply said that the container had to indicate where the produce was grown—fairly noncontroversial and passed through the Legislature without too much difficulty.

I put the grandfather provision into that section of the law to take care of existing supplies of these potato containers. Now I find that some farmers had invested large amounts of money six or seven years ago in containers which they had stored some place.

I got a call from one farmer around Christmas time and he said that he had four-hundred thousand five pound polyethylene bags that he was trying to hand stamp, which is a little bit ludicrous. I said "why don't we simply say that this provision of law won't apply to any supply of these containers that were purchased before the effective date of the law."

I wasn't trying to hurt any particular farmer or any particular packer. I am very concerned about the issue. I think the issue 99% of the time comes up with larger packers; and they would have already exhausted any supply of containers that they had prior to law, so this won't help them it won't allow them to circumvent the intent. This is simply a vehicle by which we are trying to help out a few people who put some money into equipment years ago and now are finding it's pretty difficult to use it.

I would appreciate it very much if we let this go and get this on the books as soon as possible. Senate Amendment "A" (S-1) was **ADOPTED.**

On motion by Senator **VIOLETTE** of Aroostook, Tabled for 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED, AS AMENDED, WITHOUT REFERENCE TO A COMMITTEE.**

(Off Record Remarks)

ORDERS OF THE DAY

The President laid before the Senate the Tabled and specially assigned matter:

Bill "An Act Concerning the Maine Vocational Development Commission" (Emergency) (S.P. 66) (L.D. 117)

Tabled—January 22, 1985, by Senator **VIOLETTE** of Aroostook
Pending—**REFERENCE**

Which was referred to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.**

Sent down for concurrence.

Out of order and under suspension of the rules the Senate considered the following:

COMMUNICATIONS

The Following Communication:
**MAINE STATE LEGISLATURE
COMMITTEE ON JUDICIARY**

January 23, 1985

The Honorable Charles P. Pray
President of the Senate of Maine
State House

Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 112th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Eugene Beaulieu of Milford as a Superior Court Justice.

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 1
 Representatives 10
 NAYS: 0
 ABSENT: 2 (Sen. Carpenter of Aroostook and Sen. Sewall of Lincoln)

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 Eugene Beaulieu of Milford as a Superior Court Justice be confirmed.

Sincerely,
 S/MICHAEL CARPENTER
 Senate Chair
 S/EDWARD KANE
 House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.

(Off Record Remarks)

THE PRESIDENT: The Joint Standing Committee on **JUDICIARY** has recommended that the nomination of Eugene Beaulieu be confirmed.

The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator **PEARSON:** Mr. President and Men and Women of the Senate, there is a very minor technical error on the printed calendar, Eugene Beaulieu while he was a native of Old Town, born and raised in Old Town and practiced law in Old Town does actually in fact now live in Milford.

I would tell the Members of the Senate it is my opinion as a lay-person that there is probably no finer candidate for Superior Court in the State.

When Eugene Beaulieu was first appointed as a District Court Judge in Bangor District Court there was quite a backlog of cases, there is no more. The man if I were to describe him on a professional basis in two words I would say, "he works!" He works very, very hard.

THE PRESIDENT: 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 112th 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.

Is the Senate ready for the question?
 The Doorkeepers will secure the Chamber.
 The Secretary will call the Roll.

ROLL CALL

YEAS:—Senators, None
 NAYS:—Senators, Andrews, Baldacci, Berube, Black, Brown, Bustin, Carpenter, Chalmers, Clark, Danton, Diamond, Dow, Emerson, Erwin, Gauvreau, Gill, Hichens, Kany, Maybury, McBreairty, Pearson, Perkins, Sewall, Shute, Stover, Trafton, Tuttle, Twitchell, Usher, Violette, Webster, The President—Charles P. Pray

ABSENT:—Senators, Dutremble, Matthews, Najarian

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent, and None being less than 2/3 of the membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED**.

The nomination of **Eugene Beaulieu** was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**MAINE STATE LEGISLATURE
 COMMITTEE ON JUDICIARY**
 January 23, 1985

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:
 In accordance with 3 M.R.S.A., Chapter 6,

Section 151, and with Joint Rule 38 of the 112th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Robert L. Browne of Bangor, as an Active Retired Superior Court Justice.

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 1
 Representatives 10
 NAYS: 0
 ABSENT: 2 (Sen. Carpenter of Aroostook and Sen. Sewall of Lincoln)

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 Robert L. Browne of Bangor, as an Active Retired Superior Court Justice be confirmed.

Sincerely,
 S/MICHAEL CARPENTER
 Senate Chair
 S/EDWARD KANE
 House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.

THE PRESIDENT: The Joint Standing Committee on **JUDICIARY** has recommended that the nomination of Robert L. Browne 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 112th 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

YEAS:—Senators, None
 NAYS:—Senators, Andrews, Baldacci, Berube, Black, Brown, Bustin, Carpenter, Chalmers, Clark, Danton, Diamond, Dow, Emerson, Erwin, Gauvreau, Gill, Hichens, Kany, Maybury, McBreairty, Pearson, Perkins, Sewall, Shute, Stover, Trafton, Tuttle, Twitchell, Usher, Violette, Webster, The President—Charles P. Pray

ABSENT:—Senators, Dutremble, Matthews, Najarian

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent and None being less than 2/3 of the membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED**.

The nomination of **Robert L. Browne** was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**MAINE STATE LEGISLATURE
 COMMITTEE ON JUDICIARY**
 January 23, 1985

The Honorable Charles P. Pray
 President of the Senate
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 112th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Robert W. Donovan of Portland for reappointment as a District Court Judge.

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 10
 NAYS: 0
 ABSENT: 1 (Sen. Sewall of Lincoln)

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 Robert W. Donovan of Portland for reappointment as a District Court Judge be confirmed.

Sincerely,
 S /MICHAEL CARPENTER
 Senate Chair
 S/EDWARD KANE
 House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.

THE PRESIDENT: The Joint Standing Committee on **JUDICIARY** has recommended that the nomination of Robert W. Donovan 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 112th 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

YEAS:—Senators, None
 NAYS:—Senators, Andrews, Baldacci, Berube, Black, Brown, Bustin, Carpenter, Chalmers, Clark, Danton, Diamond, Dow, Emerson, Erwin, Gauvreau, Gill, Hichens, Kany, Maybury, McBreairty, Pearson, Perkins, Sewall, Shute, Stover, Trafton, Tuttle, Twitchell, Usher, Violette, Webster, The President—Charles P. Pray

ABSENT:—Senators, Dutremble, Matthews, Najarian

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent, and None being less than two-thirds of the membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED**.

The nomination of **Robert W. Donovan** was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

(Off Record Remarks)

Senate at Ease

The Senate called to order by the President.

(Off Record Remarks)

ORDERS OF THE DAY

The President laid before the Senate:
 Bill "An Act Authorizing Officers of the United States Fish and Wildlife Service to have the Powers of State Game Wardens" (H.P. 83) (L.D. 103)

Tabled—January 23, 1985, by Senator **VIOLETTE** of Aroostook
 Pending—**REFERENCE**

(In House referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.)

Which was referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**, in concurrence.

Senator **PERKINS** of Hancock was granted unanimous consent to address the Senate, Off the Record.

Senator **TRAFTON** of Androscoggin was

granted unanimous consent to address the Senate, On the Record.

Senator **TRAFTON**: Thank you. The Record of today's session should be marked in history as the day when my new desk arrived. I am very proud to announce that Edward Hebert and Sons, a contracting firm out of Lewiston in the County of Androscoggin, has delivered a very fine new desk to the Senate and I am very proud to be the steward of this desk, at least for the next two years. I invite Members of this Body and others in the room to inspect this desk. It is a pleasure to sit at a finely crafted piece of furniture and I congratulate Edward Hebert and Sons for doing such an excellent job in preparing this piece of furniture.

Mr. President, I would like to continue Off the Record.

Senator **TRAFTON** of Androscoggin was granted unanimous consent to address the Senate, Off the Record.

(Off Record Remarks)

Senator **HICHENS** of York was granted unanimous consent to address the Senate, Off the Record.

On motion by Senator **CLARK** of Cumberland,

ADJOURNED until 10 o'clock tomorrow morning.
