

# MAINE STATE LEGISLATURE

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



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

**LEGISLATIVE RECORD**

OF THE

*One Hundred and Twelfth*

*Legislature*

OF THE

STATE OF MAINE

**VOLUME I**

**SECOND REGULAR SESSION**

January 8 - April 2, 1986

STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION  
JOURNAL OF THE SENATE

In Senate Chamber  
Thursday  
January 30, 1986

Senate called to Order by the President.

Prayer by Pastor Bruce W. Meyer of the Prince of Peace Lutheran Church in Augusta.

PASTOR BRUCE W. MEYER: Lord God, as we come together for the work of this day, make us fit in body and mind and spirit for what we are called to be and do. Bless and increase, oh Lord, the fruit of all work and labor that seeks Your justice and loves Your righteousness and truly strives to reflect Your purposes on earth. Lord, in the mist of all that can separate and divide us, we give thanks for that which deeply and profoundly unites us, in this nation. Especially, for that sense of kinship that binds us together in times of sorrow, as well as joy. We continue to pray for the families of those who lost their lives in serving this country in the Space Program. Comfort the broken hearted, and magnify our trust in Him, who in the midst of all the unknown and uncertain circumstances in life, we continue to call the Saviour, both now and forever. Amen.

Reading of the Journal of Monday, January 27, 1986.

PAPERS FROM THE HOUSE  
Non-concurrent Matter

Bill "An Act to Provide State Funding for the Educational Costs of Students Placed by State Agencies"

S.P. 698 L.D. 1783

In Senate January 10, 1986, referred to the Committee on EDUCATION and ORDERED PRINTED.

Comes from the House, RULED NOT PROPERLY BEFORE THE BODY in NON-CONCURRENCE.

Which was RULED NOT PROPERLY BEFORE THE BODY, in concurrence.

House Papers

Bill "An Act to Increase the Watercraft Excise Tax Tables"

H.P. 1309 L.D. 1825

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

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

Bill "An Act to Prohibit Mandatory Local Measured Service and to Preserve Traditional Flat-rate Telephone Service at as Low a Cost as Possible"

H.P. 1315 L.D. 1831

Comes from the House, referred to the Committee on UTILITIES and ORDERED PRINTED.

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

COMMUNICATIONS

The Following Communication:

STATE OF MAINE  
OFFICE OF THE PRESIDENT  
AUGUSTA, MAINE 04333

January 27, 1986

Hon. Joy J. O'Brien  
Secretary of the Senate  
State House Station #3  
Augusta, ME 04333

Dear Madam Secretary:

January 27, 1986

Pursuant to my authority under the Private and Special Laws of 1985, Chapter 84, I have appointed Senator Jean B. Chalmers to the Maine Sentencing Guidelines Commission.

Please let me know if you have any questions about this appointment.

Sincerely,

S/Charles P. Pray  
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE  
112th LEGISLATURE  
AUGUSTA, MAINE 04333

January 27, 1986

Hon. Joy J. O'Brien  
Secretary of the Senate  
State House Station #3  
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to our authority under the Resolves of 1985, Chapter 44, we have appointed Brenda Farrington to the Maine Commission on the Role of State Government in Providing Living Opportunities and Services to Disabled persons.

Ms. Farrington replaces Ms. Fran Fink, who resigned this month.

If you have any questions about this appointment, please let us know.

Sincerely,

S/Charles P. Pray  
President of the Senate  
S/John L. Martin  
Speaker of the House

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

COMMITTEE ON AGRICULTURE  
ONE HUNDRED AND TWELFTH LEGISLATURE

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 Agriculture has had under consideration the nomination of Andrew B. Berry of North Whitefield, as a member of the Board of Pesticides Control.

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 (Senator Michael Carpenter, Aroostook)

12 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 Andrew B. Berry of North Whitefield, as a member of the Board of Pesticides Control be confirmed.

Sincerely,

S/Edgar E. Erwin  
Senate Chair

S/John M. Michael  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on AGRICULTURE has recommended that the nomination of Andrew B. Berry of North Whitefield be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on AGRICULTURE 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.

YEAS: Senators 1  
Representatives 7

The Secretary will call the roll.

NAYS: 0

ROLL CALL

ABSENT: 4 Sen. Kerry of Saco, Rep. Cote of Auburn, Rep. Boutilier of Lewiston, Rep. Sproul of Augusta

YEAS: Senators, None

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Wanda P. Calder of Turner, as a member of the Finance Authority of Maine be confirmed.

NAYS: Senators, ANDREWS, BALDACCI, BERUBE, BLACK, BROWN, BUSTIN, CARPENTER, CHALMERS, CLARK, DOW, DUTREMBLE, EMERSON, ERWIN, GAUVREAU, GILL, HICHENS, KANY, KERRY, MATTHEWS, MAYBURY, MCBREAIRTY, NAJARIAN, PEARSON, PERKINS, SEWALL, SHUTE, STOVER, TRAFTON, TUTTLE, TWITCHELL, USHER, VIOLETTE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

Sincerely,

S/Dan A. Gwadosky  
House Chair

ABSENT: Senator DIAMOND

Which was READ and ORDERED PLACED ON FILE.

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent and None being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and nomination of Andrew B. Berry was CONFIRMED.

THE PRESIDENT: The Joint Standing Committee on STATE GOVERNMENT has recommended that the nomination of Wanda P. Calder of Turner be confirmed.

The Secretary has so informed the Speaker of the House.

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 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.

The Following Communication:

COMMITTEE ON STATE GOVERNMENT  
ONE HUNDRED AND TWELFTH LEGISLATURE

January 28, 1986

The Honorable Charles P. Pray  
President of the Senate of Maine  
State House  
Augusta, Maine 04333

ROLL CALL

Dear Mr. President:

YEAS: Senators, None

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 Wanda P. Calder of Turner, as a member of the Finance Authority of Maine.

NAYS: Senators, ANDREWS, BALDACCI, BERUBE, BLACK, BROWN, BUSTIN, CARPENTER, CHALMERS, CLARK, DOW, DUTREMBLE, EMERSON, ERWIN, GAUVREAU, GILL, HICHENS, KANY, KERRY, MATTHEWS, MAYBURY, MCBREAIRTY, NAJARIAN, PEARSON, PERKINS, SEWALL, SHUTE, STOVER, TRAFTON, TUTTLE, TWITCHELL, USHER, VIOLETTE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

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:

ABSENT: SENATOR DIAMOND

No Senators having voted in the affirmative and 34 having voted in the negative, with 1 Senator being absent and None being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and nomination of Wanda P. Calder was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Senator Hichens of York, was granted unanimous consent to address the Senate On the Record.

Senator HICHENS: To Senator Matthews:

Congratulations to Senator Zack  
Matthews, of course, who is right on the track  
In adding to Maine's population, for sure,  
With his efforts, we hope that his wife can endure,  
Just one year ago Alexander was born  
And we all shared Zack's pleasure on that happy Morn'  
Now a new son has appeared on the scene.  
So much has transpired, days and nights in between.  
A bouncing young fellow of nine pounds and more,  
His length one inch longer, we learn, than a score.  
With Fish and Game Laws -- whose rules get much  
steeper,  
This new fish in the pond has been declared a  
"keeper".  
On Super Bowl Weekend his appearance he made.  
Zack thought not of Patriots, I am afraid  
And without his encouragement they really got smeared  
A fate that most of us inwardly feared.  
We're informed that with Brandon, this babe has been  
named,  
And we're sure like his daddy someday he will be  
famed.  
So with no more adieu - please join me today  
In best wishes for Brandon, as he starts life's way.  
And more power to the proud Matthews as well  
Maybe next year of a new one they'll tell.

SENATE PAPERS

Bill "An Act to Provide a Single Audit for  
Community Action Agencies"  
S.P. 774 L.D. 1946

Presented by Senator CLARK of Cumberland  
Cosponsored by: Speaker MARTIN of Eagle Lake,  
Representative MURPHY of Kennebunk,  
Representative ROLDE of York  
Approved for Introduction by a Majority of the  
Legislative Council pursuant to Joint Rule 26

Which was referred to the Committee on AUDIT AND  
PROGRAM REVIEW and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Establish Policies Governing  
Medical Malpractice Claims"  
S.P. 773 L.D. 1945

Presented by Senator TWITCHELL of Oxford  
Cosponsored by: Representative JACKSON of  
Harrison  
Approved for Introduction by a Majority of the  
Legislative Council pursuant to Joint Rule 26

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

Sent down for concurrence.

Resolve, Concerning the Transfer of State-owned  
Land to Hope House, Incorporated  
S.P. 775 L.D. 1947

Presented by Senator BALDACCIO of Penobscot  
Cosponsored by: Representative DIAMOND of  
Bangor, Representative LEBOWITZ of Bangor,  
Representative DUFFY of Bangor  
Approved for Introduction by a Majority of the  
Legislative Council pursuant to Joint Rule 26

Which was referred to the Committee on STATE  
GOVERNMENT and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Promote Public Health through  
Required Use of Seat Belts"  
S.P. 777 L.D. 1951

Presented by Senator VIOLETTE of Aroostook  
Cosponsored by: Representative DIAMOND of  
Bangor, Representative VOSE of Eastport,  
Representative MURPHY of Kennebunk  
Submitted by the Department of Human Services  
pursuant to Joint Rule 24

Which was referred to the Committee on  
TRANSPORTATION and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act Defining the Rights of Landlords,  
Tenants and Cable Television Operators"  
S.P. 776 L.D. 1950

Presented by Senator VIOLETTE of Aroostook  
Cosponsored by: Representative CLARK of  
Millinocket, Senator ANDREWS of Cumberland,  
Representative PARADIS of Old Town  
Approved for Introduction by a Majority of the  
Legislative Council pursuant to Joint Rule 26

Which was referred to the Committee on  
UTILITIES and ORDERED PRINTED.

Sent down for concurrence.

---

COMMITTEE REPORTS

Senate

Leave to Withdraw

The following Leave to Withdraw Report shall be  
placed in the Legislative Files without further  
action pursuant to Rule 15 of the Joint Rules:

Bill "An Act Concerning Computer Fraud and Abuse"  
S.P. 464 L.D. 1267

---

Change of Reference

Senator BLACK for the Committee on LABOR on  
Bill "An Act to Protect Homeowners Against Workers'  
Compensation Exposures"

S.P. 688 L.D. 1776

Reported that the same be REFERRED to the  
Committee on BUSINESS AND COMMERCE.

Which Report was READ and ACCEPTED.

The Bill REFERRED to the Committee on BUSINESS  
AND COMMERCE.

Sent down for concurrence.

---

Ought to Pass

Senator HICHENS for the Committee on STATE  
GOVERNMENT on Bill "An Act to Allow Administrative  
Agencies to Continue to Adopt Emergency Rules Where  
Necessary"

S.P. 675 L.D. 1748

Reported that the same Ought to Pass.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

---

Ought to Pass As Amended

Senator USHER for the Committee on FISHERIES  
AND WILDLIFE on Bill "An Act to Clarify Equipment  
and Vehicle Use Policy"

S.P. 650 L.D. 1675

Reported that the same Ought to Pass as Amended  
by Committee Amendment "A" (S-372).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A"(S-372) READ and  
ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR  
SECOND READING.

---

SECOND READERS

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

Senate As Amended

Bill "An Act Regarding the Appointment of Harbor  
Masters"

S.P. 660 L.D. 1698  
(C "A" S-371)

Which was READ A SECOND TIME and PASSED TO BE  
ENGROSSED, as Amended.

Sent down for concurrence.

---

Out of order and under suspension of the Rules,  
the Senate considered the following:

COMMUNICATIONS

The Following Communication:

COMMITTEE ON JUDICIARY  
ONE HUNDRED AND TWELFTH LEGISLATURE

January 29, 1986

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 James E. Smith, Esq. of Whitefield, as 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 2  
Representatives 9

NAYS: None

ABSENT: 2 (Carpenter of Aroostook and  
Carrier of Westbrook)

11 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 James E. Smith, Esq. of Whitefield, as Commissioner of the Workers' Compensation Commission be confirmed.

Sincerely,

S/Michael E. Carpenter  
Senate Chair

S/Edward J. Kane  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Chair recognizes the Senator of Aroostook Senator Carpenter.

Senator CARPENTER Mr. President, Ladies and Gentlemen of the Senate. You'll note from the score sheet in the bottom of Supplement of number 1 that I was listed as absent from the vote on the nomination of James E. Smith, Esq. to a position as Commissioner of the Worker's Compensation Commission. In fact, I had excused myself purposely, because I had a pending case with the State of Maine with Mr. Smith on the other side. For that reason, I would request Leave of the Senate to be excused from voting on his confirmation.

Senator CARPENTER of Aroostook requested and received leave of the Senate to be excused from voting, due to the appearance of a possible conflict of interest.

THE PRESIDENT: The Joint Standing Committee on JUDICIARY has recommended that the nomination of James E. Smith, Esq. of Whitefield 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, CHALMERS, CLARK, DOW, DUTREMBLE, EMERSON, ERWIN, GAUVREAU, GILL, HICHENS, KANY, KERRY, MATTHEWS, MAYBURY, MCBREAIRTY, NAJARIAN, PEARSON, PERKINS, SEWALL, SHUTE, STOVER, TRAFTON, TUTTLE, TWITCHELL, USHER, VIOLETTE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

EXCUSED: Senator CARPENTER

ABSENT: Senator DIAMOND



No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being absent and 1 Senator being excused and None being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of James E. Smith, Esq. was CONFIRMED.

The Secretary has so informed the Speaker of the House.

12 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 Suzanne E. Smith of Woolwich, as a Commissioner of the Workers' Compensation Commission be confirmed.

Sincerely,

S/Michael E. Carpenter  
Senate Chair

S/Edward J. Kane  
House Chair

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication:

COMMITTEE ON JUDICIARY  
ONE HUNDRED AND TWELFTH LEGISLATURE

January 29, 1986

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 Suzanne E. Smith of Woolwich, 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 9

NAYS: None

ABSENT: 1 (Carrier of Westbrook)

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on JUDICIARY has recommended that the nomination of Suzanne E. Smith of Woolwich 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: Senator TUTTLE

NAYS: Senators, ANDREWS, BALDACCI, BERUBE, BLACK, BROWN, BUSTIN, CARPENTER, CHALMERS, CLARK, DOW, DUTREMBLE, EMERSON, ERWIN, GILL, HICHENS, KANY, KERRY, MATTHEWS, MAYBURY, MCBREAIRTY, NAJARIAN, PEARSON, PERKINS, SEWALL, SHUTE, STOVER, TRAFTON, TWITCHELL, USHER, VIOLETTE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators, DIAMOND, GAUVREAU

1 Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent and 1 being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and nomination of Suzanne E. Smith was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication:

COMMITTEE ON JUDICIARY  
ONE HUNDRED AND TWELFTH LEGISLATURE

January 29, 1986

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 Paul A. MacDonald of Woolwich, as an Active Retired Judge of the Maine District Court.

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

YEAS: Senators 3  
Representatives 8  
NAYS: 1 (MacBride of Presque Isle)  
ABSENT: 1 (Carrier of Westbrook)

11 members of the Committee having voted in the affirmative and 1 in the negative, it was the vote of the Committee that the nomination of Paul A. MacDonald of Woolwich, as an Active Retired Judge of the Maine District Court be confirmed.

Sincerely,  
S/Michael E. Carpenter  
Senate Chair  
S/Edward J. 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 Paul A. MacDonald of Woolwich 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, DOW, DUTREMBLE, EMERSON, ERWIN, GILL, HICHENS, KANY, KERRY, MATTHEWS, MAYBURY, MCBREAIRTY, NAJARIAN, PEARSON, PERKINS, SEWALL, SHUTE, STOVER, TRAFTON, TUTTLE, TWITCHELL, USHER, VIOLETTE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY  
ABSENT: Senators, DIAMOND, GAUVREAU

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent and None being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Paul A. MacDonald was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Out of order and under suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication:

STATE OF MAINE  
OFFICE OF THE PRESIDENT  
AUGUSTA, MAINE 04333

January 30, 1986

Hon. Joy J. O'Brien  
Secretary of the Senate  
State House Station #3  
Augusta, ME 04333

Dear Madam Secretary:

Pursuant to my authority under Senate Rule 36, I have appointed Senator Thomas Andrews to serve as the Senate Chair of the Joint Standing Committee on State Government.

Senator Andrews replaces Senator Judy Kany, who has resigned this position.

Please let me know if you have any questions about this matter.

Sincerely,

S/Charles P. Pray  
President of the Senate

Which was READ and ORDERED PLACED ON FILE

---

Off Record Remarks

---

Senate at Ease

Senate called to order by the President.

---

The Chair appointed Senator VIOLETTE of Aroostook to serve as President Pro Tem for the Session on January 31, 1986.

---

On motion by Senator CLARK of Cumberland, ADJOURNED until 12 o'clock, Friday, January 31, 1986.