

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Thirteenth Legislature
OF THE
State Of Maine

VOLUME I
FIRST REGULAR SESSION
December 3, 1986 to May 22, 1987

An Act to Continue the Central Filing System Established Pursuant to the United States Food Security Act of 1985 (H.P. 112) (L.D. 122) (H. "A" H-18 to C. "A" H-12)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 108 voted in favor of the same and none against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

PASSED TO BE ENACTED

An Act Concerning the Fees Recoverable by a Municipality in a Nuisance Abatement (H.P. 54) (L.D. 57) (C. "A" H-14)

An Act to Reconcile State Law with Federal Law Regulating the Continuation of Group Health Insurance Coverage (H.P. 541) (L.D. 725)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

The following items appearing on Supplement No. 3 were taken up out of order by unanimous consent:

COMMUNICATIONS

The following Communication:

House of Representatives
State House, Augusta 04333
March 18, 1987

John L. Martin
Speaker of the House
State House Station 2
Augusta, Maine 04333
Dear Speaker Martin:

Pursuant to Chapter 76, 1985 Resolves I am pleased to transmit to you the final report of the Special Commission to Study the Utilization of Vacant Buildings at Pineland Center.

Respectfully,
s/Donnell P. Carroll
State Representative

Was read and with accompanying report ordered placed on file.

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H.P. 139) (L.D. 180) Bill "An Act Concerning Public Utilities Commission Approval of Transfer of Utility Property" Committee on Utilities reporting "Ought to Pass"

(H.P. 203) (L.D. 255) Bill "An Act to Increase the Annual Public Utilities Commission Regulatory Fund Assessment" (Emergency) Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-31)

There being no objections, the above items were ordered to appear on the Consent Calendar of Friday, March 20, 1987, under the listing of Second Day.

(Off Record Remarks)

On motion of Representative Soucy of Kittery.
Adjourned until Friday, March 20, 1987, at twelve o'clock noon.

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Thursday
March 19, 1987

Senate called to Order by the President.

Prayer by Pastor Peter Inchcombe of the First Baptist Church in Hallowell.

REVEREND INCHCOMBE: Thank you Mr. President, with your permission I would like to make a comment. When I was here last year I counted it as a great privilege to be able to come and open the session with prayer. Since last year, I have become a naturalized citizen and it seems even a greater privilege to be with you this morning. Thank you Mr. President.

Let us pray. Father we are just so thankful that the United States of America is one nation under God, indivisible with liberty and justice for all. We recognize Your blessing upon us, we recognize the way which You have led, guided and blessed our precious country. We think of King Solomon who asked for wisdom and we pray for that wisdom upon our President and Vice President and Members of Congress right down to this Senate today, as they gather together to take care of business of this country. We pray for them and thank You Lord for each one and ask that we might be mindful of Your blessing, that we might be mindful of the fact that it is God whom has blessed and watched over us down through the centuries.

We will turn to You, this morning, all the praise and glory for all the things which You have accomplished in this, our country. Father, we will turn to You all our thanks and be remindful of Abraham Lincoln who said that on many occasions when exhausted of his own strength and of his own wisdom he sought the sovereignty and the wisdom of God. Father, we pray that we might be mindful of those words today as we gather together. We ask again for Your wisdom and Your blessing upon this Session, for we ask these things in the name of Jesus Christ, our Savior and our Lord. Amen

Off Record Remarks

Reading of the Journal of Tuesday, March 17, 1987.

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

SENATE PAPERS

Bill "An Act to Reform the Animal Welfare Laws" S.P. 291 L.D. 838

Presented by Senator CLARK of Cumberland
Cosponsored by: Senator BLACK of Cumberland,
Representative TARDY of Palmyra, Representative BRAGG of Sidney

Which was referred to the Committee on AGRICULTURE and ORDERED PRINTED.
Sent down for concurrence.

ORDERS

On motion by Senator ERWIN of Oxford the following Senate Order:

ORDERED, that all bills and resolves carrying or requiring an allocation of fisheries and wildlife revenue or involving a loss of fisheries and wildlife

revenue that are in order to be passed, enacted or finally passed, shall, at the request of a member of the Committee on Fisheries and Wildlife, be placed on a special calendar to be called up for consideration only by a member of that committee.

Which was READ and PASSED.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide for Continued Treatment and Support of Incest Victims and Survivors" (Emergency)

H.P. 584 L.D. 795

Bill "An Act to Fund the Cleanup of Fish Kills in the Coastal Waters"

H.P. 596 L.D. 807

Come from the House referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Which were referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, in concurrence.

Bill "An Act to Compensate Newspaper Delivery People for Advertising Fliers"

H.P. 587 L.D. 798

Comes from the House referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED.

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

Bill "An Act to Create the Post-secondary Enrollment Options Act for 11th and 12th Grade Students"

H.P. 592 L.D. 803

Bill "An Act to Provide for School Approval for Hurricane Island Outward Bound School"

H.P. 593 L.D. 804

Bill "An Act to Provide for the Education of Students Residing in Long-term Drug Treatment Centers" (Emergency)

H.P. 595 L.D. 806

Come from the House referred to the Committee on EDUCATION and ORDERED PRINTED.

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

Bill "An Act to Amend the Law Pertaining to Labeling Medication Prescriptions"

H.P. 583 L.D. 794

Comes from the House referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.

On motion by Senator DUTREMBLE of York, referred to the Committee on BUSINESS LEGISLATION and ORDERED PRINTED in NON-CONCURRENCE.

Sent down for concurrence.

Bill "An Act to Establish Policies Governing Medical Malpractice Claims"

H.P. 586 L.D. 797

Bill "An Act to Amend Certain Probate Laws"

H.P. 591 L.D. 802

Bill "An Act Concerning Probation Revocation Proceedings in Maine"

H.P. 597 L.D. 808

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

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

Bill "An Act to Provide Payment of Workers' Compensation Benefits in Cases when a Decision has not been Reached within 6 Months"

H.P. 594 L.D. 805

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 Relating to Old Cemeteries"

H.P. 585 L.D. 796

Bill "An Act to Prohibit Open Alcoholic Beverage Containers in Motor Vehicles"

H.P. 590 L.D. 801

Come 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 Require Employers to Give Employees 4 Hours Leave on Election Day for the Purpose of Voting"

H.P. 580 L.D. 777

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

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

Bill "An Act Concerning Parking Violations at the Capitol Complex"

H.P. 588 L.D. 799

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

On motion by Senator DUTREMBLE of York, Tabled until Later in Today's Session, pending REFERENCE.

THE PRESIDENT: At this time, the Chair is pleased to interrupt the proceedings in recognition of Agriculture Day. In the rear of the Chamber, note that we have a number of young individuals representing the various activities in Agriculture. The Chair would like to introduce the following individuals and their escorts:

The Maine Honey Queen, Laurel Fiscus, escorted by Senator Dow of Kennebec.

The Maine Potato Queen, Patricia Gorman, escorted by Senator Ludwig of Aroostook.

The Maine State Grange Queen, Kim Hatch, escorted by Senator Whitmore of Androscoggin.

The Downeast Horse Congress Queen, Tammy Batchelder, escorted by Senator Dillenback of Cumberland.

The Maine Blueberry Queen, Roxanne Grant, escorted by Senator Matthews of Kennebec.

The Maine Farm Bureau Queen, Rebecca Carter, escorted by Senator Erwin of Oxford.

The Future Farmers of America President, Brent Buck, escorted by Senator Collins of Aroostook.

The Senator from Kennebec, Senator Dow will escort Laurel Fiscus, the Maine Honey Queen, to the Rostrum, so that she may address the Senate.

LAUREL FISCUS: I, on behalf of all the Queens standing before you in the Future Farmers, would like to thank you for having us here today. This is a big day for us as Agriculture Queens. If you have any questions feel free to ask any of the Queens here, because most of us have a pretty good working

knowledge of what we represent. I would say that is your best bet, if you have any questions please ask for we would be glad to entertain the answers. Thank you.

THE PRESIDENT: The Chair, on behalf of the entire Senate, would like to express our appreciation for your attendance here today and the clear understanding that we, as members representing the public, have in the importance and significance of the agricultural community to Maine's economy. Thank you very much.

Bill "An Act to Increase the Income Tax Exemption for Taxpayers Who Support Elderly Relatives"
H.P. 589 L.D. 800

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.

COMMUNICATIONS

The Following Communication:

COMMITTEE ON LEGAL AFFAIRS
ONE HUNDRED AND THIRTEENTH LEGISLATURE
March 17, 1987

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 113th Maine Legislature, the Joint Standing Committee on Legal Affairs has had under consideration the nomination of William L. Varney of Bangor, for appointment to the Maine State Lottery 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 Representative Perry of Mexico

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 William L. Varney of Bangor, for appointment to the Maine State Lottery Commission be confirmed.

Sincerely,
S/Judy C. Kany
Senate Chair
S/Charles R. Priest
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on LEGAL AFFAIRS has recommended the nomination of William L. Varney of Bangor for appointment to the Maine State Lottery Commission be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on LEGAL AFFAIRS be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 113th 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.

At this time, the Chair noted the absence of the Senator from Cumberland, Senator CLARK and further excused the same Senator from today's Roll Call votes.

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, BRANNIGAN, BRAWN, BUSTIN, CAHILL, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator SEWALL

EXCUSED: Senator CLARK

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being absent, and 1 Senator having been excused, 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 and the nomination of William L. Varney for appointment to the Maine State Lottery Commission, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

SENATE PAPERS

Resolve, to Compensate Thomas P. Peters, II, Attorney-at-law, for Professional Services Rendered in the Adoption of Benjamin B., Heather B. and Lucas B.

S.P. 287 L.D. 814

Presented by Senator GAUVREAU of Androscoggin
Cosponsored by: Representative NADEAU of Lewiston, Representative BOUTILIER of Lewiston, Representative TELOW of Lewiston
Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested and ORDERED PRINTED.

Senator DUTREMBLE of York, moved that the Bill be referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.

Senate at Ease

Senate called to order by the President.

Senator DUTREMBLE of York requested and received Leave of the Senate to withdraw his motion to refer the Bill to the Committee on LEGAL AFFAIRS.

On further motion by the same Senator, referred to the Committee on JUDICIARY and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Provide Assistance to Development Organizations in Labor Market Areas Facing Sudden and Severe Economic Dislocation" (Emergency)

S.P. 288 L.D. 815

Presented by President PRAY of Penobscot
Cosponsored by: Speaker MARTIN of Eagle Lake, Senator DUTREMBLE of York, Representative GWADOSKY of Fairfield
Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

On motion by Senator DUTREMBLE of York, Tabled 1 Legislative Day, pending REFERENCE.

Bill "An Act to Revise Reporting Procedures Related to Criminal History Record Information"
S.P. 286 L.D. 813
Presented by Senator BRANNIGAN of Cumberland
Cosponsored by: Senator SEWALL of Lincoln,
Representative PARADIS of Augusta, Representative
LACROIX of Oakland
Which was referred to the Committee on JUDICIARY
and ORDERED PRINTED.
Sent down for concurrence.

Bill "An Act Amending the Laws Relating to Private Security Guards" (Emergency)
S.P. 290 L.D. 817
Presented by Senator KANY of Kennebec
Cosponsored by: Representative JOSEPH of Waterville, Senator ERWIN of Oxford, Representative TRACY of Rome
Which was referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.
Sent down for concurrence.

Bill "An Act Concerning the Taking of Fingerprints and Submission to the State Bureau of Identification"
S.P. 289 L.D. 816
Presented by Senator BRANNIGAN of Cumberland
Cosponsored by: Senator SEWALL of Lincoln, Representative PARADIS of Augusta, Representative LACROIX of Oakland
Committee on LEGAL AFFAIRS suggested and ORDERED PRINTED.
On motion by Senator DUTREMBLE of York, referred to the Committee on JUDICIARY and ORDERED PRINTED.
Sent down for concurrence.

Off Record Remarks

COMMITTEE REPORTS
House

Ought to Pass
The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Extend the Sunset Date for Certain Statutes Regarding Harbor Masters" (Emergency)
H.P. 246 L.D. 316
Reported that the same Ought to Pass.
Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.
Which Report was READ and ACCEPTED, in concurrence.
The Bill READ ONCE.
The Bill TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TAXATION on Bill "An Act to Make Lien Fees Consistent for Sewer Assessments and Real Property Taxes"
H.P. 138 L.D. 179
Reported that the same Ought to Pass.
Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.
Which Report was READ and ACCEPTED, in concurrence.
The Bill READ ONCE.
The Bill TOMORROW ASSIGNED FOR SECOND READING.

The Committee on TRANSPORTATION on Bill "An Act Relating to the Social Services Transportation Review Committee" (Emergency)
H.P. 99 L.D. 109
Reported that the same Ought to Pass.
Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.
Which Report was READ and ACCEPTED, in concurrence.
The Bill READ ONCE.
The Bill TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass As Amended
The Committee on JUDICIARY on Bill "An Act Concerning the Provision of Legal Services by Eligible Law Students" (Emergency)
H.P. 148 L.D. 189
Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-19).
Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-19)
Which Report was READ and ACCEPTED, in concurrence.
The Bill READ ONCE.
Committee Amendment "A" (H-19) READ and ADOPTED, in concurrence.
The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Ought to Pass in New Draft
The Committee on FISHERIES AND WILDLIFE on Bill "An Act to Limit the Party Size to 12 Persons for all Groups Operating with a Guide on Inland Waters"
H.P. 127 L.D. 153
Reported that the same Ought to Pass in New Draft under same title (Emergency).
H.P. 599 L.D. 812
Comes from the House, with the Report READ and ACCEPTED and the Bill in NEW DRAFT PASSED TO BE ENGROSSED.
Which Report was READ and ACCEPTED, in concurrence.
The Bill in NEW DRAFT READ ONCE.
The Bill in NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.

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 to Add Hardware Stores to the List of Businesses Allowed to Operate on Sundays"
S.P. 174 L.D. 489

Ought to Pass
Senator THERIAULT for the Committee on BANKING AND INSURANCE on Bill "An Act to Clarify the Law Regarding Expedited Charter Conversions, Mergers and Consolidations"
S.P. 106 L.D. 279
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

LEGISLATIVE RECORD - SENATE, MARCH 19, 1987

Senator ESTES for the Committee on EDUCATION on Bill "An Act Concerning the Purchase of School Buses" S.P. 97 L.D. 244

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-4).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-4) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Off Record Remarks

SECOND READERS

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

House

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Lincoln County for the Year 1987 (Emergency)

H.P. 549 L.D. 736

Bill "An Act to Establish an Alien Trapping License"

H.P. 550 L.D. 737

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

House As Amended

Bill "An Act to Provide Funding for Potato Variety Breeding and Development"

H.P. 180 L.D. 224

(C "A" H-16)

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

Senate

Bill "An Act to Amend the State Employees Labor Relations Act by Allowing 3-year Labor Contracts" (Emergency)

S.P. 135 L.D. 371

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

Sent down for concurrence.

Off Record Remarks

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act Concerning Membership on the Commission on Uniform State Laws

H.P. 194 L.D. 238

(C "A" H-13)

On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

An Act to Reduce the Retirement Age Requirement for Governors

H.P. 522 L.D. 702

On motion by Senator PEARSON of Penobscot, placed on the SPECIAL APPROPRIATIONS TABLE, pending ENACTMENT.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Exempt Prisoners from the Provisions of the Workers' Compensation Act"

H.P. 542 L.D. 726

(H "A" H-15)

Tabled - March 17, 1987, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED AS AMENDED

(In House, March 12, 1987, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-15).)

(In Senate, March 17, 1987, READ A SECOND TIME.)

On motion by Senator DUTREMBLE of York, Tabled 1 Legislative Day, pending PASSAGE TO BE ENGROSSED AS AMENDED.

The Chair laid before the Senate the Tabled and Specially Assigned matter:

An Act to Reduce the Fee for a Trapper's License for Servicemen Stationed in the State

H.P. 502 L.D. 674

Tabled - March 17, 1987, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, March 16, 1987, PASSED TO BE ENACTED.)

(In Senate, March 12, 1987, PASSED TO BE ENGROSSED, in concurrence.)

On motion by Senator ERWIN of Oxford, placed on the SPECIAL FISHERIES AND WILDLIFE TABLE, pending ENACTMENT.

The Chair laid before the Senate the Tabled and Specially Assigned matter:

An Act to Provide Complimentary Archery Licenses and Muzzle-loading Hunting Licenses to Residents Over 70 Years of Age

H.P. 72 L.D. 75

(C "A" H-10)

Tabled - March 17, 1987, by Senator CLARK of Cumberland.

Pending - ENACTMENT

(In House, March 12, 1987, PASSED TO BE ENACTED.)

(In Senate, March 17, 1987, RECONSIDERED ENACTMENT.)

On motion by Senator ERWIN of Oxford, placed on the SPECIAL FISHERIES AND WILDLIFE TABLE, pending ENACTMENT.

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

COMMUNICATIONS

The Following Communication: S.P. 292

113th MAINE LEGISLATURE

March 18, 1987

Senator Edgar E. Erwin

Representative Paul F. Jacques

Chairpersons

Joint Standing Committee on Fisheries and Wildlife

113th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated William J. Vail of Newfield for appointment as the Commissioner of the Department of Inland Fisheries and Wildlife.

Pursuant to Title 12, M.R.S.A. Section 7031, this nomination will require review by the Joint Standing Committee on Fisheries and Wildlife and confirmation by the Senate.

Sincerely,
S/Charles P. Pray

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

Which was READ and referred to the Committee on
FISHERIES AND WILDLIFE.
Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication:
COMMITTEE ON STATE AND LOCAL GOVERNMENT
ONE HUNDRED AND THIRTEENTH LEGISLATURE
March 17, 1987

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 113th Maine
Legislature, the Joint Standing Committee on State
and Local Government has had under consideration the
nomination of Charles A. Morrison of Auburn, for
appointment as the Commissioner of the Department of
Administration.

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 Charles
A. Morrison of Auburn, for appointment as the
Commissioner of the Department of Administration be
confirmed.

Sincerely,
S/John L. Tuttle
Senate Chair
S/Donnell P. Carroll
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on
STATE AND LOCAL GOVERNMENT has recommended the
nomination of Charles A. Morrison of Auburn for
appointment as the Commissioner of the Department of
Administration be confirmed.

The pending question before the Senate is:
"Shall the recommendation of the Committee on STATE
AND LOCAL GOVERNMENT be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section
151 and with Joint Rule 38 of the 113th 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, BRANNIGAN, BRAWN, BUSTIN,
CAHILL, COLLINS, DILLENBACK, DOW,
DUTREMBLE, EMERSON, ERWIN, ESTES,
GAUVREAU, GILL, GOULD, KANY, KERRY,
LUDWIG, MATTHEWS, MAYBURY, PEARSON,

PERKINS, RANDALL, THERIAULT, TUTTLE,
TWITCHELL, USHER, WEBSTER, WHITMORE,
THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator SEWALL
EXCUSED: Senator CLARK

No Senators having voted in the affirmative and
33 Senators having voted in the negative, with 1
Senator being absent, and 1 Senator having been
excused, 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 and
the nomination of Charles A. Morrison for appointment
as the Commissioner of the Department of
Administration, 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 AGRICULTURE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
March 18, 1987

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 113th Maine
Legislature, the Joint Standing Committee on
Agriculture has had under consideration the
nomination of Bernard W. Shaw of Limestone, for
appointment as the Commissioner of the Department of
Agriculture.

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 Bernard
W. Shaw of Limestone, for appointment as the
Commissioner of the Department of Agriculture be
confirmed.

Sincerely,
S/Zachary E. Matthews
Senate Chair
S/Robert Tardy
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on
AGRICULTURE has recommended the nomination of Bernard
W. Shaw of Limestone for appointment as the
Commissioner of the Department of Agriculture 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 113th 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, BRANNIGAN, BRAWN, BUSTIN,
CAHILL, COLLINS, DILLENBACK, DOW,
DUTREMBLE, EMERSON, ERWIN, ESTES,
GAUVREAU, GILL, GOULD, KANY, KERRY,
LUDWIG, MATTHEWS, MAYBURY, PEARSON,
PERKINS, RANDALL, THERIAULT, TUTTLE,
TWITCHELL, USHER, WEBSTER, WHITMORE,
THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator SEWALL

EXCUSED: Senator CLARK

No Senators having voted in the affirmative and
33 Senators having voted in the negative, with 1
Senator being absent, and 1 Senator having been
excused, 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 and
the nomination of Bernard W. Shaw for appointment as
the Commissioner of the Department of Agriculture,
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:

PAPERS FROM THE HOUSE

Joint Resolution

The Following Joint Resolution: H.P. 624

JOINT RESOLUTION IN TRIBUTE TO AGRICULTURE:

AMERICA'S HEARTBEAT ON AGRICULTURAL DAY

WHEREAS, the real wealth, not only of America but
the world, is in the resources of the ground on which
we stand; and

WHEREAS, the land is the only thing we have in
the world which ungrudgingly yields abundance and
asks for nothing more in return than diligence; and

WHEREAS, one fifth of our work force are farmers
in the business of food and fiber production for
world markets and accounts for 18% of the gross
national product; and

WHEREAS, the Maine farmer provides \$400,000,000
in total farm income and is credited with a
\$2,000,000,000 contribution to Maine's economy; and

WHEREAS, the Maine agrarian society makes a
pivotal contribution to the cultural and social
foundations of our rural way of life and in turn to
the very heartbeat of America; now, therefore, be it

RESOLVED: That it is appropriate for the 113th
Legislature of the great and sovereign State of Maine
to pause in its deliberations to honor Maine farmers
and innovators who have contributed so much to the
betterment of our State and to pledge its support and
encouragement, and urge the youth of Maine to pursue
the growing opportunities for careers in today's
technologically advanced agricultural industry; and
be it further

RESOLVED: That suitable copies of this
resolution, duly authenticated by the Secretary of
State, be transmitted to the Commissioner of
Agriculture, Food and Rural Resources in token of the
esteem to which those in this vital field are held.

Comes from the House READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and
Later Today Assigned matter:

Bill "An Act Concerning Parking Violations at the
Capitol Complex"

H.P. 588 L.D. 799

Tabled - March 19, 1987, by Senator DUTREMBLE of
York.

Pending - REFERENCE

(In House, March 17, 1987, referred to the
Committee on STATE AND LOCAL GOVERNMENT and ORDERED
PRINTED.)

On motion by Senator DUTREMBLE of York, Tabled 1
Legislative Day, pending REFERENCE.

THE PRESIDENT: The Chair, at this time, is
pleased to recognize two very special people, Walter
and Beryl Grafton from Livermore Falls they are the
guests of Senator Kany of Kennebec. The Chair would
ask Walter and Beryl to stand and accept the
greetings of the Senate. (Applause the Members
rising)

Off Record Remarks

On motion by Senator GOULD of Waldo, ADJOURNED
until Friday, March 20, 1987, at 12:00 in the
afternoon.