

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

**One Hundred And Thirteenth Legislature**

OF THE

**State Of Maine**

## VOLUME IV

### **SECOND REGULAR SESSION**

March 25, 1988 to May 5, 1988

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### **SECOND CONFIRMATION SESSION**

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### **FOURTH CONFIRMATION SESSION**

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November 28, 1988

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### **HOUSE & SENATE LEGISLATIVE SENTIMENTS**

December 3, 1986 to December 6, 1988

Board of Trustees, Maine Vocational Technical Institutes

Edward Gorham of Randolph for reappointment.  
Upon the recommendation of the Joint Standing Committee on Energy and Natural Resources:

Land Use Regulation Commission

Stephen Wight of Bethel for reappointment.

Upon the recommendation of the Joint Standing Committee on Judiciary:

Justice, Maine Supreme Judicial Court

Honorable Daniel E. Wathen of Augusta for reappointment.

Associate Justice, Supreme Judicial Court

Samuel W. Collins, Jr. of Rockland for appointment, replacing Louis Scolnik.

Judge, Maine District Court

David B. Griffiths of Presque Isle for appointment, replacing Julian Turner.

Active Retired Judge, Maine District Court

Honorable Julian W. Turner of Presque Isle for appointment.

Member, Workers' Compensation Commission

Dawn B. Lieb of Augusta for appointment, replacing Nicholas C. Scaccia.

Upon the recommendation of the Joint Standing Committee on Labor:

Maine Labor Relations Board

Jimmy A. McGregor of Coopers Mills for appointment, Alternate Employer Representative, replacing vacant position.

Jessie Briggs Gunther of Milo for appointment, Alternate Chairman, replacing Judge Donald Webber.  
Upon the recommendation of the Joint Standing Committee on Utilities:

Public Utilities Commission

Kenneth Gordon of Arlington, Virginia for appointment, Chairman.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

Was read and ordered placed on file.

Unanimous Leave to Withdraw

Report of the Committee on Business Legislation reporting "Leave to Withdraw" on RESOLVE, Directing the Attorney General to Study the Trade Practices of the Motor Fuel Sales Industry (Emergency) (S.P. 1029) (L.D. 2689)

Was placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Representative Macomber of South Portland,

Adjourned until Friday, September 16, 1988, at nine o'clock in the morning.

STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
THIRD SPECIAL SESSION  
JOURNAL OF THE SENATE

In Senate Chamber,  
Thursday  
September 15, 1988

In Compliance with a proclamation of His Excellency, Governor JOHN R. MCKERNAN, JR., the Senators will convene in the Senate Chamber at 10 o'clock in the morning.

Senate called to Order by the President.

Prayer by Reverend Edgar Jones of the Winthrop Congregational Church in Winthrop.

REVEREND JONES: Let us pray. Oh God, You have created this good earth and all of us who live on it. You have given us Your goodness and led us in many wondrous ways. We ask Your blessing here in the Senate of the State of Maine this morning, as they gather to do the difficult tasks of being to whom they serve, leaders and legislators. We ask that You grant them wisdom and compassion. Grant to them insight into difficult issues which they face and the discernment to know which is good and true and the courage to stand by their decisions. Grant that their actions may reflect Your loving care for all people in this state and care for our wonderful environment and heritage. Amen.

The Secretary will read the Proclamation.

State of Maine  
PROCLAMATION

WHEREAS, there exists in the State of Maine an extraordinary occasion arising out of a record-high excess of revenues over projections at the end of the just concluded fiscal year; and

WHEREAS, these additional revenues have resulted, in large measure, from higher than anticipated yields from Maine's personal and corporate income taxes; and

WHEREAS, it is deemed to be in the State's best interest and to be the fair and proper thing to do for the Legislature to authorize the return of these revenues to the taxpayers in an equitable, efficient and expeditious manner;

NOW, THEREFORE, I, JOHN R. MCKERNAN, JR., Governor of the State of Maine, by virtue of constitutional power vested in me as Governor, do hereby convene the Legislature of this State, hereby requesting the Senators and Representatives to assemble in their respective chambers at the Capitol in Augusta on Thursday, the fifteenth (15th) day of September, 1988 at ten (10) o'clock in the morning in order to receive communications, enact legislation to return excess revenues, appropriate additional funds to address critical and urgent needs within the State's mental health delivery system and to appropriate additional monies to continue present anti-drug activities, which are currently threatened by cut backs in Federal monies and conduct such other legislative business as may be appropriate.

In testimony whereof, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta this sixteenth day of August in the Year of our Lord One Thousand Nine Hundred and Eighty-Eight.

S/JOHN R. MCKERNAN, JR.  
Governor

ATTEST: Peter W. Danton  
Deputy Secretary of State  
Which was READ and ORDERED PLACED ON FILE.

At this point, a message was received from the House of Representatives, borne by Representative DIAMOND of Bangor, informing the Senate that a quorum was present for the consideration of such business as may come before the House.

ROLL CALL

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

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

34 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 CLARK of Cumberland, the following Senate Order:

ORDERED, that a message be sent to His Excellency, Governor John R. McKernan, Jr., informing him that a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

Which was READ and PASSED.

The President appointed the Senator from Cumberland, Senator CLARK to deliver the message to His Excellency, the Governor. The Sergeant-At-Arms escorted the Senator to the Governor's office.

Subsequently, the Senator from Cumberland, Senator CLARK reported that she had delivered the message with which she was charged.

Out of order and under suspension of the Rules, on motion by Senator DUTREMBLE of York, the following Senate Order:

ORDERED, that a message be sent to the House of Representatives informing that Body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

Which was READ and PASSED.

The President appointed the Senator from York, Senator DUTREMBLE to deliver the message. The Sergeant-At-Arms escorted the Senator to the House of Representatives.

Subsequently, the Senator from York, Senator DUTREMBLE reported that he had delivered the message with which he was charged.

Out of order and under suspension of the Rules, on motion by Senator CLARK of Cumberland, the following Senate Order:

ORDERED, that a message be sent to the House of Representatives proposing a Convention of both Branches in the Hall of the House at 10:30 in the morning, for the purpose of extending to His Excellency, Governor John R. McKernan, Jr., an invitation to attend the Convention and make such communication as pleases him.

Which was READ and PASSED.

The Chair appointed the Senator from Cumberland,

Senator CLARK, to deliver the message. The Sergeant-At-Arms escorted the Senator to the House of Representatives.

Subsequently, Senator CLARK of Cumberland reported she had delivered the message with which she was charged.

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

SENATE PAPERS

Bill "An Act to Extend the Reporting Date of the Maine Commission to Review Overcrowding at the Augusta Mental Health Institute and the Bangor Mental Health Institute" (Emergency)

S.P. 1032 L.D. 2690

Presented by Senator BUSTIN of Kennebec  
Cosponsored by: Representative PARADIS of Augusta  
Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26  
Committee on HUMAN RESOURCES suggested and ORDERED PRINTED.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Off Record Remarks

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

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator TUTTLE for the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Stagger the Filing Dates of Annual Corporation Reports with the Secretary of State" (Emergency)

S.P. 1022 L.D. 2678

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-552).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-552) READ and ADOPTED.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

At this point, a message was received from the House of Representatives, borne by Representative DIAMOND of Bangor, informing the Senate that the House of Representatives concurs with the proposition for a Joint Convention, to be held in the Hall of the House, at 10:30 in the morning, for the purpose of extending to His Excellency, Governor John R. McKernan, Jr., and invitation to attend the Convention and make such communication as pleases him.

At this point, the Senate retired to the Hall of the House, where a Joint Convention was formed.

AFTER CONVENTION

IN SENATE

Senate called to order by the President.

COMMUNICATIONS

The Following Communication:

SENATE OF MAINE

S.P. 1017

OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

September 1, 1988

The Honorable Charles P. Pray  
President of the Senate  
113th Legislature  
The Honorable John L. Martin  
Speaker of the House  
113th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that September 1, 1988 three bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on September 1, 1988, as follows:

STATE AND LOCAL GOVERNMENT

Bill "An Act to Permit the State of Maine to Exercise the Right of Eminent Domain over Certain Lands Located within the Town of Lebanon" (S.P. 1014) (L.D. 2659) (Presented by Senator TUTTLE of York) (Cosponsored by: Representative MURPHY of Berwick, Representative RIDLEY of Shapleigh, Representative CARROLL of Gray) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

UTILITIES

Bill "An Act to Create the Deer Isle Water District" (Emergency) (S.P. 1015) (L.D. 2660) (Presented by Senator PERKINS of Hancock) (Cosponsored by: Representative RICE of Stonington) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Increase the Borrowing Capacity of the Stonington Water Company" (S.P. 1016) (L.D. 2667) (Presented by Senator PERKINS of Hancock) (Cosponsored by: Representative RICE of Stonington) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate  
S/Edwin H. Pert  
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.  
Sent down for concurrence.

Off Record Remarks

The Following Communication: S.P. 1020

SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

September 7, 1988

The Honorable Charles P. Pray  
President of the Senate  
113th Legislature  
The Honorable John L. Martin  
Speaker of the House  
113th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that on September 7, 1988, one Bill and one Resolve were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these were referred to the Joint Standing Committees and ordered printed on September 7, 1988, as follows:

STATE AND LOCAL GOVERNMENT

Bill "An Act to Authorize the Annexation of Land Adjacent to the Town of Millinocket" (Emergency) (S.P. 1018) (L.D. 2669) (Presented by President PRAY of Penobscot) (Cosponsored by: Representative CLARK

of Millinocket) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

FISHERIES AND WILDLIFE

Resolve, Concerning the Special Commission on Boating (Emergency) (S.P. 1019) (L.D. 2670) (Presented by Senator USHER of Cumberland) (Cosponsored by: Representative RUHLIN of Brewer) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate  
S/Edwin H. Pert  
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.  
Sent down for concurrence.

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

The Following Communication:

STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333

August 22, 1988

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

Dear Senator Pray:

This is to inform you that I am today nominating Jayne Crosby Giles of Monroe for appointment to the Finance Authority of Maine.

Pursuant to P.L. 1988, Chapter 596, this nomination will require review by the Joint Standing Committee on Economic Development and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

August 22, 1988

Senator Thomas H. Andrews  
Representative Nathaniel J. Crowley  
Chairpersons  
Joint Standing Committee on Economic Development  
113th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Jayne Crosby Giles of Monroe for appointment to the Finance Authority of Maine.

Pursuant to P.L. 1988, Chapter 596, this nomination will require review by the Joint Standing Committee on Economic Development 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:

COMMITTEE ON ECONOMIC DEVELOPMENT  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

September 1, 1988

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 Economic Development has had under consideration the nomination of Jayne Crosby Giles of Monroe, for appointment to 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 6  
 NAYS: 0  
 ABSENT: 4

Rep. Hichborn of Lagraange,  
 Rep. Priest of Brunswick,  
 Rep. Armstrong of Wilton,  
 Rep. Melendy of Rockland

Nine 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 Jayne Crosby Giles of Monroe, for appointment to the Finance Authority of Maine be confirmed.

Sincerely,  
 S/Thomas H. Andrews  
 Senate Chair  
 S/Nathaniel J. Crowley  
 House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on ECONOMIC DEVELOPMENT has recommended the nomination of Jayne Crosby Giles of Monroe, for appointment to the Finance Authority of Maine, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on ECONOMIC DEVELOPMENT 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, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator GAUVREAU

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, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Jayne Crosby Giles, for appointment to the Finance Authority of Maine, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication: S.P. 1027  
 SENATE OF MAINE  
 OFFICE OF THE SECRETARY  
 AUGUSTA, MAINE 04333

September 9, 1988

The Honorable Charles P. Pray  
 President of the Senate  
 113th Legislature  
 The Honorable John L. Martin  
 Speaker of the House  
 113th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today six bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on September 9, 1988, as follows:

Appropriations and Financial Affairs

Bill "An Act to Clarify the Implementation of the Overboard Discharge Replacement Fund and the Overboard Discharge Assistance Fund" (Emergency) (S.P. 1021) (L.D. 2677) (Presented by Senator ESTES of York) (Cosponsored by: Senator CLARK of Cumberland, Representative HOLLOWAY of Edgecomb, Representative RYDELL of Brunswick) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 1989" (Emergency) (S.P. 1024) (L.D. 2680) (Presented by Senator PEARSON of Penobscot) (Cosponsored by: Representative HIGGINS of Scarborough, Senator EMERSON of Penobscot, Representative CARTER of Winslow)

Bill "An Act to Expedite the Allocation of Solid Waste Management Assistance" (Emergency) (S.P. 1026) (L.D. 2682) (Presented by: President Pray of Penobscot) (Cosponsored by: Speaker MARTIN of Eagle Lake, Senator PEARSON of Penobscot, Representative MICHAUD of East Millinocket) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Human Resources

Bill "An Act to Modify the Radiation Protection Services Statute for Commercial Nuclear Power Facilities in the State" (Emergency) (S.P. 1023) (L.D. 2679) (Presented by Senator CAHILL of Sagadahoc) (Cosponsored by: Representative HOLLOWAY of Edgecomb)

State and Local Government

Bill "An Act to Stagger the Filing Dates of Annual Corporation Reports with the Secretary of State" (Emergency) (S.P. 1022) (L.D. 2678) (Presented by President PRAY of Penobscot) (Cosponsored by: Speaker MARTIN of Eagle Lake, Senator TUTTLE of York, Representative CARROLL of Gray) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Utilities

Bill "An Act to Amend the Limitation of Indebtedness for the Starks Water District" (Emergency) (S.P. 1025) (L.D. 2681) (Presented by Senator WEBSTER of Franklin) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,  
 S/Joy J. O'Brien  
 Secretary of the Senate

S/Edwin H. Pert  
Clerk of the House  
Which was READ and ORDERED PLACED ON FILE.  
Sent down for concurrence.

The Following Communication: S.P. 1030  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333  
September 12, 1988

The Honorable Charles P. Pray  
President of the Senate  
113th Legislature  
The Honorable John L. Martin  
Speaker of the House  
113th Legislature

Dear Mr. President and Mr. Speaker:

Please be advised that today two bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees and ordered printed on September 12, 1988, as follows:

HUMAN RESOURCES

Bill "An Act to Establish the Board of Overseers of the Augusta and Bangor Mental Health Institutes" (Emergency) (S.P. 1028) (L.D. 2685) (Presented by Senator BUSTIN of Kennebec) (Cosponsored by: Senator BALDACCI of Penobscot, Representative CARROLL of Gray) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

BUSINESS LEGISLATION

Resolve, Directing the Attorney General to Study the Trade Practices of the Motor Fuel Sales Industry (Emergency) (S.P. 1029) (L.D. 2689) (Presented by Senator CLARK of Cumberland) (Cosponsored by: Representative TUPPER of Orrington, Senator CAHILL of Sagadahoc, Representative TARDY of Palmyra) (Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate  
S/Edwin H. Pert  
Clerk of the House

Which was READ and ORDERED PLACED ON FILE.  
Sent down for concurrence.

Off Record Remarks

The Following Communication: S.P. 1031  
MAINE TURNPIKE AUTHORITY  
430 RIVERSIDE STREET  
PORTLAND, MAINE 04103  
August 29, 1988

President Charles P. Pray  
Chairman  
Legislative Council  
Office of the President  
State House  
Augusta, Maine 04333

Dear President Pray:

In accordance with Section 1966, Paragraph 4, Title 23. M.R.S.A., I am pleased to provide you with a copy of the Maine Turnpike Authority's semi-annual report. Copies of this report have been sent directly to each member of leadership, members of the Transportation Committee and other members of the Legislature.

The Authority is prepared to respond to whatever questions or concerns you may have relative to this

report.

Which was READ and with Accompanying Papers  
ORDERED PLACED ON FILE.  
Sent down for concurrence.

Sincerely,  
S/Paul E. Violette  
Executive Director

The Following Communication:  
WORKERS' COMPENSATION COMMISSION  
STATE HOUSE STATION 27  
AUGUSTA, MAINE 04333

May 19, 1988

Honorable Charles P. Pray  
President of the Senate  
State House Station 3  
Augusta, Maine 04333

RE: Quarterly Report for the First Quarter of  
Calendar 1988

39 M.R.S.A. §92(3)

Dear President Pray:

This letter and statistical attachments are the quarterly report of Commissioner caseload and progress mandated by 39 M.R.S.A. §92(3). During the first quarter of 1988 the Commission received an estimated 2,444 petitions and disposed of 2,125 by decision or dismissal.

Commissioners Cote, Cox, and Pelletier assumed their posts during the first quarter of 1988. We anticipate Commissioner Bruce Livingston will be sworn in during June.

With the new Commissioners on board, we are hopeful that the time it takes to litigate a disputed case can be significantly reduced.

We plan to focus this year on delays in appeal decisions. Due to the volume of litigation and informal conferences, appellate decisions have been taking longer and a backlog has developed. The Appellate Division will be bearing down more aggressively on Commissioners.

There have been no complaints or filings in connection with the 30 day decision rule of M.R.S.A. §99-B as implemented by Commission Rule 22.11.

A summary of caseload and dispositions is presented in the attached tables. I would be happy to discuss this report further if you wish.

Sincerely,  
S/Ralph L. Tucker  
Chairman

Which was READ and with Accompanying Papers  
ORDERED PLACED ON FILE.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Senate at Ease

Senate called to order by the President.

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

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 to Create the Deer Isle Water District" (Emergency)

S.P. 1015 L.D. 2660

Ought to Pass  
Senator PEARSON for the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Clarify the Implementation of the Overboard Discharge Replacement Fund and the Overboard Discharge Assistance Fund" (Emergency)  
S.P. 1021 L.D. 2677  
Reported that the same Ought to Pass.  
Which Report was READ and ACCEPTED.  
Under suspension of the Rules, the Bill READ TWICE and PASSED TO BE ENGROSSED.  
Under suspension of the Rules, ordered sent down forthwith for concurrence.

Ought to Pass  
Senator ERWIN for the Committee on UTILITIES on Bill "An Act to Amend the Limitation of Indebtedness for the Starks Water District" (Emergency)  
S.P. 1025 L.D. 2681  
Reported that the same Ought to Pass.  
Which Report was READ and ACCEPTED.  
Under suspension of the Rules, the Bill READ TWICE and PASSED TO BE ENGROSSED.  
Under suspension of the Rules, ordered sent forthwith for concurrence.

Ought to Pass As Amended  
Senator ERWIN for the Committee on UTILITIES on Bill "An Act to Increase the Borrowing Capacity of the Stonington Water Company"  
S.P. 1016 L.D. 2667  
Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-551).  
Which Report was READ and ACCEPTED.  
The Bill READ ONCE.  
Committee Amendment "A" (S-551) READ and ADOPTED.  
Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.  
Under suspension of the Rules, ordered sent down forthwith for concurrence.

The Following Communication:  
WORKERS' COMPENSATION COMMISSION  
STATE HOUSE STATION 27  
AUGUSTA, MAINE 04333  
August 25, 1988

Honorable Charles P. Pray  
President of the Senate  
State House Station 3  
Augusta, Maine 04333  
RE: Quarterly Report for the Second Quarter of Calendar 1988  
39 M.R.S.A. §92(3)  
Dear President Pray:  
This letter and statistical attachments are the quarterly report of Commissioner caseload and progress mandated by 39 M.R.S.A. §92(3).  
During the second quarter of 1988 the Commission received an estimated 2,646 petitions and disposed of 2,915 by decision or dismissal.  
Commissioner Bruce Livingston was sworn in July 1, 1988. Commissioner Nicholas Scaccia has resigned effective September 2, 1988. We understand attorney Dawn Lieb has been nominated to the Commission and, if confirmed, will be able to start hearings as early as October.  
Economic growth in Southern Maine seems to be increasing the Commission's caseload for that region without a corresponding reduction elsewhere in the

state. Accordingly, we urgently need to apply more resources to our Augusta and Portland regional offices to accommodate the shift in caseload. There have been no complaints or filings in connection with the 30 day decision rule of M.R.S.A. §99-B as implemented by Commission Rule 22.11. A summary of caseload and dispositions is presented in the attached tables. I would be happy to discuss this report further if you wish.

Sincerely,  
S/Ralph L. Tucker  
Chairman  
Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

The Following Communication:  
DEPARTMENT OF TRANSPORTATION  
STATE HOUSE STATION 16  
AUGUSTA, MAINE 04333  
August 23, 1988

The Honorable Charles P. Pray, President  
Maine Senate  
State House Station 3  
Augusta, Maine 04333  
Dear President Pray:  
Enclosed is the report on "Additional Study of Gross Vehicle Weight" as required by L.D. 2463, section 15 (P.L. 1988, Chapter 793).  
This study was required to be completed before permits for the new 100,000 pound general commodity vehicle were issued. Such permits became available for the first time on August 4, 1988, the earliest possible date. The report has been in the review and printing process since then.  
Cost allocation recommendations are expected to cover the relatively small revenue and equity implication of the report. These recommendations will be available in the fall.

Sincerely,  
S/Dana F. Connors  
Commissioner  
Which was READ and with Accompanying Papers ORDERED PLACED ON FILE.

The Following Communication:  
STATE OF MAINE  
DEPARTMENT OF STATE  
STATE HOUSE STATION 101  
AUGUSTA, MAINE  
DIVISION OF PUBLIC ADMINISTRATION

June 21, 1988  
Honorable Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, Maine 04333  
Dear Secretary O'Brien:  
Enclosed you will find a certified copy of the agreements submitted to this office by the Penobscot Nation whereby they agree to the provisions of Chapter 712 and Chapter 756 of the Public Laws of 1987 pursuant to the United States Code, Title 25, Section 1725 (e) (1).  
Sincerely,  
S/Peter W. Danton  
Deputy Secretary of State

RESOLUTION  
NUMBER 06-15-88-01-02  
OF THE PENOBSCOT NATION  
WHEREAS, the Penobscot Nation is a federally recognized Indian Tribe; and  
WHEREAS, the Penobscot Tribal Governor and Council is the duly authorized and elected governing



body of the Penobscot Nation.

WHEREAS, the Penobscot Nation held a General Meeting June 15, 1988 for the purpose of approving or disapproving legislation that was enacted by the 113th Legislature for the State of Maine;

THEREFORE, BE IT RESOLVED, that the Penobscot Nation approved Resolution 06-15-88-01: S.P. 929-L.D. 2440 AN ACT Concerning the Penobscot Tribal Court, c. 756.

Resolution 06-15-88-02: S.P. 860-L.D. 2248 AN ACT Relating to the Penobscot Indian Reservation, c. 712.

CERTIFICATION

I, Elizabeth J. Kimball, hereby certify that I am the Deputy Tribal Clerk and Official custodian of certain records, including minutes of the Meetings of the Penobscot Indian Nation, a federally recognized and sovereign Indian Tribe duly organized and existing under the Laws of the United States, and that the foregoing is a true, accurate and compared transcripts of resolutions contained in the Minute Book of The Nation, adopted at a General Meeting of said Nation duly held on the 15th day of June, 1988, and that the proceedings of said Nation, and that the said resolutions have not been amended or revoked and is in full force and effect.

S/James G. Sappier                      S/E. J. Kimball  
Governor                                      Deputy Tribal Clerk

Which was READ and with Accompanying Papers  
ORDERED PLACED ON FILE.

The Following Communication:

DEPARTMENT OF PUBLIC SAFETY  
STATE HOUSE STATION 42  
AUGUSTA, MAINE 04333  
May 31, 1988

Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, Maine 04333  
Dear Ms. O'Brien:

Enclosed please find a copy of the application submitted to the Bureau of Justice Assistance for funding under the State and Local Assistance for Narcotics Control Formula Grant Program. The program requires that the application be submitted to the State Legislature or its designated body for review. Unless I receive further instructions from you, I will consider that the Department of Public Safety has fulfilled its obligation in this area.

Sincerely,  
S/John R. Atwood  
Commissioner

Which was READ and with Accompanying Papers  
ORDERED PLACED ON FILE.

The Following Communication:

DEPARTMENT OF FINANCE  
BUREAU OF THE BUDGET  
STATE HOUSE STATION 58  
AUGUSTA, MAINE 04333  
August 15, 1988

Honorable John R. McKernan, Jr.  
Governor of Maine  
State House  
Augusta, Maine 04333  
Honorable Charles P. Pray and  
Honorable John L. Martin,  
Co-Chairs, Legislative Council  
State House  
Augusta, Maine 04333  
Dear Sirs:

In accordance with Section 2, Chapter 865, Public Laws of 1987, the following is submitted.

I have reviewed the status of the General Fund and although the Unappropriated Equity (Surplus) figure for fiscal year 1988 has not been finalized there is sufficient data available to indicate that it will far exceed the amount required for this certification. Therefore, after consultation with the Director of the Office of Fiscal and Program Review, I certify that the amount of \$1,292,132.85 is available in the General Fund as of June 30, 1988 to fund the purpose of Chapter 865, Public Laws of 1987.

Sincerely,  
S/G. William Buker  
State Budget Officer

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

THE SENATE OF MAINE  
AUGUSTA, MAINE 04333

August 5, 1988

The Honorable Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, Maine 04333

Dear Madam Secretary:

Pursuant to my authority under 1 M.R.S.A., Section 1002, I am today appointing Christopher St. John, Esq., of Bowdoinham to the Commission on Governmental Ethics and Election Practices.

If I may be of further assistance regarding this appointment, please let me know at your convenience.

With all good wishes,

Yours sincerely,  
S/Sen. Nancy Randall Clark  
Majority Leader

Which was READ.

Pursuant to 1 MRSA, Section 1002, this reappointment requires the affirmative vote of two-thirds of the Members present and voting for concurrence.

The Chair will order a Division.

26 Senators having voted in the affirmative and 50 Senators having voted in the negative, and 26 being more than two-thirds of the Members present and voting, the Senate concurs with the reappointment.

Subsequently, ORDERED PLACED ON FILE.  
(See Action Later Today)

The Following Communication:

STATE OF MAINE  
OFFICE OF THE PRESIDENT  
AUGUSTA, MAINE 04333

September 12, 1988

Honorable Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, Maine 04333

Dear Madam Secretary:

This is to inform you that pursuant to my authority under M.R.S.A. 5, Section 7021, I have appointed the following to the Maine Commission for Women:

Ms. Joanne D'Arcangelo of Portland

Pursuant to my authority under M.R.S.A. 38, Section 1453, I have appointed the following to the Advisory Commission on Radioactive Waste:

Ms. Minnie Lee Gartley of Beaver Cove

Pursuant to my authority under Chapter 85 of the Resolves of 1986, I have appointed the following to the Maine Commission to Commemorate the Bicentennial of the United States Constitution:

Hon. Matthew Williams of Dover Foxcroft

Pursuant to my authority under Chapter 105 of the Resolves of 1988, I have appointed the following to the Commission to Review the Laws Relating to Registered Maine Guides:

Sen. R. Donald Twitchell of Oxford  
Sen. Charles Dow of Kennebec

Pursuant to my authority under Chapter 106 of the Resolves of 1988, I have appointed the following to the Commission to Study the Status of Nursing Professions in Maine:

Sen. N. Paul Gauvreau of Androscoggin  
Sen. Barbara Gill of Cumberland  
Ms. Diane Bray of Dover Foxcroft  
Mr. Carl Leinonen of Augusta  
Mr. Joseph Roach of Millinocket

Pursuant to my authority under Chapter 107 of the Resolves of 1988, I have appointed the following to the Supreme Judicial Court Plan and Design Commission:

Sen. Beverly Miner Bustin of Kennebec

Pursuant to my authority under Chapter 111 of the Resolves of 1988, I have appointed the following to the Special Commission on Boating:

Sen. Edgar E. Erwin of Oxford  
Sen. Ronald E. Usher of Cumberland

Pursuant to my authority under Chapter 112 of the Resolves of 1988, I have appointed the following to the Commission on Marine Research:

Sen. John L. Tuttle, Jr. of York  
Sen. Stephen C. Estes of York

Pursuant to my authority under Chapter 129 of the Private and Special Laws of 1988, I have appointed the following to the Maine Information Commission on Agent Orange and Radiation:

Sen. Edgar E. Erwin of Oxford

Pursuant to my authority under Chapter 139 of the Private and Special Laws of 1988, I have appointed the following to the Commission on Manufactured Housing:

Sen. Judy C. Kany of Kennebec  
Sen. John Baldacci of Penobscot  
Sen. Robert R. Gould of Waldo  
Ms. Louise Dorais of Lewiston  
Mr. John Schiavi of Oxford, mobile home park owners representative

Pursuant to my authority under Chapter 769 of the Public Laws of 1988, I have appointed the following to the Maine Transportation Capital Improvement Planning Committee:

Sen. Charles Dow of Kennebec

Pursuant to my authority under Chapter 779 of the Public Laws of 1988, I have appointed the following to the Subcommittee on Rehabilitation:

Sen. Dennis L. Dutremble of York  
Sen. Donald F. Collins of Aroostook  
Sen. N. Paul Gauvreau of Androscoggin

Pursuant to my authority under Chapter 814 of the Public Laws of 1988, I have appointed the following to the Study Commission on Coastal Search and Rescue:

Sen. John L. Tuttle, Jr. of York  
Sen. Robert R. Gould of Waldo

Pursuant to my authority under Chapter 816 of the Public Laws of 1988, I have appointed the following to the Maine Water Supply Study Commission:

Sen. Michael D. Pearson of Penobscot  
Sen. Ronald E. Usher of Cumberland

Pursuant to my authority under Chapter 816 of the Public Laws of 1988, I have appointed the following to the Maine Health Policy Advisory Council:

Sen. N. Paul Gauvreau of Androscoggin  
Mr. James Coffey of Bangor

Pursuant to my authority under Chapter 848 of the Public Laws of 1988, I have appointed the following to the Special Commission to Study School Funding and State Tax Law:

Sen. Stephen C. Estes of York  
Sen. Charlotte Sewall of Lincoln  
Please let me know if you have any questions about these appointments.

Sincerely,  
S/Charles P. Pray  
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
STATE OF MAINE  
OFFICE OF THE PRESIDENT  
AUGUSTA, MAINE 04333

September 12, 1988

Honorable Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, Maine 04333

Dear Madam Secretary:

Pursuant to my authority under M.R.S.A. 38, Section 1453, I have appointed the following to the Advisory Commission on Radioactive Waste:

Ms. Nancy Hollands of Shirley, replacing Ms. Gartley

Pursuant to my authority under Chapter 139 of the Private and Special Laws of 1988, I have appointed the following to the Commission on Manufactured Housing:

Sen. Stephen C. Estes of York, replacing Sen. Kany  
Pursuant to my authority under Chapter 779 of the Public Laws of 1988, I have appointed the following to the Subcommittee on Rehabilitation:

Sen. Thomas Andrews of Cumberland, replacing Sen. Dutremble

Please let me know if you have any questions about these appointments.

Sincerely,  
S/Charles P. Pray  
President of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
113TH MAINE LEGISLATURE

September 12, 1988

Honorable Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, Maine 04333

Dear Secretary O'Brien:

This is to notify you that pursuant to our authority under Chapter 110, Resolves of 1987, we have appointed the following to serve on the Special Commission on Early Childhood Education and Development:

Phillip Hayes of Farmington, replacing Lynn Morneault as the grade 7-12 teacher representative  
Debbie Dunn of Augusta, replacing Robin Bubar as the preschool project representative

Pursuant to our authority under Chapter 129 of the Private and Special Laws of 1988, we have appointed the following to serve on the Maine Information Commission on Agent Orange:

Hon. Maria Glen Holt of Bath, as Chair

Pursuant to our authority under Chapter 138 of the Private and Special Laws of 1988, we have appointed the following to the Study of the Necessity and Feasibility of Establishing a Health Information Recording System:

Sen. Zachary Matthews of Kennebec  
Sen. R. Donald Twitchell of Oxford  
Sen. Donald Collins of Aroostook  
Sen. Raynold Theriault of Aroostook



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

ABSENT: Senator BALDACCI

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, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Philip G. Andrews, for appointment to the Animal Welfare Board, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:

STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333

August 16, 1988

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

Augusta, Maine 04333

Dear Senator Pray:

This is to inform you that I am today nominating Barbara B. Lounsbury for reappointment and Alan J. Lewis for appointment to the Board of Pesticides Control.

Pursuant to Title 22, M.R.S.A. Section 1471-B, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

August 16, 1988

Senator Zachary Matthews  
Representative Robert J. Tardy  
Chairpersons  
Joint Standing Committee on Agriculture  
113th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Barbara B. Lounsbury of Auburn for reappointment and Alan J. Lewis of Jonesport for appointment to the Board of Pesticides Control.

Pursuant to Title 22, M.R.S.A. Section 1471-B, this nomination will require review by the Joint Standing Committee on Agriculture 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:

COMMITTEE ON AGRICULTURE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

September 1, 1988

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 Alan J. Lewis of Jonesport, for appointment to 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 9  
NAYS: 0  
ABSENT: 2 Sen. Twitchell of Oxford  
Rep. Hussey of Milo

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 Alan J. Lewis of Jonesport, for appointment to the Board of Pesticides Control be confirmed.

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

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on AGRICULTURE has recommended the nomination of Alan J. Lewis of Jonesport, for appointment to the Board of Pesticides Control, 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, BERUBE, BLACK,  
BRANNIGAN, BRAWN, BUSTIN, CAHILL,  
CLARK, COLLINS, DILLENBACK, DOW,  
DUTREMBLE, EMERSON, ERWIN, ESTES,  
GAUVREAU, GILL, GOULD, KANY, KERRY,  
LUDWIG, MATTHEWS, MAYBURY, PEARSON,  
PERKINS, RANDALL, SEWALL, THERIAULT,  
TUTTLE, TWITCHELL, USHER, WEBSTER,  
WHITMORE, THE PRESIDENT - CHARLES P.  
PRAY

ABSENT: Senator BALDACCI  
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, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Alan J. Lewis, for appointment to the Board of Pesticides Control, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:

COMMITTEE ON AGRICULTURE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
September 1, 1988

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 Barbara B. Lounsbury of Auburn, for reappointment to 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 9  
NAYS: 0  
ABSENT: 2 Sen. Twitchell of Oxford  
Rep. Hussey of Milo

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 Barbara B. Lounsbury of Auburn, for reappointment to the Board of Pesticides Control be confirmed.

Sincerely,

S/Zachary Matthews S/Robert J. Tardy  
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on AGRICULTURE has recommended the nomination of Barbara B. Lounsbury of Auburn, for reappointment to the Board of Pesticides Control, 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, BROWN, BUSTIN,  
CAHILL, CLARK, COLLINS, DILLENBACK,  
DOW, DUTREMBLE, EMERSON, ERWIN, ESTES,  
GAUVREAU, GILL, GOULD, KANY, KERRY,  
LUDWIG, MATTHEWS, MAYBURY, PEARSON,  
PERKINS, RANDALL, SEWALL, THERIAULT,  
TUTTLE, TWITCHELL, USHER, WEBSTER,  
WHITMORE, THE PRESIDENT - CHARLES P.  
PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 and the nomination of Barbara B. Lounsbury, for reappointment to the Board of Pesticides Control, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333

August 15, 1988

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

Dear Senator Pray:

This is to inform you that I am today nominating Richard E. Dyke of Windham for appointment to the Finance Authority of Maine.

Pursuant to P.L. 1988, Chapter 596, this nomination will require review by the Joint Standing Committee on Economic Development and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

August 15, 1988

Senator Thomas H. Andrews  
Representative Nathaniel J. Crowley  
Chairpersons  
Joint Standing Committee on Economic Development  
113th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Richard E. Dyke of Windham for appointment to the Finance Authority of Maine.

Pursuant to P.L. 1988, Chapter 596, this nomination will require review by the Joint Standing Committee on Economic Development 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:  
COMMITTEE ON ECONOMIC DEVELOPMENT  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
September 1, 1988

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 Economic Development has had under consideration the nomination of Richard E. Dyke of Windham, for appointment to 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 6  
NAYS: 0

ABSENT: 4 Rep. Hichborn of Lagraange,  
Rep. Priest of Brunswick,  
Rep. Armstrong of Wilton,  
Rep. Melendy of Rockland

Nine 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 Richard E. Dyke of Windham, for appointment to the Finance Authority of Maine be confirmed.

Sincerely,  
S/Thomas H. Andrews  
Senate Chair  
S/Nathaniel J. Crowley  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on ECONOMIC DEVELOPMENT has recommended the nomination of Richard E. Dyke of Windham, for appointment to the Finance Authority of Maine, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on ECONOMIC DEVELOPMENT 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, CLARK, COLLINS, DILLENBACK,  
DOW, DUTREMBLE, EMERSON, ERWIN, ESTES,  
GAUVREAU, GILL, GOULD, KANY, KERRY,  
LUDWIG, MATTHEWS, MAYBURY, PEARSON,  
PERKINS, RANDALL, SEWALL, THERIAULT,  
TUTTLE, TWITCHELL, USHER, WEBSTER,  
WHITMORE, THE PRESIDENT - CHARLES P.  
PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 and the nomination of Richard E. Dyke, for appointment to the Finance Authority of Maine, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

The Following Communication:  
STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333  
August 15, 1988

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

This is to inform you that I am today nominating Dr. George W. Wood, III of Bangor for reappointment and James R. Caron of Fort Kent and Bennett D. Katz of

Augusta for appointments to the University of Maine, Board of Trustees.  
Pursuant to Title 26, M.R.S.A. Section 1022, these nominations will require review by the Joint Standing Committee on Education and confirmation by the Senate.  
Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333  
August 15, 1988

Senator Stephen C. Estes  
Representative Stephen M. Bost  
Chairpersons  
Joint Standing Committee on Education  
113th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Dr. George W. Wood, III of Bangor for reappointment and James R. Caron of Fort Kent and Bennett D. Katz of Augusta for appointments to the University of Maine, Board of Trustees.

Pursuant to Title 26, M.R.S.A. Section 1022, these nominations 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:  
COMMITTEE ON EDUCATION  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
August 31, 1988

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 Education has had under consideration the nomination of James R. Caron of Fort Kent, for appointment to the University of Maine, 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 3  
Representatives 7  
NAYS: 0  
ABSENT: 3 Rep. KilKelly of Wiscasset,  
Rep. O'Gara of Westbrook,  
Rep. Oliver of Portland

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of James R. Caron of Fort Kent, for appointment to the University of Maine, Board of Trustees be confirmed.

Sincerely,  
S/Stephen C. Estes S/Stephen M. Bost  
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on EDUCATION has recommended the nomination of James R. Caron of Fort Kent, for appointment to the University of Maine, Board of Trustees, 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 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, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 and the nomination of James R. Caron, for appointment to the University of Maine, Board of Trustees, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

The Following Communication:  
 COMMITTEE ON EDUCATION  
 ONE HUNDRED AND THIRTEENTH LEGISLATURE  
 August 31, 1988

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 Education has had under consideration the nomination of Bennett D. Katz of Augusta, for appointment to the University of Maine, 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 3  
 Representatives 7  
 NAYS: 0  
 ABSENT: 3 Rep. Kilkelly of Wiscasset,  
 Rep. O'Gara of Westbrook,  
 Rep. Small of Bath

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 Bennett D.

Katz of Augusta, for appointment to the University of Maine, Board of Trustees be confirmed.

Sincerely,

S/Stephen C. Estes Senate Chair S/Stephen M. Bost House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on EDUCATION has recommended the nomination of Bennett D. Katz of Augusta, for appointment to the University of Maine, Board of Trustees, 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 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, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 and the nomination of Bennett D. Katz, for appointment to the University of Maine, Board of Trustees, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

The Following Communication:  
 COMMITTEE ON EDUCATION  
 ONE HUNDRED AND THIRTEENTH LEGISLATURE  
 August 31, 1988

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 Education has had under consideration the nomination of Dr. George W. Wood III of Bangor, for reappointment to the University of Maine, 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

LEGISLATIVE RECORD - SENATE, SEPTEMBER 15, 1988

NAYS: 0  
ABSENT: 3 Sen. Randall of Washington,  
Rep. KilKelly of Wiscasset,  
Rep. Oliver of Portland

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Dr. George W. Wood III of Bangor, for reappointment to the University of Maine, Board of Trustees be confirmed.

Sincerely,

S/Stephen C. Estes Senate Chair  
S/Stephen M. Bost House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on EDUCATION has recommended the nomination of George W. Wood III of Bangor, for reappointment to the University of Maine, Board of Trustees, 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 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, CLARK, COLLINS, DILLENBACK,  
DOW, DUTREMBLE, EMERSON, ERWIN, ESTES,  
GAUVREAU, GILL, GOULD, KANY, KERRY,  
LUDWIG, MATTHEWS, PEARSON, PERKINS,  
RANDALL, SEWALL, THERIAULT, TUTTLE,  
TWITCHELL, USHER, WEBSTER, WHITMORE,  
THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator MAYBURY

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, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of George W. Wood III, for reappointment to the University of Maine, Board of Trustees, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Senate at Ease

Senate called to order by the President.

The Following Communication:

STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333  
August 15, 1988

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

Dear Senator Pray:

This is to inform you that I am today nominating Edward Gorham of Randolph for reappointment and Roy Hibyan of Yarmouth for appointment to the Board of Trustees, Maine Vocational Technical Institutes.

Pursuant to Title 20-A, M.R.S.A. Section 12705, 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/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

August 15, 1988

Senator Stephen Estes  
Representative Stephen Bost  
Chairpersons  
Joint Standing Committee on Education  
113th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Edward Gorham of Randolph for reappointment and Roy Hibyan of Yarmouth for appointment to the Board of Trustees, Maine Vocational Technical Institutes.

Pursuant to Title 20-A, M.R.S.A. Section 12705, 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:

COMMITTEE ON EDUCATION  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
August 31, 1988

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 Education has had under consideration the nomination of Edward Gorham of Randolph, for reappointment to the Board of Trustees, Maine Vocational Technical Institutes.

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 7  
NAYS: 0  
ABSENT: 3 Rep. KilKelly of Wiscasset,  
Rep. O'Gara of Westbrook,  
Rep. Oliver of Portland

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Edward Gorham of Randolph, for reappointment to the Board of Trustees, Maine Vocational Technical Institutes be confirmed.

Sincerely,

S/Stephen C. Estes Senate Chair  
S/Stephen M. Bost House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on



EDUCATION has recommended the nomination of Edward Gorham of Randolph, for reappointment to the Board of Trustees, Maine Vocational Technical Institutes, 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 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?

At this time the Chair noted the absence of the Senator from Kennebec, Senator DOW and the Senator from Oxford, Senator TWITCHELL, and further excused the same Senators from the Roll Call vote.

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, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None  
 EXCUSED: Senators, DOW, TWITCHELL

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with No Senators being absent, and 2 Senators 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 Edward Gorham, for reappointment to the Board of Trustees, Maine Vocational Technical Institutes, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
 COMMITTEE ON EDUCATION  
 ONE HUNDRED AND THIRTEENTH LEGISLATURE  
 August 31, 1988

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 Education has had under consideration the nomination of Roy Hibyan of Yarmouth, for appointment to the Board of Trustees, Maine Vocational Technical Institutes.

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 7

NAYS: 0  
 ABSENT: 3 Rep. Kilkelly of Wiscasset,  
 Rep. O'Gara of Westbrook,  
 Rep. Oliver of Portland

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Roy Hibyan of Yarmouth, for appointment to the Board of Trustees, Maine Vocational Technical Institutes be confirmed.

Sincerely,  
 S/Stephen C. Estes S/Stephen M. Bost  
 Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.  
 On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending CONSIDERATION.

The Following Communication:  
 STATE OF MAINE  
 OFFICE OF THE GOVERNOR  
 AUGUSTA, MAINE 04333  
 August 15, 1988

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

Dear Senator Pray:  
 This is to inform you that I am today nominating Carol A. Wishcamper of Freeport for reappointment and Richard C. Kennedy of Nobleboro for appointment to the State Board of Education. Pursuant to Title 20, M.R.S.A. Section 51, these nominations will require review by the Joint Standing Committee on Education and confirmation by the Senate. Thank you for your assistance in this matter.

Sincerely,  
 S/JOHN R. MCKERNAN, JR.  
 Governor  
 Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
 SENATE OF MAINE  
 OFFICE OF THE SECRETARY  
 AUGUSTA, MAINE 04333  
 August 15, 1988

Senator Stephen C. Estes  
 Representative Stephen M. Bost  
 Chairpersons  
 Joint Standing Committee on Education  
 113th Legislature  
 Augusta, Maine 04333  
 Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Carol A. Wishcamper of Freeport for reappointment and Richard C. Kennedy of Nobleboro for appointment to the State Board of Education.

Pursuant to Title 20, M.R.S.A. Section 51, these nominations 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:  
 COMMITTEE ON EDUCATION  
 ONE HUNDRED AND THIRTEENTH LEGISLATURE  
 August 31, 1988

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

LEGISLATIVE RECORD - SENATE, SEPTEMBER 15, 1988

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 Education has had under consideration the nomination of Richard C. Kennedy of Nobleboro, for appointment to the State Board of Education.

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

YEAS: Senators 3  
Representatives 7

NAYS: 1

ABSENT: 2 Rep. Kilkelly of Wiscasset,  
Rep. Oliver of Portland

Ten 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 Richard C. Kennedy of Nobleboro, for appointment to the State Board of Education be confirmed.

Sincerely,

S/Stephen C. Estes  
Senate Chair

S/Stephen M. Bost  
House Chair

Which was READ and ORDERED PLACED ON FILE.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending CONSIDERATION.

The Following Communication:

COMMITTEE ON EDUCATION  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
August 31, 1988

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 Education has had under consideration the nomination of Carol A. Wishcamper of Freeport, for reappointment to the State Board of Education.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate 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. Kilkelly of Wiscasset,  
Rep. Oliver of Portland

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 Carol A. Wishcamper of Freeport, for reappointment to the State Board of Education be confirmed.

Sincerely,

S/Stephen C. Estes  
Senate Chair

S/Stephen M. Bost  
House Chair

Which was READ and ORDERED PLACED ON FILE.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending CONSIDERATION.

The Following Communication:

STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333  
August 15, 1988

The Honorable Charles P. Pray

President of the Senate

Senate Chamber

State House

Augusta, Maine 04333

Dear Senator Pray:

This is to inform you that I am today nominating Stephen Wight of Bethel for reappointment and Adrien Brochu of Stratton for appointment to the Land Use Regulation Commission.

Pursuant to Title 12, M.R.S.A. Section 683, these nominations 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/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

August 15, 1988

Senator Ronald E. Usher

Representative Michael H. Michaud

Chairpersons

Joint Standing Committee on Energy and Natural Resources

113th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Stephen Wight of Bethel for reappointment and Adrien Brochu of Stratton for appointment to the Land Use Regulation Commission.

Pursuant to Title 12, M.R.S.A. Section 683, these nominations 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  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333

September 1, 1988

The Honorable Charles P. Pray

President of the Senate

Senate Chamber

State House

Augusta, Maine 04333

Dear Senator Pray:

This is to inform you that I am withdrawing my nomination of Adrien Brochu of Stratton as a member of the Land Use Regulation Commission.

Pursuant to Title 12, M.R.S.A. Section 683, this nomination is currently pending before the Joint Standing Committee on Energy and Natural Resources.

Thank you for your assistance in this matter.

Sincerely,

S/JOHN R. MCKERNAN, JR.

Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE

OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

September 1, 1988

Senator Ronald E. Usher  
Representative Michael H. Michaud  
Chairpersons  
Joint Standing Committee on Energy and Natural Resources  
113th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of Adrien Brochu of Stratton for appointment as a member of the Land Use Regulation Commission.

Pursuant to Title 12, M.R.S.A. Section 683, this nomination is currently pending before the Joint Standing Committee on Energy and Natural Resources.

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON ENERGY AND NATURAL RESOURCES  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
September 6, 1988

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 Energy and Natural Resources has had under consideration the nomination of Stephen Wight of Bethel, for reappointment to the Land Use Regulation 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. Annette Hoglund of Portland

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 Stephen Wight of Bethel, for reappointment to the Land Use Regulation Commission be confirmed.

Sincerely,  
S/Ronald E. Usher  
Senate Chair  
S/Michael H. Michaud  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on ENERGY AND NATURAL RESOURCES has recommended the nomination of Stephen Wight of Bethel, for reappointment to the Land Use Regulation Commission, 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 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 Chair at this time noted the absence of the Senator from Kennebec, Senator DOW, the Senator from Lincoln, Senator SEWALL and the Senator from Oxford, Senator TWITCHELL and further excused the same Senators from the Roll Call vote.

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

ABSENT: Senators None  
EXCUSED: Senators, DOW, SEWALL, TWITCHELL

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with No Senators being absent, and 3 Senators 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 Stephen Wight, for reappointment to the Land Use Regulation Commission, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333  
August 15, 1988

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

This is to inform you that I am today nominating Samuel W. Collins, Jr. of Rockland for appointment as Associate Justice, Supreme Judicial Court. Pursuant to the Maine Constitution, Article V, Part I, Section 8, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333  
August 15, 1988

Senator Joseph C. Brannigan  
Representative Patrick E. Paradis  
Chairpersons  
Joint Standing Committee on Judiciary  
113th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Samuel W. Collins, Jr. of Rockland for appointment as Associate Justice, Supreme Judicial Court.

Pursuant to the Maine Constitution, Article V, Part I, Section 8, 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:  
COMMITTEE ON JUDICIARY  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
September 1, 1988

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 Judiciary has had under consideration the nomination of Samuel W. Collins of Rockland, for appointment as Associate Justice of the Supreme Judicial 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 9  
NAYS: 0

ABSENT: 1 Rep. Thistle of Dover-Foxcroft

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 Samuel W. Collins of Rockland, for appointment as Associate Justice of the Supreme Judicial Court be confirmed.

Sincerely,

S/Joseph C. Brannigan S/Patrick E. Paradis  
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator PEARSON: Thank you Mr. President. Mr. President, men and women of the Senate. I will be brief. This is truly a fine appointment. It must be a very satisfying and emotional thing for the good Senator from Aroostook, Senator Don Collins, to see this on the calendar and to be here today to vote on this. I've known former Senator Sam Collins for quite some time and I must say that, as a Democrat in the House of Representatives and as a Democrat in the Senate, I was always treated first class by this gentlemen. I served with him on the Indian Land Claims Committee, he was first rate, he put it together in grand style. I don't know how many more Collins' there are, but I do know that the Senator from Aroostook has a son that runs the business who is also fully qualified to do just about anything too.

Very recently Senator Sam Collins had a terrible accident and for a very brief period of time his life hung in the balance and he came out of it just great. This is one of the best appointments I have seen the Governor make. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Brawn.

Senator BRAUN: Thank you Mr. President. Mr. President, men and women of the Senate. I will rise

to express a few thoughts on the nomination of Samuel W. Collins, Jr., as Associate Justice of the Supreme Judicial Court. As you all know, I am very honored to now be the Senator for District 21, the seat that Sam held for so long and so well. Sam not only held his seat for many years, he is also a very highly respected and loved member in my community. He has served as a well known lawyer and family person in Rockland for forty years. He has served in this Body as Chairman of the Judiciary Committee and as both Majority and Minority Floor Leader. I hope that you will join me in confirming Samuel W. Collins of Rockland as Associate Justice of the Supreme Judicial Court. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Gill.

Senator GILL: Thank you Mr. President. Mr. President, men and women of the Senate. I had the opportunity to serve in Leadership under Senator Sam Collins. Senator Sam Collins was Minority Leader of our caucus and I had the pleasure of serving as his Assistant Minority Leader and I must say during the time that Sam served in the Senate he was respected, as Senator Pearson of Penobscot said, by both sides and I think he treated everybody fairly. We went through some major legislation and work on the Indian Land Claims and at that point Sam was the scholar and everybody bowed to his judgement because he was the one that knew more than anybody else in the whole state of Maine about that situation. I am pleased that Sam Collins has been given this opportunity to again be a teacher because he is that, but also to be a fair Judge of all that comes before his court. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Gauvreau.

Senator GAUVREAU: Thank you Mr. President. Mr. President, men and women of the Senate. I also rise in enthusiastic support of the Governor's nomination of Samuel Collins to serve on the law court. I am particularly pleased that this nomination was made due to the impeccable character, integrity and unblemished record of civic service demonstrated by then Senator Collins during his decade of service in this Legislature. I think it is particularly appropriate for me to also comment on this nomination since I am presently the only attorney of law serving in this Body. We have, in my view, witnessed a serious decline in attorney representation in this Legislative Body over the last several years. I think that does portend some significant concerns for all of us. Certainly Sam Collins gave greatly of his intellect, his time and patience and as I think back I have attempted to set him as a standard in my particular area of legislative service. I would only wish that attorneys as diligent and conscientious as Sam Collins would offer themselves for public service in this Body as well. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Kany.

Senator KANY: Thank you Mr. President. Mr. President, men and women of the Senate. I would like to compliment Governor McKernan on this appointment. Having served in the Legislature with former Senator Sam Collins for many years and having co-chaired one Joint Select Committee on Government Ethics, which we wrote the Executive Branch Conflict of Interest Law, and having admired the fine work he did as Chairman of the Joint Standing Committee on Judiciary and the work that he did on the Indian Land Claims Settlement he really was a statesman while serving in the Legislature. He performed so well and with honor, dignity and respect for other humans and with respect for all of his colleagues and I think he will do a

wonderful job in the Supreme Court. I think he brings a special knowledge and perspective having served in the Legislature and being aware of how one might go about changing elements of the Judicial System, including the administration of it. I am very pleased at this nomination and am pleased to have the opportunity to vote in favor of it. Thank you.

THE PRESIDENT: The Joint Standing Committee on JUDICIARY has recommended the nomination of Samuel W. Collins of Rockland, for appointment as Associate Justice of the Supreme Judicial Court, 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 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, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None  
No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 and the nomination of Samuel W. Collins, for appointment as Associate Justice of the Supreme Judicial Court, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333  
August 16, 1988

The Honorable Charles P. Pray  
President of the Senate  
Senate Chamber  
State House  
Augusta, Maine 04333  
Dear Senator Pray:  
This is to inform you that I am today nominating David B. Griffiths of Presque Isle for appointment as Judge of the Maine District Court.  
Pursuant to Title 4, M.R.S.A. Section 157, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.  
Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333  
August 16, 1988

Senator Joseph C. Brannigan  
Representative Patrick E. Paradis  
Chairpersons  
Joint Standing Committee on Judiciary  
113th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated David B. Griffiths of Presque Isle for appointment as Judge of the Maine District Court.

Pursuant to Title 4, M.R.S.A. Section 157, 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.

Senator BALDACCI of Penobscot was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

The Following Communication:  
COMMITTEE ON JUDICIARY  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
September 6, 1988

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 Judiciary has had under consideration the nomination of David B. Griffiths of Presque Isle, for appointment as 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        | 1   |
|         | Representatives | 6   |
| NAYS:   |                 | 0   |
| ABSENT: | 6               | Sen. Gauvreau of Androscoggin,<br>Sen. Black of Cumberland,<br>Rep. Warren of Scarborough,<br>Rep. Conley of Portland,<br>Rep. Thistle of Dover-Foxcroft,<br>Rep. Hanley of Paris |

Seven 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 David B. Griffiths of Presque Isle, for appointment as Judge of the Maine District Court be confirmed.

Sincerely,  
S/Joseph C. Brannigan  
Senate Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on JUDICIARY has recommended the nomination of David B. Griffiths of Presque Isle, for appointment as Judge of the Maine District Court, 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 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?

At this time the Chair noted the absence of the Senator from Kennebec, Senator DOW, the Senator from Lincoln, Senator SEWALL and the Senator from Oxford, Senator TWITCHELL and further excused the same Senators from the Roll Call vote.

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

ABSENT: Senators None
EXCUSED: Senators, DOW, SEWALL, TWITCHELL
No Senators having voted in the affirmative and 32 Senators having voted in the negative, with No Senators being absent, and 3 Senators 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 David B. Griffiths, for appointment as Judge of the Maine District Court, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

August 16, 1988

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

Dear Senator Pray:
This is to inform you that I am today nominating Dawn B. Lieb of Augusta for appointment as a member 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 Judiciary and confirmation by the Senate. Thank you for your assistance in this matter.

Sincerely,
S/JOHN R. MCKERNAN, JR.
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333
August 16, 1988

Senator Joseph C. Brannigan
Representative Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
113th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Dawn B. Lieb of Augusta for appointment as a member 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 Judiciary and confirmation by the Senate.

Sincerely,
S/Joy J. O'Brien
Secretary of the Senate

Which was READ and ORDERED PLACED ON FILE.

Senator PERKINS of Hancock was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator CLARK of Cumberland, RECESSED until 2:00 this afternoon.

After Recess

Senate called to order by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Correct a Technical Error in the Air Quality Law" (Emergency)

H.P. 1987 L.D. 2691

Committee on ENERGY AND NATURAL RESOURCES suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED, in concurrence.

COMMITTEE REPORTS

House

Ought to Pass

The Committee on TAXATION on Bill "An Act to Return Surplus Revenues to the Taxpayers of Maine" (Emergency)

H.P. 1983 L.D. 2686

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.

Under suspension of the Rules, the Bill READ TWICE and PASSED TO BE ENGROSSED, in concurrence.

Under suspension of the Rules, sent forthwith to the Engrossing Department.

Out of order and under suspension of the Rules,

the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Relating to Horse Racing and Racing Facilities"

H.P. 1990 L.D. 2692

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Increase the Sewerage Facilities Construction General Fund Bond Issue for Individual Pollution Abatement Projects" (Emergency)

H.P. 1992 L.D. 2694

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

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

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

PAPERS FROM THE HOUSE

House Papers

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Clarify the Original Constitutional Resolution Making the Language of the Constitution Gender-Neutral

H.P. 1993 L.D. 2695

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

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Clarify the Maine Jobs and Investment Tax Credit Law" (Emergency)

H.P. 1991 L.D. 2693

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.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Protect the Environment around the Union Chemical Company Hazardous Waste Site" (Emergency)

H.P. 1994 L.D. 2696

Committee on UTILITIES suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED, in concurrence.

Under suspension of the Rules, sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

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 Prevent the Establishment of a Maximum Limit Reimbursement for Adjustments to the Prospective Rate for Nursing Staff Wages"

H.P. 1971 L.D. 2668

Ought to Pass

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Clarify the Issuance of Securities by the Maine Court Facilities Authority" (Emergency)

H.P. 1973 L.D. 2671

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.

Under suspension of the Rules, the Bill READ TWICE and PASSED TO BE ENGROSSED, in concurrence.

Under suspension of the Rules, sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on EDUCATION on Bill "An Act to Amend Project ASPIRE for High School Students in the State"

H.P. 1969 L.D. 2666

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.

Under suspension of the Rules, the Bill READ TWICE and PASSED TO BE ENGROSSED, in concurrence.

Under suspension of the Rules, sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on EDUCATION on Bill "An Act to Amend the Maine Student Educational Enhancement Deposit Program" (Emergency)

H.P. 1985 L.D. 2688

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-807).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-807)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-807) READ and ADOPTED, in concurrence.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in

concurrency.

Under suspension of the Rules, sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on TAXATION on Bill "An Act Relating to Municipal General Obligation Securities"

H.P. 1974 L.D. 2672

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-804).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-804)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-804) READ and ADOPTED, in concurrence.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Under suspension of the Rules, sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on UTILITIES on Bill "An Act to Make Technical Changes in the Charter of the Waterville Sewerage District" (Emergency)

H.P. 1976 L.D. 2674

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.

Under suspension of the Rules, the Bill READ TWICE and PASSED TO BE ENGROSSED, in concurrence.

Under suspension of the Rules, sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on UTILITIES on Bill "An Act to Create the East Pittston Water District" (Emergency)

H.P. 1968 L.D. 2665

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-800).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-800).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-800) READ and ADOPTED, in concurrence.

Under suspension of the Rules, the Bill READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Under suspension of the Rules, sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Amend the Demonstration Teaching Nursing Home Law"

H.P. 1964 L.D. 2661

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-802).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-802)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-802) READ and ADOPTED, in concurrence.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act Making Appropriations for Additional Staff to the Office of Employee Assistants for the Workers' Compensation Commission" (Emergency)

H.P. 1965 L.D. 2662

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-803).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-803)

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-803) READ and ADOPTED, in concurrence.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

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

COMMITTEE REPORTS

House

Ought to Pass

The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Correct the Expiration Date for the Term of Office for a Washington County Commissioner"

H.P. 1967 L.D. 2664

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.

Under suspension of the Rules, the Bill READ TWICE and PASSED TO BE ENGROSSED, in concurrence.

Under suspension of the Rules, sent forthwith to the Engrossing Department.

Under suspension of the Rules, all matters thus acted upon were ordered sent forthwith.

Out of order and under suspension of the Rules,



the Senate considered the following:

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator GAUVREAU for the Committee on HUMAN RESOURCES on Bill "An Act to Modify the Radiation Protection Services Statute for Commercial Nuclear Power Facilities in the State" (Emergency)

S.P. 1023 L.D. 2679

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-553).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-553) READ and ADOPTED.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

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

COMMITTEE REPORTS

Senate

Divided Report

The Majority of the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Authorize the Annexation of Land Adjacent to the Town of Millinocket" (Emergency)

S.P. 1018 L.D. 2669

Reported that the same Ought Not to Pass.

Signed:

Senator:

GOULD of Waldo

Representatives:

LACROIX of Oakland

WENTWORTH of Wells

HUSSEY of Milo

CARROLL of Gray

LOOK of Jonesboro

STROUT of Windham

ANTHONY of South Portland

ROTONDI of Athens

BICKFORD of Jay

The Minority of the same Committee on the same subject reported that the same Ought to Pass.

Signed:

Senator:

TUTTLE of York

(Senator BALDACCI of Penobscot Abstained)

Which Reports were READ.

On motion by Senator TUTTLE of York, Tabled until Later in Today's Session, pending ACCEPTANCE OF EITHER REPORT.

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

ENACTORS

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

Emergency

An Act to Stagger the Filing Dates of Annual Corporation Reports with the Secretary of State

S.P. 1022 L.D. 2678

(C "A" S-552)

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

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

COMMUNICATIONS

The Following Communication:

H.P. 1972

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA 04333

September 6, 1988

John L. Martin  
Speaker of the House  
113th Legislature

Charles P. Pray  
President of the Senate  
113th Legislature

Dear Mr. Speaker and Mr. President:

On September 6, 1988, one Bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee on September 6, 1988 as follows:

Human Resources

Bill "An Act to Prevent the Establishment of a Maximum Limit Reimbursement for Adjustments to the Prospective Rate for Nursing Staff Wages" (H.P. 1971) (L.D. 2668) (Presented by Representative BOUTILIER of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Edwin H. Pert

Clerk of the House

S/Joy J. O'Brien

Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

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

COMMUNICATIONS

The Following Communication:

H.P. 1980

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA 04333

September 9, 1988

John L. Martin  
Speaker of the House  
113th Legislature  
Charles P. Pray  
President of the Senate  
113th Legislature

Dear Mr. Speaker and Mr. President:

On September 9, 1988, seven Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on September 9, 1988 as follows:

Agriculture

Bill "An Act to Provide for Pooling of Certain Over-Order Premiums Under the Maine Milk Pool" (Emergency) (H.P. 1977) (L.D. 2675) (Presented by Representative TARDY of Palmyra) (Cosponsors: Senators BLACK of Cumberland, MATTHEWS of Kennebec and Representative BRAGG of Sidney)

Appropriations and Financial Affairs

Bill "An Act to Clarify the Issuance of Securities by the Maine Court Facilities Authority" (Emergency) (H.P. 1973) (L.D. 2671) (Presented by Representative CARTER of Winslow) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Fund a Full-Time Position for the Commission on Governmental Ethics and Election Practices" (Emergency) (H.P. 1975) (L.D. 2673) (Presented by Representative DIAMOND of Bangor) (Cosponsor: Senators PERKINS of Hancock, CLARK of

Cumberland and Representative FOSTER of Ellsworth) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Authorize Additional Staff for the Maine Land Use Regulation Commission" (Emergency) (H.P. 1979) (L.D. 2683) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Representative JACQUES of Waterville, Senators PEARSON of Penobscot and WEBSTER of Franklin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Taxation

Bill "An Act Relating to Municipal General Obligation Securities" (H.P. 1974) (L.D. 2672) (Presented by Representative NADEAU of Lewiston) (Cosponsors: Representatives DORE of Auburn, POULIOT of Lewiston and Senator GAUVREAU of Androscoggin) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Utilities

Bill "An Act to Make Technical Changes in the Charter of the Waterville Sewerage District" (Emergency) (H.P. 1976) (L.D. 2674) (Presented by Representative JOSEPH of Waterville) (Cosponsors: Senator KANY of Kennebec and Representative JACQUES of Waterville) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Create the South Waterboro Water District" (Emergency) (H.P. 1978) (L.D. 2676) (Presented by Representative LORD of Waterboro) (Cosponsors: Representative RIDLEY of Shapleigh and Senator BLACK of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,

S/Joy J. O'Brien Secretary of the Senate  
S/Edwin H. Pert Clerk of the House  
Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

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

COMMUNICATIONS

The Following Communication: H.P. 1982

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA 04333

September 9, 1988

John L. Martin  
Speaker of the House  
113th Legislature  
Charles P. Pray  
President of the Senate  
113th Legislature

Dear Mr. Speaker and Mr. President:  
On September 9, 1988, one Bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, this bill was referred to the Joint Standing Committee on September 9, 1988 as follows:

Energy and Natural Resources

Bill "An Act to Enhance Land Use Regulation" (Emergency) (H.P. 1981) (L.D. 2684) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Representative MICHAUD of East Millinocket, Senators PERKINS of Hancock and CLARK of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,  
S/Edwin H. Pert  
Clerk of the House

S/Joy J. O'Brien  
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

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

COMMUNICATIONS

The Following Communication: H.P. 1986

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA 04333

September 12, 1988

John L. Martin  
Speaker of the House  
113th Legislature  
Charles P. Pray  
President of the Senate  
113th Legislature

Dear Mr. Speaker and Mr. President:  
On September 12, 1988, three Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on September 12, 1988 as follows:

Education

Bill "An Act to Amend the Maine Student Educational Enhancement Deposit Program" (Emergency) (H.P. 1985) (L.D. 2688) (Presented by Representative DIAMOND of Bangor) (Cosponsors: Senators CLARK of Cumberland, ESTES of York and Representative BOST of Orono) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Judiciary

Bill "An Act to Ensure the Integrity of the Judicial Process under the Bail Law" (Emergency) (H.P. 1984) (L.D. 2687) (Presented by Representative PARADIS of Augusta) (Cosponsors: Representative ROTONDI of Athens, Senators BRANNIGAN of Cumberland and BLACK of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Taxation

Bill "An Act to Return Surplus Revenues to the Taxpayers of Maine" (Emergency) (H.P. 1983) (L.D. 2686) (Presented by Representative CASHMAN of Old Town) (Cosponsors: Representative JACKSON of Harrison, Senators TWITCHELL of Oxford and SEWALL of Lincoln)

Sincerely,  
S/Edwin H. Pert  
Clerk of the House  
S/Joy J. O'Brien  
Secretary of the Senate

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

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

COMMUNICATIONS

The Following Communication: H.P. 1988

DEPARTMENT OF CONSERVATION  
STATE HOUSE STATION 22  
AUGUSTA, MAINE 04333

June 23, 1988  
Representative John L. Martin, Speaker  
Maine House of Representatives  
State House Station 2

Augusta, Maine 04333  
Dear Speaker Martin:

It is with great pleasure that I am able to send to you the final report of the 1986 Midcycle Resurvey of the Spruce-Fir Forests in Maine. This report represents the work of many dedicated persons, persons from within and outside the Department of Conservation.

Earlier you received a preliminary report of the survey. Except for a minor change, the earlier report is included in this final report.

If I can be of further assistance to you, please feel free to contact me.

Sincerely,  
S/John H. Cashwell, III  
Director

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

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

COMMUNICATIONS

The Following Communication: H.P. 1989

STATE OF MAINE  
DEPARTMENT OF AUDIT  
STATE HOUSE STATION 66  
AUGUSTA, MAINE 04333  
July 12, 1988

Edwin H. Pert  
Clerk of the House  
Station 2  
Augusta, Maine 04333

I have mailed under separate cover a compilation report of the unorganized territory tax district for fiscal year ended June 30, 1987. This report was required under Title 5, Section 243, Paragraph 3A, M.R.S.A.

Sincerely,  
S/Rodney L. Scribner, CPA  
State Auditor

Comes from the House READ and ORDERED PLACED ON FILE.

Which was READ and ORDERED PLACED ON FILE, in concurrence.

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

COMMUNICATIONS

The Following Communication: H.P. 1970  
September 1, 1988

John L. Martin  
Speaker of the House  
113th Legislature  
Charles P. Pray  
President of the Senate  
113th Legislature

Dear Mr. Speaker and Mr. President:

On September 1, 1988, six Bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 14, these bills were referred to the Joint Standing Committees on September 1, 1988 as follows:

Appropriations and Financial Affairs

Bill "An Act to Amend the Demonstration Teaching Nursing Home Law" (H.P. 1964) (L.D. 2661) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Representative CARTER of Winslow, Senators BERUBE of Androscoggin and GILL of Cumberland) (Approved for introduction by a majority of the Legislative Council

pursuant to Joint Rule 26)

Bill "An Act Making Appropriations for Additional Staff to the Office of Employee Assistants for the Workers' Compensation Commission" (Emergency) (H.P. 1965) (L.D. 2662) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsors: Senator DUTREMBLE of York, Representatives McHENRY of Madawaska and WILLEY of Hampden) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Bill "An Act to Provide Funds for Safe Collection and Disposition of Hazardous Household Pesticides" (Emergency) (H.P. 1966) (L.D. 2663) (Presented by Representative DORE of Auburn) (Cosponsors: Representatives LISNIK of Presque Isle, Tardy of Palmyra and Senator ERWIN of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Education

Bill "An Act to Amend Project ASPIRE for High School Students in the State" (H.P. 1969) (L.D. 2666) (Presented by Representative DIAMOND of Bangor) (Cosponsors: Senators CLARK of Cumberland, PERKINS of Hancock, and Representative MURPHY of Kennebunk) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

State and Local Government

Bill "An Act to Correct the Expiration Date for the Term of Office for a Washington County Commissioner" (H.P. 1967) (L.D. 2664) (Presented by Representative LOOK of Jonesboro) (Cosponsor: Senator RANDALL of Washington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Utilities

Bill "An Act to Create the East Pittston Water District" (Emergency) (H.P. 1968) (L.D. 2665) (Presented by Representative REEVES of Pittston) (Cosponsor: Senator DOW of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

Sincerely,  
S/Joy J. O'Brien  
Secretary of the Senate  
Comes from the House READ and ORDERED PLACED ON FILE.

S/Edwin H. Pert  
Clerk of the House

Which was READ and ORDERED PLACED ON FILE, in concurrence.

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

COMMUNICATIONS

The Following Communication:  
EXECUTIVE DEPARTMENT  
DIVISION OF COMMUNITY SERVICES  
STATE HOUSE STATION 73  
AUGUSTA, MAINE 04333

September 14, 1988

The Honorable Charles Pray  
President of the Senate  
State House Station #3  
Augusta, ME 04333

Dear President Pray:

I am pleased to submit to you our report on the Maine Weatherization Assistance Program for July 1, 1985 - June 30, 1988.

The Weatherization Program received a total of \$29,778,204 in Federal Block Grant funds and State Legislature allocated funding during the reporting period. Of this total amount, \$3,582,000 was funded through the State Legislature for the three program years: \$1,196,000 for 1986, \$1,190,000 for 1987 and \$1,196,000 for 1988.

A total of 9,220 Maine low-income households were

assisted with weatherization services during this period.

Priority weatherization service was given to those eligible low-income households that include elderly, children under age 2 or disabled persons who are hypothermia susceptible.

The Weatherization Assistance Program is administered by the Division of Community Services and is implemented through the 11 Community Action Agencies in Maine.

We appreciate your support for the Division of Community Services and for the programs that we administer and look forward to continued cooperation and assistance.

Sincerely,  
S/Nicola C. Kobritz  
Director

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
COMMITTEE ON JUDICIARY  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
September 6, 1988

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 Judiciary has had under consideration the nomination of Dawn B. Lieb of Augusta, for appointment as a member 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        | 1   |
|         | Representatives | 6   |
| NAYS:   |                 | 0   |
| ABSENT: | 6               | Sen. Gauvreau of Androscoggin,<br>Sen. Black of Cumberland,<br>Rep. Warren of Scarborough,<br>Rep. Conley of Portland,<br>Rep. Thistle of Dover-Foxcroft,<br>Rep. Hanley of Paris |

Seven 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 Dawn E. Lieb of Augusta, for appointment as a member of the Workers' Compensation Commission be confirmed.

Sincerely,  
S/Joseph C. Brannigan Senate Chair  
S/Patrick E. Paradis House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on JUDICIARY has recommended the nomination of Dawn B. Lieb of Augusta, for appointment as a member of the Workers' Compensation Commission, 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 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 BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators ANDREWS, BALDACCI  
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, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Dawn B. Lieb, for appointment as a member of the Workers' Compensation Commission, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333  
August 15, 1988

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

Dear Senator Pray:  
This is to inform you that I am today nominating Honorable Julian W. Turner of Presque Isle as Active Retired Judge of the Maine District Court. Pursuant to Title 4, M.R.S.A. Section 157-B, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate. Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor  
Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333  
August 15, 1988

Senator Joseph C. Brannigan  
Representative Patrick E. Paradis  
Chairpersons  
Joint Standing Committee on Judiciary  
113th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Honorable Julian W. Turner of Presque Isle for appointment as Active Retired Judge of the Maine District Court.

Pursuant to Title 4, M.R.S.A. Section 157-B, 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  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333  
August 22, 1988

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

Dear Senator Pray:

This is to inform you that I am withdrawing my nomination of the Honorable Julian W. Turner of Presque Isle as Active Retired Judge of the Maine District Court. We will repost this nomination in early September.

Pursuant to Title 4, M.R.S.A. Section 157-B, this nomination is currently pending before the Joint Standing Committee on Judiciary.

Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333  
August 22, 1988

Senator Joseph C. Brannigan  
Representative Patrick E. Paradis  
Chairpersons  
Joint Standing Committee on Judiciary  
113th Legislature  
Augusta, Maine 04333  
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of Julian W. Turner of Presque Isle as Active Retired Judge of the Maine District Court.

Pursuant to Title 4, M.R.S.A. Section 157-B, this nomination is currently pending before the Joint Standing Committee on Judiciary.

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  
August 24, 1988

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

Dear Senator Pray:

This is to inform you that I am today nominating Honorable Julian W. Turner of Presque Isle as Active Retired Judge of the Maine District Court.

Pursuant to Title 4, M.R.S.A. Section 157-B, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333  
August 24, 1988

Senator Joseph C. Brannigan  
Representative Patrick E. Paradis  
Chairpersons  
Joint Standing Committee on Judiciary  
113th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Honorable Julian W. Turner of Presque Isle for appointment as Active Retired Judge of the Maine District Court.

Pursuant to Title 4, M.R.S.A. Section 157-B, 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:

COMMITTEE ON JUDICIARY  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
September 14, 1988

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 Judiciary has had under consideration the nomination of Julian W. Turner of Presque Isle, for appointment as Active Retired 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 3  
Representatives 9

NAYS: 0

ABSENT: 1 Rep. Warren of Scarborough  
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 Julian W. Turner of Presque Isle, for appointment as Active Retired District Court Judge be confirmed.

Sincerely,  
S/Joseph C. Brannigan  
Senate Chair  
S/Patrick E. Paradis  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on JUDICIARY has recommended the nomination of Julian W. Turner of Presque Isle, for appointment as Active Retired District Court Judge, 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 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.

S/Joy J. O'Brien  
Secretary of the Senate

Which was READ and ORDERED PLACED ON FILE.

ROLL CALL

YEAS: Senators None  
NAYS: Senators BERUBE, BLACK, BRANNIGAN,  
BRAWN, BUSTIN, CAHILL, CLARK, COLLINS,  
DILLENBACK, DOW, DUTREMBLE, EMERSON,  
ERWIN, ESTES, GAUVREAU, GILL, GOULD,  
KANY, KERRY, LUDWIG, MATTHEWS,  
MAYBURY, PEARSON, PERKINS, RANDALL,  
SEWALL, THERIAULT, TUTTLE, TWITCHELL,  
USHER, WEBSTER, WHITMORE, THE  
PRESIDENT - CHARLES P. PRAY

The Following Communication:  
COMMITTEE ON JUDICIARY  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
September 1, 1988

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

ABSENT: Senators ANDREWS, BALDACCI  
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, it was the vote  
of the Senate that the Committee's recommendation be  
ACCEPTED and the nomination of Julian W. Turner, for  
appointment as Active Retired District Court Judge,  
was CONFIRMED.

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  
Judiciary has had under consideration the nomination  
of Honorable Daniel E. Wathen of Augusta, for  
reappointment as Justice of the Maine Supreme  
Judicial Court.

The Secretary has so informed the Speaker of the  
House.

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. Thistle of Dover-Foxcroft,  
Rep. Marsano of Belfast

The Following Communication:  
STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333  
August 15, 1988

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  
Honorable Daniel E. Wathen of Augusta, for  
reappointment as Justice of the Maine Supreme  
Judicial Court be confirmed.

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

Sincerely,  
S/Joseph C. Brannigan S/Patrick E. Paradis  
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

Dear Senator Pray:  
This is to inform you that I am today nominating  
Honorable Daniel E. Wathen of Augusta as Justice of  
the Maine Supreme Judicial Court.  
Pursuant to the Maine Constitution, Article V, Part  
I, Section 8, this nomination will require review by  
the Joint Standing Committee on Judiciary and  
confirmation by the Senate.

THE PRESIDENT: The Joint Standing Committee on  
JUDICIARY has recommended the nomination of Honorable  
Daniel E. Wathen of Augusta, for reappointment as  
Justice of the Maine Supreme Judicial Court, be  
confirmed.

Thank you for your assistance in this matter.

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

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

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.

Which was READ and ORDERED PLACED ON FILE.

A vote of Yes will be in favor of overriding the  
recommendation of the Committee.

The Following Communication:  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333  
August 15, 1988

A vote of No will be in favor of sustaining the  
recommendation of the Committee.

Senator Joseph C. Brannigan  
Representative Patrick E. Paradis  
Chairpersons  
Joint Standing Committee on Judiciary  
113th Legislature  
Augusta, Maine 04333  
Dear Chairs:

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

ROLL CALL

Please be advised that Governor John R. McKernan,  
Jr. has nominated Honorable Daniel E. Wathen of  
Augusta for reappointment as Justice of the Maine  
Supreme Judicial Court.

YEAS: Senators None  
NAYS: Senators BERUBE, BLACK, BRANNIGAN,  
BRAWN, BUSTIN, CAHILL, CLARK, COLLINS,  
DILLENBACK, DOW, DUTREMBLE, EMERSON,  
ERWIN, ESTES, GAUVREAU, GILL, GOULD,  
KANY, KERRY, LUDWIG, MATTHEWS,  
MAYBURY, PEARSON, PERKINS, RANDALL,  
SEWALL, THERIAULT, TUTTLE, TWITCHELL,  
USHER, WEBSTER, WHITMORE, THE  
PRESIDENT - CHARLES P. PRAY

Pursuant to the Maine Constitution, Article V,  
Part I, Section 8, this nomination will require  
review by the Joint Standing Committee on Judiciary  
and confirmation by the Senate.

ABSENT: Senators ANDREWS, BALDACCI  
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

Sincerely,

two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Honorable Daniel E. Wathen, for reappointment as Justice of the Maine Supreme Judicial Court, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Senate at Ease  
Senate called to order by the President.

The Following Communication:  
STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE 04333

August 16, 1988

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

Dear Senator Pray:

This is to inform you that I am today nominating Jimmy A. McGregor of Coopers Mills as the Alternate Employer Representative and Jessie Briggs Gunther of Milo as the Alternate Chairman of the Maine Labor Relations Board.

Pursuant to Title 26, M.R.S.A. Section 968, these nominations 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/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

August 16, 1988

Senator Dennis L. Dutremble  
Representative Edward A. McHenry  
Chairpersons  
Joint Standing Committee on Labor  
113th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Jimmy A. McGregor of Coopers Mills for appointment as the Alternate Employer Representative and Jessie Briggs Gunther of Milo for appointment as the Alternate Chairman of the Maine Labor Relations Board.

Pursuant to Title 26, M.R.S.A. Section 968, these nominations 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:  
COMMITTEE ON LABOR  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
August 31, 1988

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 Labor has had under consideration the nomination of Jessie Briggs Gunther of Milo, for appointment as the Alternate Chairman of 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: Rep. Stephen M. Zirnkilton of Mount Desert

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 Jessie Briggs Gunther of Milo, for appointment as the Alternate Chairman of the Maine Labor Relations Board be confirmed.

Sincerely,  
S/Dennis L. Dutremble  
Senate Chair  
S/Edward A. McHenry  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on LABOR has recommended the nomination of Jessie Briggs Gunther of Milo, for appointment as the Alternate Chairman of the Maine Labor Relations Board, 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 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 BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PERKINS, PEARSON, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators ANDREWS, BALDACCI  
No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senator 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 and the nomination of Jessie Briggs Gunther, for appointment as the Alternate Chairman of the Maine Labor Relations Board, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
COMMITTEE ON LABOR  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

August 31, 1988

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 Labor has had under consideration the nomination of Jimmy McGregor of Coopers Mills, for appointment as the Alternate Employer Representative of 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 8  
 NAYS: 1  
 ABSENT: Rep. Stephen M. Zirnkilton of Mount Desert

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 Jimmy McGregor of Coopers Mills, for appointment as the Alternate Employer Representative of the Maine Labor Relations Board be confirmed.

Sincerely,  
 S/Dennis L. Dutremble  
 Senate Chair  
 S/Edward A. McHenry  
 House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator PEARSON: Thank you Mr. President. Mr. President, men and women of the Senate. I have been a member of the Legislature under three administrations, one of them which was James Longley. Jim McGregor was the Chief of Staff of Governor Longley's administration. When Governor Longley decided not to run again people went in their various ways and then unfortunately Governor Longley took sick with Cancer and died. Governor Longley had done me a number of personal favors, I had not always voted with him, but nevertheless I intended to go to the funeral. He was Catholic and I am also. I read in the paper shortly before that funeral was to take place that Mr. McGregor was doing the arrangements for the funeral and that Legislators would not be welcome. I was offended by that because I was a Legislator during that time and I was Catholic. That runs contrary to the teachings of my church and I was appalled. Consequently, it has always cast a shadow as far as I was concerned on the judgement of Mr. McGregor.

THE PRESIDENT: The Joint Standing Committee on LABOR has recommended the nomination of Jimmy McGregor of Cooper Mills, for appointment as the Alternate Employer Representative of the Maine Labor Relations Board, 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 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 KANY, PEARSON  
 NAYS: Senators BALDACCI, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KERRY, LUDWIG, MATTHEWS, MAYBURY, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ANDREWS

2 Senators having voted in the affirmative and 32 Senators having voted in the negative, with 1 Senator being absent, and 2 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 Jimmy McGregor, for appointment as the Alternate Employer Representative of the Maine Labor Relations Board, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:  
 STATE OF MAINE  
 OFFICE OF THE GOVERNOR  
 AUGUSTA, MAINE 04333

August 22, 1988

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

This is to inform you that I am today nominating Kenneth Gordon of Arlington, Virginia for appointment as Chairman of the Public Utilities Commission. Pursuant to Title 35A, M.R.S.A. Section 105, this nomination will require review by the Joint Standing Committee on Utilities and confirmation by the Senate. Thank you for your assistance in this matter.

Sincerely,  
 S/JOHN R. MCKERNAN, JR.  
 Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
 SENATE OF MAINE  
 OFFICE OF THE SECRETARY  
 AUGUSTA, MAINE 04333

August 22, 1988

Senator John M. Kerry  
 Representative Harry L. Vose  
 Chairpersons  
 Joint Standing Committee on Utilities  
 113th Legislature  
 Augusta, Maine 04333  
 Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Kenneth Gordon of Arlington, Virginia for appointment as Chairman of the Public Utilities Commission.

Pursuant to Title 35A, M.R.S.A. Section 105, this nomination will require review by the Joint Standing Committee on Utilities 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

August 24, 1988

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

Dear Senator Pray:

This is to inform you that I am withdrawing my nomination of Kenneth Gordon of Arlington, Virginia as Chairman of the Public Utilities Commission. Pursuant to Title 35A, M.R.S.A. Section 105, this nomination is currently pending before the Joint Standing Committee on Utilities.

Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

August 24, 1988

Senator John M. Kerry  
Representative Harry L. Vose  
Chairpersons  
Joint Standing Committee on Utilities  
113th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of Kenneth Gordon of Arlington, Virginia for appointment as Chairman of the Public Utilities Commission.

Pursuant to Title 35A, M.R.S.A. Section 105, this nomination is currently pending before the Joint Standing Committee on Utilities.

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

August 24, 1988

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

Dear Senator Pray:

This is to inform you that I am today nominating Kenneth Gordon of Arlington, Virginia for appointment as Chairman of the Public Utilities Commission. Pursuant to Title 35A, M.R.S.A. Section 105, this nomination will require review by the Joint Standing Committee on Utilities and confirmation by the Senate. Thank you for your assistance in this matter.

Sincerely,  
S/JOHN R. MCKERNAN, JR.  
Governor

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:  
SENATE OF MAINE  
OFFICE OF THE SECRETARY  
AUGUSTA, MAINE 04333

August 24, 1988

Senator John M. Kerry  
Representative Harry L. Vose  
Chairpersons  
Joint Standing Committee on Utilities  
113th Legislature  
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Kenneth Gordon of Arlington, Virginia for appointment as Chairman of the Public Utilities Commission.

Pursuant to Title 35A, M.R.S.A. Section 105, this nomination will require review by the Joint Standing Committee on Utilities 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:  
COMMITTEE ON UTILITIES  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
September 13, 1988

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 Utilities has had under consideration the nomination of Kenneth Gordon of Arlington, Virginia, for appointment as Chairman of the Public Utilities Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate 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. Baker of Portland,  
Rep Holt of Bath

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 Kenneth Gordon of Arlington, Virginia, for appointment as Chairman of the Public Utilities Commission be confirmed.

Sincerely,  
S/John M. Kerry  
Senate Chair  
S/Harry L. Vose  
House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Kany.

Senator KANY: Thank you Mr. President. Mr. President, men and women of the Senate. I have some questions about this nomination. I am completely open on voting on the nomination, but I just read a press report, of course we all know that you don't necessarily get the complete picture by reading the press report. Therefore, I would like to ask the members of the Public Utilities Committee who are present more about this particular nominee and his

views and his open mindedness. I was concerned when I read about his perhaps market ideology as opposed to philosophy and although we in Maine particularly have seen the market really run what might occur in energy development especially. In fact we have more of a market economy in energy and electricity than probably any other state in this country, since we have had quite a few of our natural resources available for use in developing electricity. Also, the Public Utility Regulatory Policy Act has encouraged kind of a market economy.

Sometimes market economy may not work to the best interests of the state of Maine in the long run and I guess that I can't help to think in terms of what has happened to the railroad. If indeed it is the market that has really run what has happened in the railroad industry in the state of Maine, then obviously it is not serving us properly. We need rails. We need rails to transport our hazardous materials particularly instead of having them constantly going in smaller trucks on the roads along all of our residents in automobiles. I am very concerned if this person is an ideologue and I hope not. Interested in purely a market economy as opposed to assuring the citizens of this state that in the long run they will have an appropriate energy future. I would just ask some members of the Committee to speak to this particular point.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Kerry.

Senator KERRY: Thank you Mr. President. Mr. President, men and women of the Senate. In response to the good Senator from Kennebec, Senator Kany, I will address that specific issue. Mr. Gordon presented himself to the Committee, he did a fine job. He was very forthright and direct about his free market emphasis. He is in fact a Milton Freidman apologist in a friendly sense of the word and I think the key is that he said he is not married to any particular philosophy, that he was not an ideologue as a matter of economy philosophy. I think that Mr. Gordon is so to speak a professorial type, he spent most of his career in the academic environment. He has been at the Communications area in terms of the Federal Government and has spent most of his time. I would say, in the telecommunications field rather than in energy. He was also very forthright in saying that he had to do a considerable amount of work in the energy field and that he in fact would be very sensitive and very open to the least cost mode of developing an energy policy and a regulatory framework for the state of Maine. I think that all of us had some concerns regarding the unbridled free market approach to the utility industry here in the state. Unfortunately, in this case Mr. Gordon had not published as extensively as the previous nominee had and there might not have been as much information available to us to be able to ascertain exactly what his views were on specific issues. I think he acquitted himself well before the Committee, he seemed open. I think that it was the opinion of most of the members of the Committee that he was not an ideologue and that based on a couple hours of questioning and querying, but it is my opinion that he will be open, that he will not be fossilized into a specific position and that the current two other members on the P.U.C. would be a balancing force with regards to his perspective. I also think that he himself manifested an openness to listen to what was the best policy for the state and that he himself would not be an ideologue. I hope that answers your questions.

THE PRESIDENT: The Joint Standing Committee on UTILITIES has recommended the nomination of Kenneth

Gordon of Arlington, Virginia, for appointment as Chairman of the Public Utilities Commission, be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on UTILITIES 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 BALDACCI, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, KERRY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ANDREWS

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, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Kenneth Gordon, for appointment as Chairman of the Public Utilities Commission, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

On motion by Senator PERKINS of Hancock, RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

COMMITTEE REPORTS

House

Ought to Pass As Amended

The Committee on UTILITIES on Bill "An Act to Create the South Waterboro Water District" (Emergency)

H.P. 1978 L.D. 2676

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-801).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-801) AS AMENDED BY HOUSE AMENDMENT "A" (H-806) thereto.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-801) READ.

House Amendment "A" (H-806) to Committee Amendment "A" (H-801) READ and ADOPTED, in concurrence.

Committee Amendment "A" (H-801) as Amended by House Amendment "A" (H-806), thereto ADOPTED, in concurrence.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in

concurrence.

Under suspension of the Rules, sent forthwith to the Engrossing Department.

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

SENATE PAPERS

Resolve, Creating a Commission to Establish the Valuation of State-Owned Properties (Emergency)

S.P. 1033 L.D. 2697

Presented by Senator BUSTIN of Kennebec  
Cosponsored by: Representative MAYO of Thomaston, Representative HICKEY of Augusta, Representative CARROLL of Gray

Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26  
Committee on STATE AND LOCAL GOVERNMENT suggested and ORDERED PRINTED.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED.

Under suspension of the Rules, ordered sent down forthwith 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:

Resolve, Directing the Attorney General to Study the Trade Practices of the Motor Fuel Sales Industry (Emergency)

S.P. 1029 L.D. 2689

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

COMMUNICATIONS

The Following Communication:  
THE SENATE OF MAINE  
AUGUSTA, MAINE 04333

September 15, 1988

The Honorable Joy J. O'Brien  
Secretary of the Senate  
State House Station 3  
Augusta, Maine 04333

Dear Madam Secretary:

Pursuant to my authority under 1 M.R.S.A., Section 1002, I am today appointing Michael A. Feldman, Esq., of Bowdoin to the Commission on Governmental Ethics and Election Practices. Mr. Feldman is to replace Christopher St. John, who is unable to serve.

If I may be of further assistance regarding this appointment, please let me know at your convenience.

Again, with all good wishes,

Yours sincerely,  
S/Sen. Nancy Randall Clark  
Majority Leader

Which was READ.

Pursuant to 1 MRSA, Section 1002, this appointment requires the affirmative vote of two-thirds of the Members present and voting for concurrence.

The Chair will order a Division.

33 Senators having voted in the affirmative and No Senators in the negative and 33 being more than two-thirds of the Members present and voting, the Senate concurs with the appointment.

Subsequently, ORDERED PLACED ON FILE.

(See Action Later Today)

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

COMMITTEE REPORTS

House

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 Fund a Full-Time Position for the Commission on Governmental Ethics and Election Practices" (Emergency)

H.P. 1975 L.D. 2673

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

ENACTORS

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

Emergency

An Act to Clarify the Implementation of the Overboard Discharge Replacement Fund and the Overboard Discharge Assistance Fund

S.P. 1021 L.D. 2677

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Emergency

An Act to Amend the Limitation of Indebtedness for the Starks Water District

S.P. 1025 L.D. 2681

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Emergency

An Act to Increase the Borrowing Capacity of the Stonington Water Company

S.P. 1016 L.D. 2667

(C "A" S-551)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with No Senators having voted in negative, and 30 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Senate at Ease  
Senate called to order by the President.

ORDERS OF THE DAY

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

COMMITTEE REPORTS - from the Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act to Authorize the Annexation of Land Adjacent to the Town of Millinocket" (Emergency)

S.P. 1018 L.D. 2669

Majority - Ought Not to Pass

Minority - Ought to Pass

Tabled - September 15, 1988, by Senator TUTTLE of York.

Pending - ACCEPTANCE OF EITHER REPORT  
(In Senate, September 15, 1988, Reports READ.)

On motion by Senator TUTTLE of York, the Bill and Accompanying Papers RECOMMITTED to the Committee on STATE AND LOCAL GOVERNMENT.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Senate at Ease  
Senate called to order by the President.

On motion by Senator BERUBE of Androscoggin, RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

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

ENACTORS

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

Emergency

An Act to Amend the Demonstration Teaching Nursing Home Law

H.P. 1964 L.D. 2661

(C "A" H-802)

This being an Emergency Measure and having received the affirmative vote of 23 Members of the Senate, with No Senators having voted in negative, and 23 being less than two-thirds of the entire elected Membership of the Senate, the Bill FAILED OF ENACTMENT.

On motion by Senator BALDACCI of Penobscot, under suspension of the Rules, the Senate RECONSIDERED whereby the Bill FAILED OF ENACTMENT.

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being less than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Emergency

An Act to Correct a Technical Error in the Air Quality Law

H.P. 1987 L.D. 2691

This being an Emergency Measure and having

received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Emergency

An Act to Protect the Environment around the Union Chemical Company Hazardous Waste Site

H.P. 1994 L.D. 2696

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

Emergency

An Act to Amend the Maine Student Educational Enhancement Deposit Program

H.P. 1985 L.D. 2688

(C "A" H-807)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Return Surplus Revenues to the Taxpayers of Maine

H.P. 1983 L.D. 2686

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

Emergency

An Act Making Appropriations for Additional Staff to the Office of Employee Assistants for the Workers' Compensation Commission

H.P. 1965 L.D. 2662

(C "A" H-803)

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

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

ENACTORS

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

Emergency

LEGISLATIVE RECORD - SENATE, SEPTEMBER 15, 1988

An Act to Create the East Pittston Water District

H.P. 1968 L.D. 2665  
(C "A" H-800)

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Clarify the Issuance of Securities by the Maine Court Facilities Authority

H.P. 1973 L.D. 2671

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act Relating to Municipal General Obligation Securities

H.P. 1974 L.D. 2672  
(C "A" H-804)

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

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

ENACTORS

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

Emergency

An Act to Make Technical Changes in the Charter of the Waterville Sewerage District

H.P. 1976 L.D. 2674

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with No Senators having voted in negative, and 26 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

ENACTORS

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

An Act to Correct the Expiration Date for the Term of Office for a Washington County Commissioner

H.P. 1967 L.D. 2664

An Act to Amend Project ASPIRE for High School Students in the State

H.P. 1969 L.D. 2666

Which were PASSED TO BE ENACTED and having been signed by the President, were presented by the Secretary to the Governor for his approval.

Emergency

An Act to Create the Waterboro Water District

H.P. 1978 L.D. 2676  
(H "A" H-806 to C "A" H-801)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with No Senators having voted in negative, and 27 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

COMMITTEE REPORTS

House

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 Authorize Additional Staff for the Maine Land Use Regulation Commission" (Emergency)  
H.P. 1979 L.D. 2683

ORDERS OF THE DAY

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

NOMINATION - of Roy Hibyan of Yarmouth for appointment to the Board of Trustees, Maine Vocational Technical Institutes.

Tabled - September 15, 1988, by Senator CLARK of Cumberland.

Pending - CONSIDERATION

(In Senate, September 15, 1988, READ and ORDERED PLACED ON FILE.)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending CONSIDERATION.

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

NOMINATION - of Richard C. Kennedy of Nobleboro for appointment to the State Board of Education.

Tabled - September 15, 1988, by Senator CLARK of Cumberland.

Pending - CONSIDERATION

(In Senate, September 15, 1988, READ and ORDERED PLACED ON FILE.)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending CONSIDERATION.

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

NOMINATION - of Carol A. Wishcamper of Freeport for appointment to the State Board of Education.

Tabled - September 15, 1988, by Senator CLARK of Cumberland.

Pending - CONSIDERATION

(In Senate, September 15, 1988, READ and ORDERED PLACED ON FILE.)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending CONSIDERATION.

On motion by Senator BERUBE of Androscoggin, ADJOURNED until Friday, September 16, 1988, at 9:00 in the morning.