

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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HOUSE & SENATE LEGISLATIVE SENTIMENTS

December 3, 1986 to December 6, 1988

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FOURTH CONFIRMATION SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Monday
November 14, 1988

Pursuant to the provisions of Article 5, Part 1, Section 8 of the Constitution and the laws of the State of Maine, the Senate will convene at four o'clock in the afternoon.
Senate called to Order by the President.

Prayer by Pastor Janice Davis of the Green Street Methodist Church in Augusta.

PASTOR DAVIS: Let us be in prayer. Everlasting God, we recognize and welcome Your presence among us this afternoon. Be for each of us a guiding light illuminating the paths which lead us in ways which are right and just. On this day we remember colleagues, family and friends who are in need. Who are involved in situations of pain and grief. Who suffer physical or emotional anguish. As our thoughts and prayers are drawn to them, may Your presence be real for them. Bring Your touch, Your healing, Your compassion to their lives and their situations. We pray for all who serve the people of this great State, may Your blessing be upon them that they might fulfill their duties with wisdom and vision. Be with us all in the hours and days ahead, so be it. Amen.

COMMUNICATIONS

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

October 20, 1988
Honorable Joy J. O'Brien
Secretary of the Senate
State House
Augusta, ME 04333

Dear Secretary O'Brien:
Please be advised that in accordance with Article 5, Part 1, Section 8 of the Constitution of Maine, the Senate of Maine will convene on Monday, November 14, 1988, at four o'clock in the afternoon for the purpose of voting upon confirmation of the various appointments made by the Honorable John R. McKernan, Jr., Governor of the State of Maine.
Sincerely,
S/Charles P. Pray
President of the Senate
Which was READ and ORDERED PLACED ON FILE.

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

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, , EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, LUDWIG, MATTHEWS, MAYBURY, PERKINS, RANDALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, THE PRESIDENT
- CHARLES P. PRAY

31 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 in accordance with Article 5, Part 1, Section 8 of the Constitution of Maine, a quorum of Senators is assembled for 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.

The Following Communication:
STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333
October 7, 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 C. Edwin Meadows, Jr. of Winthrop for appointment as the Commissioner of the Department of Conservation. Pursuant to Title 12, M.R.S.A. Section 5011, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.
Thank you for your assistance in this matter.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333
October 7, 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 Mira R. Michaud of St. David and Alice H. Rand of Cape Elizabeth for appointments as members of the Land for Maine's Future Board. Pursuant to Public Law 1988, Chapter 858, 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:
STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

October 7, 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 Charles J. Gadzik of Carroll Plantation for appointment as a member of the Land Use Regulation Commission.

Pursuant to Title 12, M.R.S.A. Section 683, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/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

October 7, 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 the following:
C. Edwin Meadows, Jr. of Winthrop for appointment as the Commissioner of the Department of Conservation.

Pursuant to Title 12, M.R.S.A. Section 5011, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Mira R. Michaud of St. David for appointment as a member of the Land for Maine's Future Board.

Alice H. Rand of Cape Elizabeth for appointment as a member of the Land for Maine's Future Board.

Pursuant to Public Law 1988, Chapter 858, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Charles J. Gadzik of Carroll Plantation for appointment as a member of the Land Use Regulation Commission.

Pursuant to Title 12, M.R.S.A. Section 683, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
COMMITTEE ON ENERGY AND NATURAL RESOURCES
ONE HUNDRED AND THIRTEENTH LEGISLATURE
October 26, 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 & Natural Resources has had under consideration the nomination of C. Edwin Meadows, Jr. of Winthrop, for appointment as the Commissioner of the Department of Conservation.

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	6
NAYS:		0
ABSENT:	5	

	Sen. Usher of Cumberland,
	Rep. Hogleund of Portland,
	Rep. Dexter of Kingfield,
	Rep. Coles of Harpswell,
	Rep. Holloway of Edgecomb

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of C. Edwin Meadows, Jr. of Winthrop, for appointment as the Commissioner of the Department of Conservation be confirmed.

Sincerely,

S/Ronald E. Usher
Senate Chair
Which was READ and ORDERED PLACED ON FILE.

S/Michael Michaud
House Chair

THE PRESIDENT: The Joint Standing Committee on ENERGY AND NATURAL RESOURCES has recommended the nomination of C. Edwin Meadows, Jr. of Winthrop, for appointment as the Commissioner of the Department of Conservation, 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 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, LUDWIG, MATTHEWS, MAYBURY, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, THE PRESIDENT - CHARLES P. PRAY
ABSENT:	Senators KERRY, WHITMORE
EXCUSED:	Senator PEARSON

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of C. Edwin Meadows, Jr., for appointment as the Commissioner of the Department of Conservation, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:
 COMMITTEE ON ENERGY AND NATURAL RESOURCES
 ONE HUNDRED AND THIRTEENTH LEGISLATURE
 October 26, 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 & Natural Resources has had under consideration the nomination of Mira R. Michaud of St. David, for appointment as a member of the Land for Maine's Future 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 2
 Representatives 7
 NAYS: 0
 ABSENT: 4

Sen. Usher of Cumberland,
 Rep. Hoglund of Portland,
 Rep. Coles of Harpswell,
 Rep. Holloway of Edgecomb

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 Mira R. Michaud of St. David, for appointment as a member of the Land for Maine's Future Board 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 Mira R. Michaud of St. David, for appointment as a member of the Land for Maine's Future Board, 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 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, LUDWIG, MATTHEWS, MAYBURY, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators KERRY, WHITMORE
 EXCUSED: Senator PEARSON

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 2

Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Mira R. Michaud, for appointment as a member of the Land for Maine's Future Board, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:
 COMMITTEE ON ENERGY AND NATURAL RESOURCES
 ONE HUNDRED AND THIRTEENTH LEGISLATURE
 October 26, 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 & Natural Resources has had under consideration the nomination of Alice H. Rand of Cape Elizabeth, for appointment as a member of the Land for Maine's Future 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 2
 Representatives 7
 NAYS: 0
 ABSENT: 4

Sen. Usher of Cumberland,
 Rep. Hoglund of Portland,
 Rep. Coles of Harpswell,
 Rep. Holloway of Edgecomb

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 Alice H. Rand of Cape Elizabeth, for appointment as a member of the Land for Maine's Future Board 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 Alice H. Rand of Cape Elizabeth, for appointment as a member of the Land for Maine's Future Board, 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 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, LUDWIG, MATTHEWS, MAYBURY, PERKINS, RANDALL,

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

ABSENT: Senators KERRY, WHITMORE
EXCUSED: Senator PEARSON

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Alice H. Rand, for appointment as a member of the Land for Maine's Future Board, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:
COMMITTEE ON ENERGY AND NATURAL RESOURCES
ONE HUNDRED AND THIRTEENTH LEGISLATURE
October 26, 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 & Natural Resources has had under consideration the nomination of Charles J. Gadzik of Carroll Plantation, for appointment as a member of 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 2
Representatives 6
NAYS: 0
ABSENT: 5

Sen. Usher of Cumberland,
Rep. Hoglund of Portland,
Rep. Dexter of Kingfield,
Rep. Coles of Harpswell,
Rep. Holloway of Edgecomb

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Charles J. Gadzik of Carroll Plantation, for appointment as a member of 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 Charles J. Gadzik of Carroll Plantation, for appointment as a member of 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 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, LUDWIG, MATTHEWS, MAYBURY, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators KERRY, WHITMORE
EXCUSED: Senator PEARSON

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Charles J. Gadzik, for appointment as a member of 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
October 7, 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 Peter J. Goranites of Cumberland for appointment as Judge of the Maine District Court, District IX. 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:
STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333
October 7, 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 the Honorable Robert W. Donovan of Portland for appointment as Active Retired 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:
STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

October 7, 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 the Honorable Jane S. Bradley of Belfast for appointment as Judge-at-Large 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:
STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

October 7, 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 Brian E. Thibeau of Fort Fairfield for appointment as a member of the Maine Human Rights Commission. Pursuant to Public Law 1988, Chapter 709, 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

October 7, 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 the following:
Peter J. Goranites of Cumberland for appointment as Judge of the Maine District Court, District IX.
Honorable Robert W. Donovan of Portland for appointment as Active Retired Judge of the Maine District Court.
Honorable Jane S. Bradley of Belfast for appointment as Judge-at-Large of the Maine District Court.

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

Please be advised that Governor John R. McKernan, Jr. has nominated Brian E. Thibeau of Fort Fairfield for appointment as a member of the Maine Human Rights Commission.

Pursuant to Public Law 1988, Chapter 709, 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
October 21, 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 the Honorable Peter J. Goranites of Cumberland, for appointment as Judge of the Maine District Court, District IX.

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

YEAS: Senators 2
Representatives 8
NAYS: 0
ABSENT: 3 Sen. Gauvreau of Androscoggin,
Rep. Warren of Scarborough,
Rep. MacBride of Presque Isle

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 the Honorable Peter J. Goranites of Cumberland, for appointment as Judge of the Maine District Court, District IX, 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 the Honorable Peter J. Goranites of Cumberland, for appointment as Judge of the Maine District Court, District IX, 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, LUDWIG,
MATTHEWS, MAYBURY, PERKINS, RANDALL,
SEWALL, THERIAULT, TUTTLE, TWITCHELL,
USHER, WEBSTER, THE PRESIDENT -
CHARLES P. PRAY

ABSENT: Senators KERRY, WHITMORE

EXCUSED: Senator PEARSON

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of the Honorable Peter J. Goranites, for appointment as Judge of the Maine District Court, District IX, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:

COMMITTEE ON JUDICIARY
ONE HUNDRED AND THIRTEENTH LEGISLATURE
October 21, 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 the Honorable Robert W. Donovan of Portland, for appointment as Active Retired Judge of the Maine District Court.

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

YEAS: Senators 2

Representatives 7

NAYS: 0

ABSENT: 4 Sen. Gauvreau of Androscoggin,
Rep. Warren of Scarborough,
Rep. Thistle of Dover-Foxcroft,
Rep. MacBride of Presque Isle

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 the Honorable Robert W. Donovan of Portland, for appointment as Active Retired Judge of the Maine District Court 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 the Honorable Robert W. Donovan of Portland, for appointment as Active Retired 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?

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

ABSENT: Senators KERRY, WHITMORE

EXCUSED: Senator PEARSON

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of the Honorable Robert W. Donovan, for appointment as Active Retired Judge of the Maine District Court, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:

COMMITTEE ON JUDICIARY
ONE HUNDRED AND THIRTEENTH LEGISLATURE
October 21, 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 the Honorable Jane S. Bradley of Belfast, for appointment as Judge-at-Large 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 2

Representatives 7

NAYS: 0

ABSENT: 3 Sen. Gauvreau of Androscoggin,
Rep. Warren of Scarborough,
Rep. MacBride of Presque Isle

ABSTAINED: 1 Rep. Marsano of Belfast

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 the Honorable Jane S. Bradley of Belfast, for appointment as Judge-at-Large of the Maine District Court 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 the Honorable Jane S. Bradley of Belfast, for appointment as Judge-at-Large 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?

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

ABSENT: Senators KERRY, WHITMORE

EXCUSED: Senator PEARSON

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of the Honorable Jane S. Bradley, for appointment as Judge-at-Large of the Maine District Court, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:
 COMMITTEE ON JUDICIARY
 ONE HUNDRED AND THIRTEENTH LEGISLATURE
 October 21, 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 Brian E. Thibeau of Fort Fairfield, for appointment to the Maine Human Rights Commission.

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

YEAS: Senators 2
 Representatives 7
 NAYS: 0

ABSENT: 4 Sen. Gauvreau of Androscoggin,
 Rep. Warren of Scarborough,
 Rep. MacBride of Presque Isle,
 Rep. Marsano of Belfast

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 Brian E. Thibeau of Fort Fairfield, for appointment to the Maine Human Rights 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 Brian E. Thibeau of Fort Fairfield, for appointment to the Maine Human Rights 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 ANDREWS, BALDACCI, BERUBE, BLACK, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CLARK, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GAUVREAU, GILL, GOULD, KANY, LUDWIG, MATTHEWS, MAYBURY, PERKINS, RANDALL, SEWALL, THERIAULT, TUTTLE, TWITCHELL, USHER, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators KERRY, WHITMORE

EXCUSED: Senator PEARSON

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 Senator having been excused, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Brian E. Thibeau, for appointment to the Maine Human Rights Commission, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

ORDERS

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 the Senate has transacted all the business which has come before it and is ready to Adjourn Without Day.

Which was READ and PASSED.

The President appointed 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.

Off Record Remarks

On motion by Senator EMERSON of Penobscot, at 4:42 p.m. on Monday, November 14, 1988, the Honorable CHARLES P. PRAY, PRESIDENT, declared the Fourth Confirmation Session of the 113th Legislature, ADJOURNED SINE DIE.