

MAINE STATE LEGISLATURE

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ERRATA:

**The permanent edition of the
Legislative Record includes
no Senate proceedings for
September 26, 1990.**

**The relevant pages from
the Senate Journal here follow
to indicate the work of the chamber
on that day.**

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

In Senate Chamber
Wednesday
September 26, 1990

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 4:30 in the afternoon.

Senate called to Order by the President.

Prayer by Honorable Thomas R. Perkins of Hancock.

COMMUNICATIONS

The Following Communication:

**STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333**

August 28, 1990

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 Wednesday, September 26, 1990, at 4:30 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**.

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

ROLL CALL

Senators BALDACCI, BERUBE, BOST, BRAUN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

33 Senators having answered to the Roll, the President declared a quorum 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 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 the Governor.

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**

August 28, 1990

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

Dear President Pray:

This is to inform you that I am today nominating Diann W. Perkins of Cornish for reappointment and Gerard M. LaMarre of Topsham and Bartholomew J. Ryan of Waterville for appointments to the Harness Racing Commission.

Pursuant to Title 8, MRSA Section 261, these nominations will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

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 28, 1990

Senator R. Donald Twitchell
Rep. Robert J. Tardy
Chairpersons
Joint Standing Committee on Agriculture
114th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Gerard M. LaMarre of Topsham and Bartholomew J. Ryan of Waterville for appointments and Diann W. Perkins of Cornish for reappointment to the Harness Racing Commission.

Pursuant to Title 8, MRSA Section 261, these nominations 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:

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333**

September 6, 1990

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

Dear President Pray:

This is to inform you that I am withdrawing my nomination of Bartholomew J. Ryan of Waterville for appointment to the Harness Racing Commission.

Pursuant to Title 8, MRSA Section 261, this nomination is currently pending before the Joint Standing Committee on Agriculture.

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 6, 1990

Senator R. Donald Twitchell
Rep. Robert J. Tardy
Chairpersons
Joint Standing Committee on Agriculture
114th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of Bartholomew J. Ryan of Waterville for appointment to the Harness Racing Commission.

Pursuant to Title 8, MRSA Section 261, this nomination is currently pending before the Joint Standing Committee on Agriculture.

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 FOURTEENTH LEGISLATURE

September 25, 1990

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 114th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Gerard M. LaMarre of Topsham, for appointment to the Harness Racing 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
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ABSENT: 3 Sen. Kany of Kennebec, Rep. Hussey of Milo, Rep. Mahany of Easton

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 Gerard M. LaMarre of Topsham, for appointment to the Harness Racing Commission be confirmed.

Sincerely,

S/R. Donald Twitchell
Senate Chair

S/Robert J. Tardy
House Chair

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

On motion by Senator CLARK of Cumberland, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

The President laid before the Senate the following: "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 114th Legislature, the vote was taken by the Yeas and Nays.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators ANDREWS, BRANNIGAN

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 Gerard M. LaMarre, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

**COMMITTEE ON AGRICULTURE
ONE HUNDRED AND FOURTEENTH LEGISLATURE**

September 25, 1990

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 114th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Diann W. Perkins of Cornish, for reappointment to the Harness Racing 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: 3 Sen. Kany of Kennebec, Rep. Hussey of Milo, Rep. Mahany of Easton

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 Diann W. Perkins of Cornish, for reappointment to the Harness Racing Commission be confirmed.

Sincerely,

S/R. Donald Twitchell
Senate Chair

S/Robert J. Tardy
House Chair

Which was READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "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 114th Legislature, the vote was taken by the Yeas and Nays.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRAUN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators ANDREWS, BRANNIGAN

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 Diann W. Perkins, 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 28, 1990

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

Dear President Pray:

This is to inform you that I am today nominating Honorable Caroline D. Glassman of Portland for reappointment as Associate 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.

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

August 28, 1990

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

Dear President Pray:

This is to inform you that I am today nominating Ralph L. Tucker of Brunswick and Lendall L. Smith of Brunswick for reappointments as Commissioners of the Workers' Compensation Commission.

Pursuant to Title 39, MRSA Section 91, these nominations will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

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

August 28, 1990

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

Dear President Pray:

This is to inform you that I am today nominating the Honorable Alan C. Pease of Tenants Harbor for appointment as Active Retired Judge of the Maine District Court.

Pursuant to Title 4, MRSA Section 157, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

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

August 28, 1990

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

Dear President Pray:

This is to inform you that I am today nominating Jessie Briggs Gunther of Milo and Joseph H. Field of Freeport for appointments as Judges of the Maine District Court.

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

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

August 28, 1990

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

Dear President Pray:

This is to inform you that I am today nominating Honorable Susan Calkins of Dover-Foxcroft for appointment as Judge-at-Large of the Maine District Court.

Pursuant to Title 4, MRSA Section 157, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

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 28, 1990

Senator Barry J. Hobbins
Rep. Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
114th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated the following:

Pursuant to the Maine Constitution, Article V, Part I, Section 8, Honorable Caroline D. Glassman of Portland for reappointment as Associate Justice of the Maine Supreme Judicial Court.

Pursuant to Title 39, MRSA Section 91, Ralph L. Tucker of Brunswick and Lendall L. Smith of Brunswick for reappointments as Commissioners of the Workers' Compensation Commission.

Pursuant to Title 4, MRSA Section 157, Honorable Alan C. Pease of Tenants Harbor for appointment as Active Retired Judge of the Maine District Court.

Pursuant to Title 4, MRSA Section 157, Jessie Briggs Gunther of Milo and Joseph H. Field of Freeport for appointments as Judges of the Maine District Court.

Pursuant to Title 4, MRSA Section 157, Honorable Susan Calkins of Dover-Foxcroft for appointment as Judge-at-Large of the Maine District Court.

These nominations 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 FOURTEENTH LEGISLATURE**

September 20, 1990

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 114th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Caroline D. Glassman of Portland, for reappointment as Associate Justice of the Maine 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 10

NAYS: 0

ABSENT: 0

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Caroline D. Glassman of Portland, for reappointment as Associate Justice of the Maine Supreme Judicial Court be confirmed.

Sincerely,

S/Barry J. Hobbins
Senate Chair

S/Patrick E. Paradis
House Chair

Which was READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "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 114th Legislature, the vote was taken by the Yeas and Nays.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators ANDREWS, BRANNIGAN

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 Honorable Caroline D Glassman, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

**COMMITTEE ON JUDICIARY
ONE HUNDRED AND FOURTEENTH LEGISLATURE**

September 14, 1990

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 114th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Ralph L. Tucker of Brunswick, for reappointment to the Workers' Compensation Commission.

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

YEAS: Senators 2
Representatives 8

NAYS: 0

ABSENT: 3 Sen. Holloway of Lincoln, Rep. Farnsworth of Hallowell, Rep. Hanley of Paris

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 Ralph L. Tucker of Brunswick, for reappointment to the Workers' Compensation Commission be confirmed.

Sincerely,

S/Barry J. Hobbins
Senate Chair

S/Patrick E. Paradis
House Chair

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

The President laid before the Senate the following: "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 114th Legislature, the vote was taken by the Yeas and Nays.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators None

NAYS: Senators **BALDACCI, BERUBE, BOST, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE, THE PRESIDENT - CHARLES P. PRAY**

ABSENT: Senators **ANDREWS, BRANNIGAN**

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 **Ralph L. Tucker**, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

**COMMITTEE ON JUDICIARY
ONE HUNDRED AND FOURTEENTH LEGISLATURE**

September 14, 1990

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 114th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Lendall L. Smith of Brunswick, for reappointment to the Workers' Compensation Commission.

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

YEAS: Senators 2
Representatives 8

NAYS: 0

ABSENT: 3 Sen. Holloway of Lincoln, Rep. Farnsworth of Hallowell, Rep. Hanley of Paris

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 Lendall L. Smith of Brunswick, for reappointment to the Workers' Compensation Commission be confirmed.

Sincerely,

S/Barry J. Hobbins
Senate Chair

S/Patrick E. Paradis
House Chair

Which was READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "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 114th Legislature, the vote was taken by the Yeas and Nays.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators ANDREWS, BRANNIGAN

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 Lendall L. Smith, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:

COMMITTEE ON JUDICIARY ONE HUNDRED AND FOURTEENTH LEGISLATURE

September 14, 1990

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 114th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Alan C. Pease of Tenants Harbor, 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 8

NAYS: 0

ABSENT: 3 Sen. Holloway of Lincoln, Rep. Conley of Portland, Rep. Hanley of Paris

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 Honorable Alan C. Pease of Tenants Harbor, for appointment as Active Retired Judge of the Maine District Court be confirmed.

Sincerely,

S/Barry J. Hobbins
Senate Chair

S/Patrick E. Paradis
House Chair

Which was READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following "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 114th Legislature, the vote was taken by the Yeas and Nays.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators ANDREWS, BRANNIGAN

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 Honorable Alan C. Pease, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:

COMMITTEE ON JUDICIARY ONE HUNDRED AND FOURTEENTH LEGISLATURE

September 20, 1990

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 114th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Jessie Briggs Gunther of Milo, 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 3
Representatives 6

NAYS: 0

ABSENT: 4 Rep. Paradis of Augusta, Rep. Conley of Portland, Rep. Farnsworth of Hallowell, Rep. Richards of Bangor

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 Jessie Briggs Gunther of Milo, for appointment as Judge of the Maine District Court be confirmed.

Sincerely,

S/Barry J. Hobbins
Senate Chair

S/Patrick E. Paradis
House Chair

Which was READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "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 114th Legislature, the vote was taken by the Yeas and Nays.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRAUN, BUSTIN, CAHILL, CARPENTER, CLARK, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS, HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON, PERKINS, RANDALL, THERIAULT, TITCOMB, TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators ANDREWS, BRANNIGAN

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 Jessie Briggs Gunther, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:

**COMMITTEE ON JUDICIARY
ONE HUNDRED AND FOURTEENTH LEGISLATURE**

September 20, 1990

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 114th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Joseph H. Field of Freeport, 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 3
 Representatives 9

NAYS: 0

ABSENT: 1 Rep. Farnsworth of Hallowell

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 Joseph H. Field of Freeport, for appointment as Judge of the Maine District Court be confirmed.

Sincerely,

S/Barry J. Hobbins
Senate Chair

S/Patrick E. Paradis
House Chair

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

The President laid before the Senate the following: "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 114th Legislature, the vote was taken by the Yeas and Nays.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators None

NAYS: Senators BALDACCI, BERUBE, BOST, BRAUN, BUSTIN,
 CAHILL, CARPENTER, CLARK, COLLINS,
 DILLENBACK, DUTREMBLE, EMERSON, ERWIN,
 ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS,
 HOLLOWAY, KANY, LUDWIG, MATTHEWS, PEARSON,
 PERKINS, RANDALL, THERIAULT, TITCOMB,
 TWITCHELL, WEBSTER, WEYMOUTH, WHITMORE,
 THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators ANDREWS, BRANNIGAN

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 Joseph H. Field, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

**COMMITTEE ON JUDICIARY
ONE HUNDRED AND FOURTEENTH LEGISLATURE**

September 14, 1990

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 114th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Susan Calkins of Dover-Foxcroft, 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 8

NAYS: 0

ABSENT: 3 Sen. Holloway of Lincoln, Rep. Conley of Portland, Rep. Hanley of Paris

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 Honorable Susan Calkins of Dover-Foxcroft, for appointment as Judge-at-Large of the Maine District Court be confirmed.

Sincerely,

S/Barry J. Hobbins
Senate Chair

S/Patrick E. Paradis
House Chair

Which was READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "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 114th Legislature, the vote was taken by the Yeas and Nays.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senator PEARSON

NAYS: Senators BALDACCI, BERUBE, BOST, BRAWN, BUSTIN,
 CAHILL, CARPENTER, CLARK, COLLINS,
 DILLENBACK, DUTREMBLE, EMERSON, ERWIN,
 ESTES, ESTY, GAUVREAU, GILL, GOULD, HOBBS,
 HOLLOWAY, KANY, LUDWIG, MATTHEWS, PERKINS,
 RANDALL, THERIAULT, TITCOMB, TWITCHELL,
 WEBSTER, WEYMOUTH, WHITMORE, THE
 PRESIDENT - CHARLES P. PRAY

ABSENT: Senators ANDREWS, BRANNIGAN

1 Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being absent, and 1 being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Honorable Susan Calkins**, 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 31, 1990

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

Dear President Pray:

This is to inform you that I am today nominating Peter L. Murray of Portland for appointment as Justice of the Maine Superior Court.

Pursuant to Title 7, MRSA Section 1, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

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 31, 1990

Senator Barry J. Hobbins
Rep. Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
114th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Peter L. Murray of Portland for appointment as Justice of the Maine Superior Court.

Pursuant to Title 7, MRSA Section 1, 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**.

ORDERS

On motion by Senator **CLARK** of Cumberland, the following Senate Order:

ORDERED, that a message be sent to 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 the Governor.

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

On motion by Senator **EMERSON** of Penobscot at 7:01 p.m. on Wednesday, September 26, 1990, the Honorable **CHARLES P. PRAY**, President of the Senate, declared the 4th Confirmation Session of the 114th Legislature, **ADJOURNED SINE DIE**.