

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

**One Hundred And Seventeenth Legislature**

OF THE

**State Of Maine**

**VOLUME VI**

**SECOND REGULAR SESSION**

**House of Representatives**

January 3, 1996 to April 3, 1996

**Senate**

January 3, 1996 to March 13, 1996

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

In Senate Chamber  
Thursday  
February 8, 1996

Senate called to Order by the President Pro  
Tempore S. Peter Mills of Somerset.

Prayer by Father Vincent Maroun, St. Augustine's  
Church, Augusta.

**FATHER VINCENT MAROUN:** Good morning, Senator  
Mills and Senators. Before we begin our prayers I  
would like to assure Senator Mills that it's not only  
his first time to be in the Chair, it's my first time  
to be among you, too, in Augusta. I had an  
experience last weekend when we had the blackout and  
storm here, and we had the terrible accident in  
Waterville. They sent a trooper right to the rectory  
to take me to the Kennebec hospital. I was shocked.  
I had been in Boston for twenty-five years and they  
had not even sent a car to escort me. It must be  
Maine, something different, and it is. Look at  
today, I'm right here. Let us begin our prayers.

Almighty Father, we pray this morning for our  
officials who serve us in public office. We are  
gathered, in Your presence, and ask that You send  
down Your abundant blessings upon Your State  
Senators. Father, please continue to enlighten the  
minds of our State Senators, to discover the way to  
disclose Your message to the many laws and  
regulations that this great Senate works so  
diligently to produce. May their mission include  
educating and uplifting the spirits of the people of  
Maine. Lord, deliver us from evil so that, as  
leaders, the Senate can use Your gifts of wisdom and  
love to lead us to a more fruitful life, both  
materially and spiritually. May Your spirit direct  
them towards the charity and respect for the  
innocence and dignity of all whom they serve. May  
their load always be the result of the good seeds  
that they sow, so that our citizens in Maine will  
recognize Your great deeds through their hard labor.  
May those who write our laws be wise and blessed in  
the Holy Spirit, so that the spirit will be reflected  
in all of our laws. Finally, Lord, the work of a  
Senator is not always an easy task. We ask You to be  
the support for our dear Senators in time of stress,  
when the skies would otherwise seem to be closing in  
on them. Make them see the light so that they will  
recognize that the answers to their difficulties can  
be solved with the very tools and gifts that You have  
so generously given to them. We ask all this to our  
Brother and Lord, Your Son, Jesus Christ, who lives  
and reigns with You and the Holy Spirit, one God  
forever and ever. Amen.

Reading of the Journal of Tuesday, February 6,  
1996.

Out of order and under suspension of the Rules,  
on motion by Senator KIEFFER of Aroostook, the  
following Joint Order:

**ORDERED,** the House concurring, that when the  
House and Senate adjourn, they do so until Tuesday,  
February 13, 1996, at 10:00 o'clock in the morning.

S.P. 693

Which was **READ** and **PASSED**.  
Under suspension of the Rules, ordered sent down  
forthwith for concurrence.

**PAPER FROM THE HOUSE**  
**Joint Resolution**

The following Joint Resolution:  
**JOINT RESOLUTION RECOGNIZING**  
**FORMER REPRESENTATIVE FRANK H. FARREN, JR.,**  
**FOR HIS ACHIEVEMENTS IN,**  
**AND CONTRIBUTIONS TO, SNOWMOBILING**

**WHEREAS,** through the tireless efforts of Frank H.  
Farren, Jr., of Cherryfield, the snowmobile program  
of the former Bureau of Parks and Recreation and now  
of the Bureau of Parks and Lands was developed and  
grew steadily; and

**WHEREAS,** under Mr. Farren's administration the  
interconnecting corridor trail system for snowmobile  
travel was developed and today that system represents  
3,000 miles of corridor trail; and

**WHEREAS,** a certificate of appreciation from the  
United States Department of Agriculture was presented  
to Mr. Farren for his participation in a working  
group that developed the "Evans Notch Unit Plan" in  
the White Mountain National Forest; and

**WHEREAS,** the International Snowmobile Industry  
Association recognized Mr. Farren with an  
international award for his guidance and leadership; and

**WHEREAS,** the "Snowmobile Magazine" selected Mr.  
Farren as their "Most Valuable Snowmobiler in 1982"; and

**WHEREAS,** the Maine Snowmobile Association granted  
Mr. Farren a lifetime membership; and

**WHEREAS,** while serving as a member of the Maine  
House of Representatives, Mr. Farren continued to be  
a leader in developing snowmobile legislation that  
would enhance the trail program; now, therefore, be it  
**RESOLVED:** That We, the Members of the One  
Hundred and Seventeenth Legislature, now assembled in  
Second Regular Session, take this opportunity to  
honor Frank H. Farren, Jr. for his significant  
contributions to the sport of snowmobiling and extend  
our support for his nomination into the International  
Snowmobile Hall of Fame; and be it further

**RESOLVED:** That a suitable copy of this  
resolution, duly authenticated by the Secretary of  
State, be transmitted to Frank H. Farren, Jr. in  
honor of this recognition.

H.P. 1278

Comes from the House **READ** and **ADOPTED**.  
Which was **READ** and **ADOPTED**, in concurrence.

**COMMUNICATIONS**

The Following Communication:  
**117TH MAINE LEGISLATURE**  
February 7, 1996

Daniel E. Wathen, Chief Justice  
Kennebec County Court  
65 Stone Street  
Augusta, Maine 04330  
Dear Chief Justice Wathen:

We are pleased to invite you to address a Joint  
Session of the 117th Maine Legislature on Tuesday,  
February 13, 1996 at 11:00 a.m. concerning the State  
of the Judiciary and any other matters that you may  
care to bring to our attention.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Jeffrey H. Butland  
President of the Senate

S/Dan A. Gwadosky  
Speaker of the House  
S.C. 457

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

The Following Communication:  
**STATE OF MAINE**  
**SUPREME JUDICIAL COURT**  
**AUGUSTA, MAINE 04330**

February 7, 1996

The Honorable Jeffrey H. Butland  
President of the Senate  
117th Maine Legislature  
Capitol Building - Third Floor  
Augusta, Maine 04333  
The Honorable Dan A. Gwadosky  
Speaker of the House  
117th Maine Legislature  
Capitol Building - Third Floor  
Augusta, Maine 04333

Dear Mr. President and Mr. Speaker:

I am pleased to accept your gracious invitation to address the Joint Convention of the 117th Maine Legislature. I consider this to be one of the more important events in the court year. My colleagues and I look forward to being in attendance on the 13th.

Sincerely yours,  
S/Daniel E. Wathen  
Chief Justice  
S.C. 458

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

Off Record Remarks

The Following Communication:  
**MAINE STATE LEGISLATURE**  
**AUGUSTA, MAINE 04333**

January 31, 1996

Honorable Jeffrey H. Butland  
President of the Senate  
3 State House Station  
Augusta, Maine 04333-0003  
Dear President Butland:

I am pleased to submit the Final Report of the Task Force on Tax Increment Financing pursuant to Chapter 51, Resolves of 1995. The Task Force worked hard to ensure that the State's tax increment financing laws are designed to maximize the creation and retention of quality jobs throughout the State. We believe that our recommendations accomplish this and we look forward to discussion and debate on these issues in the Legislature.

On behalf of the members of the Task Force, I want to thank you for the opportunity to serve the citizens of Maine in this very important capacity.

Sincerely,  
S/G. Steven Rowe, Chair  
Task Force on Tax Increment Financing  
S.C. 452

Which was **READ** and, with Accompanying Report, **ORDERED PLACED ON FILE**.

The Following Communication:  
**STATE BOARD OF EDUCATION**  
**STATE HOUSE STATION 23**  
**AUGUSTA, MAINE 04333**

TO: Honorable Dan A. Gwadosky,  
Speaker of the House  
Honorable Jeffrey H. Butland,  
President of the Senate

FROM: S/Marjorie M. Medd, Chair,  
State Board of Education

DATE: February 6, 1996

SUBJECT: Task Force on Learning Results Final Report Pursuant to Public Law 1993, Chapter 290, Section 8, the State Board of Education and the Task Force on Learning Results are delighted to submit to the members of the Joint Legislative Committee on Education and Cultural Affairs the Task Force on Learning Results' Final Report. This work truly builds the foundation for educational change and continuous improvement in Maine's schools.

Included in this report are the Learning Results, what Maine students should know and be able to do, and recommendations for legislation the Task Force feels is necessary to implement the Learning Results for all students. These recommendations for legislation lead Maine educators and communities in a new direction as we seek the best educational experiences for all Maine students. We would like to remind the Committee of one of the new directions included in the Task Force on Learning Results' Five Year Plan; a discussion of the achievement of the Learning Results serving as the basis for a certificate of core or initial mastery by 1997.

On January 10, 1996, following review and discussion of the report submitted by members of the Task Force on Learning Results, the State Board of Education voted unanimously to accept the Task Force on Learning Results' Final Report. Statements of support for the Final Report were received from two absentee members.

S.C. 453

Which was **READ** and, with Accompanying Report, **ORDERED PLACED ON FILE**.

The Following Communication:  
**STATE OF MAINE**  
**OFFICE OF THE GOVERNOR**  
**1 STATE HOUSE STATION**  
**AUGUSTA, MAINE 04333-0001**

February 7, 1996

The Honorable Jeffrey H. Butland  
President, Maine State Senate  
#3 State House Station  
Augusta, Maine 04333  
The Honorable Dan A. Gwadosky  
Speaker, Maine House of Representatives  
#2 State House Station  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

This letter is to notify the Legislature that I have accepted and will implement the recommendations of the Productivity Realization Task Force relative to the Office of Substance Abuse, excepting those recommendations requiring legislative approval. In this session, I will be introducing legislation necessary to implement these recommendations.

Implementation of this plan will result in a net savings of \$386,636 and a net reduction of 12 positions over this biennium.

This proposal consolidated divisions, plans for the merger with the Department of Mental Health and Mental Retardation, out sources the Driver Education Evaluation Program, merges contracting, licensing,

RFP, and audit with DHS and DMHR, and consolidates fiscal and performance contracting, outcome measures, and relies on a data driven system to insure best practice throughout the substance abuse treatment system.

Marlene McMullen-Pelsor, Director of the Office of Substance Abuse, is available to provide additional information requested or to respond to any questions you may have.

As in the past, I look forward to working with the Task Force and the Legislature in our continuing efforts to improve efficiency and productivity in Maine state government.

Sincerely,  
S/Angus S. King, Jr.  
Governor  
S.C. 464

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

Off Record Remarks

The Following Communication:  
**MAINE STATE LEGISLATURE**  
**AUGUSTA, MAINE 04333**

February 6, 1996

The Honorable Jeffrey H. Butland  
President of the Senate of Maine  
117th Maine Legislature  
State House  
Augusta, Maine 04333  
Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Ryan K. Witham of Farmington, for appointment as the Student Member, 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:	Sen. 3	Small of Sagadahoc, Abromson of Cumberland, Esty of Cumberland
	Rep. 7	Ault of Wayne, Stevens of Orono, Brennan of Portland, Winn of Glenburn, Desmond of Mapleton, Libby of Buxton, McElroy of Unity
NAYS:	0	
ABSENT:	3	Rep. Martin of Eagle Lake, Rep. Cloutier of South Portland, Rep. Barth of Bethel,

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 Ryan K. Witham of Farmington, for appointment as the Student Member, University of Maine Board of Trustees be confirmed.

Signed:  
S/Wendy L. Ault  
House Chair  
S.C. 456

S/Mary E. Small  
Senate Chair

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

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on **EDUCATION AND CULTURAL AFFAIRS** has recommended the nomination of Ryan K. Witham of Farmington be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 117th 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:	ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, BUSTIN, BUTLAND, CAREY, CARPENTER, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LONGLEY, LORD, McCORMICK, MICHAUD, PARADIS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT PRO TEM, Senator MILLS

ABSENT: Senator: O'DEA  
No Senator 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 Ryan K. Witham, for appointment as the Student Member of the University of Maine Board of Trustees, was **CONFIRMED.**

The Secretary informed the Speaker of the House.

Off Record Remarks

Senator **HATHAWAY** of York was granted unanimous consent to address the Senate off the Record.

The Following Communication:  
**MAINE STATE LEGISLATURE**  
**AUGUSTA, MAINE 04333**

February 6, 1996

The Honorable Jeffrey H. Butland  
President of the Senate of Maine  
117th Maine Legislature  
State House  
Augusta, Maine 04333  
Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of William M. Cohen of Bangor, for appointment to the Maine Technical College System 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

MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333

February 6, 1996

nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Sen. 3 Small of Sagadahoc,  
Abromson of Cumberland,  
Esty of Cumberland  
Rep. 9 Ault of Wayne, Martin of  
Eagle Lake, Stevens of  
Orono, Brennan of Portland,  
Winn of Glenburn, Desmond  
of Mapleton, Barth of  
Bethel, Libby of Buxton,  
McElroy of Unity

NAYS: 0

ABSENT: 1 Rep. Cloutier of South  
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 William M. Cohen of Bangor, for appointment to the Maine Technical College System Board of Trustees be confirmed.

Signed:

S/Mary E. Small S/Wendy L. Ault  
Senate Chair House Chair  
S.C. 454

Which was READ and ORDERED PLACED ON FILE.

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on EDUCATION AND CULTURAL AFFAIRS has recommended the nomination of William M. Cohen of Bangor be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 117th 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: ABROMSON, AMERO, BEGLEY, BENOIT,  
BERUBE, BUSTIN, BUTLAND, CAREY,  
CARPENTER, CASSIDY, CIANCHETTE,  
CLEVELAND, ESTY, FAIRCLOTH,  
FERGUSON, GOLDTHWAIT, HALL,  
HANLEY, HARRIMAN, HATHAWAY,  
KIEFFER, LAWRENCE, LONGLEY,  
LORD, McCORMICK, MICHAUD,  
PENDEXTER, PINGREE, RAND,  
RUHLIN, SMALL, STEVENS, and the  
PRESIDENT PRO TEM, Senator MILLS  
O'DEA, PARADIS

ABSENT: Senators: None

No Senator 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 William M. Cohen, for appointment to the Maine Technical College System Board of Trustees, was CONFIRMED.

The Secretary informed the Speaker of the House.

The Following Communication:

The Honorable Jeffrey H. Butland  
President of the Senate of Maine  
117th Maine Legislature  
State House  
Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Alfred W. Kany, Jr. of Saco, for reappointment to the Maine Technical College System 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: Sen. 2 Small of Sagadahoc, Esty of  
Cumberland  
Rep. 9 Ault of Wayne, Martin of  
Eagle Lake, Stevens of  
Orono, Brennan of Portland,  
Winn of Glenburn, Desmond  
of Mapleton, Barth of  
Bethel, Libby of Buxton,  
McElroy of Unity

NAYS: 0

ABSENT: 2 Sen. Abromson of  
Cumberland, Rep. Cloutier  
of South 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 Alfred W. Kany, Jr. of Saco, for reappointment to the Maine Technical College System Board of Trustees be confirmed.

Signed:

S/Mary E. Small S/Wendy L. Ault  
Senate Chair House Chair  
S.C. 455

Which was READ and ORDERED PLACED ON FILE.

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on EDUCATION AND CULTURAL AFFAIRS has recommended the nomination of Alfred W. Kany, Jr. of Saco be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 117th 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: ABROMSON, AMERO, BEGLEY, BENOIT,  
BERUBE, BUSTIN, BUTLAND, CAREY,  
CARPENTER, CASSIDY, CIANCHETTE,  
CLEVELAND, ESTY, FAIRCLOTH,  
FERGUSON, GOLDTHWAIT, HALL,  
HANLEY, HARRIMAN, HATHAWAY,

KIEFFER, LAWRENCE, LONGLEY,  
LORD, McCORMICK, MICHAUD, O'DEA,  
PARADIS, PENDEXTER, PINGREE,  
RAND, RUHLIN, SMALL, STEVENS,  
and the PRESIDENT PRO TEM,  
Senator MILLS

ABSENT: Senators: None

No Senator having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Alfred W. Kany, Jr. for reappointment to the Maine Technical College System Board of Trustees, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333**

February 7, 1996

The Honorable Jeffrey H. Butland  
President of the Senate of Maine  
117th Maine Legislature  
State House

Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Natural Resources has had under consideration the nomination of Richard A. Fortier of Caribou, for appointment to the Maine Outdoor Heritage Fund 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:	Sen. 3	Lord of York, Hathaway of York, Ruhlin of Penobscot
	Rep. 8	Dexter of Kingfield, Poulin of Oakland, Berry of Livermore, Shiah of Bowdoinham, Damren of Belgrade, Marshall of Eliot, Meres of Norridgewock, Waterhouse of Bridgton

NAYS: 0  
ABSENT: 2

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 Richard A. Fortier of Caribou, for appointment to the Maine Outdoor Heritage Fund Board be confirmed.

Signed:

S/Willis A. Lord  
Senate Chair

S/Edward L. Dexter  
House Chair  
S.C. 460

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

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on **NATURAL RESOURCES** has recommended the nomination of Richard A. Fortier of Caribou be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 117th 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: ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, BUSTIN, CAREY, CARPENTER, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LONGLEY, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT PRO TEM, Senator MILLS

ABSENT: Senator: BUTLAND

No Senator 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 Richard A. Fortier, for appointment to the Maine Outdoor Heritage Fund Board, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333**

February 7, 1996

The Honorable Jeffrey H. Butland  
President of the Senate of Maine  
117th Maine Legislature  
State House

Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Natural Resources has had under consideration the nomination of Horace A. Hildreth, Jr. of Falmouth, for appointment to the Maine Outdoor Heritage Fund 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:	Sen. 3	Lord of York, Hathaway of York, Ruhlin of Penobscot
	Rep. 8	Dexter of Kingfield, Gould of Greenville, Poulin of Oakland, Berry of Livermore, Damren of Belgrade, Marshall of Eliot, Meres of Norridgewock, Waterhouse of Bridgton

NAYS: 0  
ABSENT: 2

Rep. Shiah of Bowdoinham,  
Rep. Nickerson of Turner

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 Horace A. Hildreth, Jr. of Falmouth, for appointment to the Maine Outdoor Heritage Fund Board be confirmed.

S/Willis A. Lord  
Senate Chair

Signed:  
S/Edward L. Dexter  
House Chair  
S.C. 461

Which was READ and ORDERED PLACED ON FILE.

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on NATURAL RESOURCES has recommended the nomination of Horace A. Hildreth, Jr. of Falmouth be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 117th 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: ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, BUSTIN, BUTLAND, CAREY, CARPENTER, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LONGLEY, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT PRO TEM, Senator MILLS

ABSENT: Senators: None  
No Senator having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Horace A. Hildreth, Jr. for appointment to the Maine Outdoor Heritage Fund Board, was CONFIRMED.

The Secretary informed the Speaker of the House.

The Following Communication:  
MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333  
February 7, 1996

The Honorable Jeffrey H. Butland  
President of the Senate of Maine  
117th Maine Legislature  
State House  
Augusta, Maine 04333  
Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Natural Resources has had under consideration the nomination of George A. Smith of Mount Vernon, for appointment to the Maine Outdoor Heritage Fund 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: Sen. 2 Lord of York, Hathaway of York  
Rep. 7 Dexter of Kingfield, Poulin of Oakland, Berry of Livermore, Shiah of Bowdoinham, Marshall of Eliot, Meres of Norridgewock, Waterhouse of Bridgton

NAYS: 0  
ABSENT: 3 Sen. Ruhlin of Penobscot, Rep. Shiah of Bowdoinham, Rep. Nickerson of Turner Rep. Damren of Belgrade

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 George A. Smith of Mount Vernon, for appointment to the Maine Outdoor Heritage Fund Board be confirmed.

Signed:  
S/Willis A. Lord Senate Chair  
S/Edward L. Dexter House Chair  
S.C. 462

Which was READ and ORDERED PLACED ON FILE.

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on NATURAL RESOURCES has recommended the nomination of George A. Smith of Mount Vernon be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 117th 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: ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, BUSTIN, BUTLAND, CAREY, CARPENTER, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LONGLEY, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT PRO TEM, Senator MILLS

ABSENT: Senators: None  
No Senator having voted in the affirmative and 35 Senators having voted in the negative, with No 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 A. Smith, for appointment to the Maine Outdoor Heritage Fund Board, was CONFIRMED.

The Secretary informed the Speaker of the House.



The Following Communication:  
**MAINE STATE LEGISLATURE**  
**AUGUSTA, MAINE 04333**

February 7, 1996

The Honorable Jeffrey H. Butland  
 President of the Senate of Maine  
 117th Maine Legislature  
 State House  
 Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Natural Resources has had under consideration the nomination of Sally Stockwell of Cumberland Center, for appointment to the Maine Outdoor Heritage Fund 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:	Sen. 2	Lord of York, Hathaway of York
	Rep. 8	Dexter of Kingfield, Shiah of Bowdoinham, Poulin of Oakland, Berry of Livermore, Damren of Belgrade, Marshall of Eliot, Meres of Norridgewock, Waterhouse of Bridgton

NAYS: 0  
 ABSENT: 3

Sen. Ruhlin of Penobscot, Rep. Gould of Greenville, Rep. Nickerson of Turner

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 Sally Stockwell of Cumberland Center, for appointment to the Maine Outdoor Heritage Fund Board be confirmed.

Signed:

S/Willis A. Lord  
 Senate Chair

S/Edward L. Dexter  
 House Chair  
 S.C. 463

Which was READ and ORDERED PLACED ON FILE.

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on NATURAL RESOURCES has recommended the nomination of Sally Stockwell of Cumberland Center be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 117th 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:	ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, BUSTIN, BUTLAND, CAREY, CARPENTER, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL,

HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LONGLEY, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT PRO TEM, Senator MILLS

ABSENT: Senators: None

No Senator having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Sally Stockwell, for appointment to the Maine Outdoor Heritage Fund Board, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:  
**MAINE STATE LEGISLATURE**  
**AUGUSTA, MAINE 04333**

February 7, 1996

The Honorable Jeffrey H. Butland  
 President of the Senate of Maine  
 117th Maine Legislature  
 State House  
 Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of the Honorable Jane S. Bradley of Freeport, for reappointment as a 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:	Sen. 2	Mills of Somerset, Faircloth of Penobscot
	Rep. 7	Treat of Gardiner, Lemke of Westbrook, LaFountain of Biddeford, Plowman of Hampden, Hartnett of Freeport, Madore of Augusta, Nass of Acton

NAYS: 0  
 ABSENT: 4

Sen. Pendexter of Cumberland, Rep. Richardson of Portland, Rep. Jones of Bar Harbor, Rep. Watson of Farmingdale

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 Freeport, for reappointment as a Judge of the Maine District Court be confirmed.

Signed:

S/S. Peter Mills  
 Senate Chair

S/Sharon Anglin Treat  
 House Chair  
 S.C. 459

Which was READ and ORDERED PLACED ON FILE.

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on JUDICIARY has recommended the nomination of Jane S. Bradley of Freeport 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 117th 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: ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, BUSTIN, BUTLAND, CAREY, CARPENTER, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LONGLEY, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT PRO TEM, Senator MILLS

ABSENT: Senators: None  
 No Senator having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Jane S. Bradley, for reappointment as a Judge of the Maine District Court, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE  
 AUGUSTA, MAINE 04333**

February 7, 1996

The Honorable Jeffrey H. Butland  
 President of the Senate of Maine  
 117th Maine Legislature  
 State House  
 Augusta, Maine 04333

Dear Mr. President:  
 In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of the Honorable Peter J. Goranites of Cumberland, for reappointment as a 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:	Sen. 3	Mills of Somerset, Faircloth of Penobscot, Pendexter of Cumberland
	Rep. 9	Treat of Gardiner, Lemke of Westbrook, Jones of Bar Harbor, LaFountain of Biddeford, Watson of Farmingdale, Plowman of Hampden, Hartnett of Freeport, Madore of Augusta, Nass of Acton
NAYS:	0	
ABSENT:	1	Rep. Richardson 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 the Honorable Peter J. Goranites of Cumberland, for reappointment as a Judge of the Maine District Court be confirmed.

Signed:

S/S. Peter Mills  
 Senate Chair

S/Sharon Anglin Treat  
 House Chair

S.C. 465

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

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on **JUDICIARY** has recommended the nomination of Peter J. Goranites of Cumberland 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 117th 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: ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, BUSTIN, BUTLAND, CAREY, CARPENTER, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LONGLEY, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT PRO TEM, Senator MILLS

ABSENT: Senators: None  
 No Senator having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Peter J. Goranites, for reappointment as a Judge of the Maine District Court, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE  
 AUGUSTA, MAINE 04333**

February 7, 1996

The Honorable Jeffrey H. Butland  
 President of the Senate of Maine  
 117th Maine Legislature  
 State House  
 Augusta, Maine 04333

Dear Mr. President:  
 In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of the Honorable David B. Griffiths of Presque Isle, for reappointment as a 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: Sen. 3 Mills of Somerset,  
Faircloth of Penobscot,  
Pendexter of Cumberland  
Rep. 9 Treat of Gardiner,  
Richardson of Portland,  
Jones of Bar Harbor,  
LaFountain of Biddeford,  
Watson of Farmingdale,  
Plowman of Hampden,  
Hartnett of Freeport,  
Madore of Augusta, Nass of Acton

NAYS: 0  
ABSENT: 1 Rep. Lemke of Westbrook  
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 the Honorable David B. Griffiths of Presque Isle, for reappointment as a Judge of the Maine District Court be confirmed.

Signed:  
S/S. Peter Mills S/Sharon Anglin Treat  
Senate Chair House Chair  
S.C. 466

Which was READ and ORDERED PLACED ON FILE.

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on JUDICIARY has recommended the nomination of David B. Griffiths of Presque Isle 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 117th 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: ABROMSON, AMERO, BEGLEY, BENOIT,  
BERUBE, BUSTIN, BUTLAND, CAREY,  
CARPENTER, CASSIDY, CIANCHETTE,  
CLEVELAND, ESTY, FAIRCLOTH,  
FERGUSON, GOLDTHWAIT, HALL,  
HANLEY, HARRIMAN, HATHAWAY,  
KIEFFER, LAWRENCE, LONGLEY,  
LORD, McCORMICK, MICHAUD, O'DEA,  
PARADIS, PENDEXTER, PINGREE,  
RAND, RUHLIN, SMALL, STEVENS,  
and the PRESIDENT PRO TEM,  
Senator MILLS

ABSENT: Senators: None  
No Senator having voted in the affirmative and 35 Senators having voted in the negative, with No 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 David B. Griffiths, for reappointment as a Judge of the Maine District Court, was CONFIRMED.

The Secretary informed the Speaker of the House.

The Following Communication:  
MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333

February 7, 1996

The Honorable Jeffrey H. Butland  
President of the Senate of Maine  
117th Maine Legislature  
State House  
Augusta, Maine 04333  
Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of the Honorable Bernard C. Staples of Bar Harbor, for reappointment as a 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: Sen. 3 Mills of Somerset,  
Faircloth of Penobscot,  
Pendexter of Cumberland  
Rep. 9 Treat of Gardiner,  
Richardson of Portland,  
Jones of Bar Harbor,  
LaFountain of Biddeford,  
Watson of Farmingdale,  
Plowman of Hampden,  
Hartnett of Freeport,  
Madore of Augusta, Nass of Acton

NAYS: 0  
ABSENT: 1 Rep. Lemke of Westbrook  
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 the Honorable Bernard C. Staples of Bar Harbor, for reappointment as a Judge of the Maine District Court be confirmed.

Signed:  
S/S. Peter Mills S/Sharon Anglin Treat  
Senate Chair House Chair  
S.C. 467

Which was READ and ORDERED PLACED ON FILE.

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on JUDICIARY has recommended the nomination of Bernard C. Staples of Bar Harbor 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 117th 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: ABROMSON, AMERO, BEGLEY, BENOIT,  
BERUBE, BUSTIN, BUTLAND, CAREY,  
CASSIDY, CIANCHETTE, CLEVELAND,  
ESTY, FAIRCLOTH, FERGUSON,  
GOLDTHWAIT, HALL, HANLEY,

HARRIMAN, HATHAWAY, KIEFFER,  
 LAWRENCE, LONGLEY, LORD,  
 McCORMICK, MICHAUD, O'DEA,  
 PARADIS, PENDEXTER, PINGREE,  
 RAND, RUHLIN, SMALL, STEVENS,  
 and the PRESIDENT PRO TEM,  
 Senator MILLS

ABSENT: Senator: CARPENTER

No Senator 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 Bernard C. Staples, for reappointment as a Judge of the Maine District Court, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:  
**MAINE STATE LEGISLATURE**  
**AUGUSTA, MAINE 04333**

February 7, 1996

The Honorable Jeffrey H. Butland  
 President of the Senate of Maine  
 117th Maine Legislature  
 State House

Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Business and Economic Development has had under consideration the nomination of Elsie B. Morris of Bath, for reappointment to the Maine State Housing Authority.

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:	Sen. 2	Harriman of Cumberland, Goldthwait of Hancock
	Rep. 9	Rowe of Portland, Davidson of Brunswick, Povich of Ellsworth, Richard of Madison, Libby of Kennebunk, Reed of Dexter, Cameron of Rumford, Birney of Paris, Lemont of Kittery

NAYS:	0	
ABSENT:	2	Sen. Cianchette of Somerset, Rep. Sirois of Caribou

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 Elsie B. Morris of Bath, for reappointment to the Maine State Housing Authority be confirmed.

Signed:

S/Philip E. Harriman Senate Chair	S/G. Steven Rowe House Chair S.C. 468
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Which was **READ** and **ORDERED PLACED ON FILE**.

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** has recommended the nomination of Elsie B. Morris of Bath be confirmed.

The pending question before the Senate is:  
 "Shall the recommendation of the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 117th 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:	ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, BUSTIN, BUTLAND, CAREY, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LONGLEY, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT PRO TEM, Senator MILLS

ABSENT: Senator: CARPENTER

No Senator 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 Elsie B. Morris, for reappointment to the Maine State Housing Authority, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:  
**MAINE STATE LEGISLATURE**  
**AUGUSTA, MAINE 04333**

February 7, 1996

The Honorable Jeffrey H. Butland  
 President of the Senate of Maine  
 117th Maine Legislature  
 State House

Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 38 of the 117th Maine Legislature, the Joint Standing Committee on Business and Economic Development has had under consideration the nomination of Nathan Smith of Portland, for appointment to the Maine State Housing Authority.

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:	Sen. 3	Harriman of Cumberland, Goldthwait of Hancock, Cianchette of Somerset
	Rep. 9	Rowe of Portland, Davidson of Brunswick, Povich of Ellsworth, Richard of Madison, Libby of Kennebunk, Reed of Dexter, Cameron of Rumford, Birney of Paris, Lemont of Kittery

NAYS:	0	
ABSENT:	1	Rep. Sirois of Caribou

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 Nathan Smith of Portland, for appointment to the Maine State Housing Authority be confirmed.

Signed:

S/Philip E. Harriman Senate Chair  
S/G. Steven Rowe House Chair  
S.C. 469

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

**THE PRESIDENT PRO TEM:** The Joint Standing Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** has recommended the nomination of Nathan Smith of Portland be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 117th 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: ABROMSON, AMERO, BEGLEY, BENOIT, BERUBE, BUSTIN, BUTLAND, CAREY, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LONGLEY, LORD, MCCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT PRO TEM, Senator MILLS

ABSENT: Senator: CARPENTER  
No Senator 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 Nathan Smith, for appointment to the Maine State Housing Authority, was **CONFIRMED**.  
The Secretary informed the Speaker of the House.

**SENATE PAPERS**

Bill "An Act to Further Streamline Licensing Procedures at the Bureau of Insurance"

S.P. 692 L.D. 1762

Presented by Senator KIEFFER of Aroostook  
Cosponsored by Representatives: GATES of Rockport, MAYO, III of Bath  
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.  
Reference to the Committee on **BANKING AND**

**INSURANCE** suggested and **ORDERED PRINTED**.

Which was referred to the Committee on **BANKING AND INSURANCE** and **ORDERED PRINTED**.

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

Bill "An Act to Provide a Statute of Limitations for the Assessment of Tax for Which a Return Has Not Been Filed"

S.P. 695 L.D. 1769

Presented by Senator HATHAWAY of York  
Cosponsored by Senator: FERGUSON, JR. of Oxford,  
Representatives: BARTH, JR. of Bethel, MURPHY of Berwick, POIRIER of Saco, REED of Falmouth, TRIPP of Topsham, TUTTLE, JR. of Sanford

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on **TAXATION** suggested and **ORDERED PRINTED**.

Which was referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

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

**ORDER**

**Joint Resolution**

On motion by Senator ABROMSON of Cumberland the following Joint Resolution: (Cosponsored by: Representative ROWE of Portland.)

**JOINT RESOLUTION HONORING ROBERT E. MCAFEE, M.D.**

**WHEREAS**, Robert E. McAfee, M.D., of Portland, Maine, a graduate of Deering High School, Bates College and Tufts University School of Medicine, recently served as President of the American Medical Association; and

**WHEREAS**, Dr. McAfee in June of 1996 will complete 12 years of service on the Board of Trustees of the American Medical Association and 23 years of service representing Maine physicians in the American Medical Association; and

**WHEREAS**, during the past 35 years, Dr. McAfee has served the citizens of Maine in several capacities, holding a gubernatorial appointment to a state board or commission continuously since 1962 through the administration of 6 Governors; and

**WHEREAS**, Dr. McAfee has earned a worldwide reputation as an advocate against domestic violence and as an activist in favor of tobacco control; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Seventeenth Legislature now assembled in the Second Regular Session, formally express our sincere thanks to Robert E. McAfee, M.D., for his many years of dedicated service to his patients and to the citizens of Maine and the nation; and be it further

**RESOLVED:** That a suitable copy of this resolution, duly authenticated by the Secretary of State, be presented to Robert E. McAfee, M.D., with our deep appreciation.

S.P. 694

Which was **READ** and **ADOPTED**.

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

Off Record Remarks

**COMMITTEE REPORTS**

**House**

**Ought to Pass**

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Change the Name of the Maine Youth Apprenticeship Program to the Maine Career Advantage"

H.P. 1186 L.D. 1627

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

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**Ought to Pass As Amended**

The Committee on **NATURAL RESOURCES** on Bill "An Act to Require Notification to the Landowner When Land Is Being Considered for Placement in a Resource Protection Zone"

H.P. 609 L.D. 819

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "B" (H-685)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-685)**.

Which Report was **READ**.

On motion by Senator **KIEFFER** of Aroostook, Tabled 1 Legislative Day, pending **ACCEPTANCE** of the Report.

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The Committee on **TRANSPORTATION** on Bill "An Act to Improve the Local Road Assistance Program"

H.P. 345 L.D. 465

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-684)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-684)**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-684) **READ** and **ADOPTED**, in concurrence.

The Bill, as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

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The Committee on **TRANSPORTATION** on Bill "An Act to Decrease the Burden on the Trucking Industry by Permitting Photocopies of Registrations to Be Kept in Trailers and Semitrailers"

H.P. 543 L.D. 739

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-687)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-687)**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-687) **READ** and **ADOPTED**, in concurrence.

The Bill, as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

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**Senate  
Change of Reference**

Senator **HANLEY** for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Increase Access to and Affordability of Mental Health and Substance Abuse Treatment Services by Providing Mandatory Reimbursement to Counseling Professionals who are Licensed to Assess and Treat Intrapersonal and Interpersonal Problems"

S.P. 38 L.D. 68

Reported that the same be **REFERRED** to the Committee on **BANKING AND INSURANCE**.

Which Report was **READ** and **ACCEPTED**.

The Bill **REFERRED** to the Committee on **BANKING AND INSURANCE**.

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

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**Divided Report**

The Majority of the Committee on **LABOR** on Bill "An Act to Clarify the Laws Governing the Calculation of Interest on Decrees under the Workers' Compensation Laws"

S.P. 626 L.D. 1633

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (S-424)**.

Signed:

Senators:

**MILLS** of Somerset  
**RAND** of Cumberland

Representatives:

**HATCH** of Skowhegan  
**CHASE** of China  
**LEMAIRE** of Lewiston  
**SAMSON** of Jay  
**TUTTLE, JR.** of Sanford

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**.

Signed:

Senator:

**BEGLEY** of Lincoln

Representatives:

**JOY** of Crystal  
**JOYCE** of Biddeford  
**PENDLETON, JR.** of Scarborough  
**STEDMAN** of Hartland  
**WINSOR** of Norway

Which Reports were **READ**.

On motion by Senator **KIEFFER** of Aroostook, Tabled 1 Legislative Day, pending **ACCEPTANCE** of Either Report.

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**SECOND READERS**

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

**Senate As Amended**

Bill "An Act to Repeal the Requirement that Disbursement Warrants Receive an Affirmative Vote by Municipal Officers"

S.P. 608 L.D. 1612  
(C "A" S-421)

Bill "An Act to Amend the Piscataquis County Budget Process"

S.P. 611 L.D. 1615  
(C "A" S-423)

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED, As Amended**.

Sent down for concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act to Revise the Sunrise Review Process for Occupational and Professional Regulation"

H.P. 1287 L.D. 1767

Reference to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** suggested and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** and **ORDERED PRINTED**.

Which was referred to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**, in concurrence.

Bill "An Act to Ensure the Proper and Humane Care of Persons Requiring Mental Health Services" (Emergency)

H.P. 1284 L.D. 1764

Reference to the Committee on **HUMAN RESOURCES** suggested and **ORDERED PRINTED**.

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

Which was referred to the Committee on **HUMAN RESOURCES**, in concurrence.

Bill "An Act to Amend the Standards for Appointing the Guardian of a Minor"

H.P. 1285 L.D. 1765

Reference to the Committee on **JUDICIARY** suggested and **ORDERED PRINTED**.

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

Which was referred to the Committee on **JUDICIARY**, in concurrence.

Bill "An Act to Prohibit Stalking"

H.P. 1286 L.D. 1766

Reference to the Committee on **JUDICIARY** suggested and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **CRIMINAL JUSTICE** and **ORDERED PRINTED**.

Which was referred to the Committee on **CRIMINAL JUSTICE**, in concurrence.

Bill "An Act to Require a Municipality to Issue the Same Number of Nonresident Recreational Shellfish Licenses as Resident Licenses"

H.P. 1282 L.D. 1763

Reference to the Committee on **MARINE RESOURCES** suggested and **ORDERED PRINTED**.

Comes from the House, referred to the Committee on **MARINE RESOURCES** and **ORDERED PRINTED**.

Which was referred to the Committee on **MARINE RESOURCES**, in concurrence.

#### STUDY REPORT

##### JOINT STANDING COMMITTEE ON UTILITIES AND ENERGY

Report of the **JOINT STANDING COMMITTEE ON UTILITIES AND ENERGY** to which was referred by the Legislative Council the Study Relative to Issues Related to Water District Charters has had the same under consideration and asked leave to submit its findings and to report, pursuant to Joint Rule 19, that the accompanying Bill "An Act to Standardize the Creation of Water Districts"

H.P. 1288 L.D. 1768

Be referred to the Committee on **UTILITIES AND ENERGY** for Public Hearing and printed.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill referred to the Committee on **UTILITIES AND ENERGY** and **ORDERED PRINTED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill referred to the Committee on **UTILITIES AND ENERGY**, in concurrence.

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Off Record Remarks

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Senator **LAWRENCE** of York was granted unanimous consent to address the Senate off the Record.

Senator **AMERO** of Cumberland was granted unanimous consent to address the Senate off the Record.

Senate at Ease  
Senate called to order by the President Pro Tem.

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Off Record Remarks

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The **ADJOURNMENT ORDER** having been returned from the House **READ** and **PASSED**, in concurrence, on motion by Senator **AMERO** of Cumberland, **ADJOURNED** until Tuesday, February 13, 1996, at 10:00 o'clock in the morning.