

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Seventeenth Legislature

OF THE

State Of Maine

VOLUME VII

SECOND REGULAR SESSION

Senate

March 14, 1996 to April 3, 1996

SECOND CONFIRMATION SESSION

August 1, 1996

SECOND SPECIAL SESSION

House of Representatives

September 5, 1996 to September 7, 1996

Senate

September 5, 1996 to September 7, 1996

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HOUSE AND SENATE LEGISLATIVE SENTIMENTS

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

Sincerely,
S/Jeffrey H. Butland
President of the Senate
S.C. 612

In Senate Chamber
Thursday
August 1, 1996

Which was READ and ORDERED PLACED ON FILE.

Pursuant to the provisions of Article 5, Part 1, section 8 of the Constitution and the laws of the State of Maine, the Senate convened in the Senate Chamber at one o'clock in the afternoon and was called to order by the President, JEFFREY H. BUTLAND of Cumberland.

Prayer by Reverend Deborah Jenks, Rumford Point Congregational Church, Rumford Point.

REVEREND DEBORAH JENKS: Let us be in a spirit of prayer. Almighty and gracious God, we come to you this day mindful that You are our Creator and Sustainer of all life. You are the One in whom we, and all Your creatures, live and move and have our being. You alone are the source of all good in this world. You alone, oh God, are our Guide in all our journeys throughout this life. You alone, oh God, are the inspiration and authority for all our actions. We come now this day, oh God, asking Your blessing on all gathered here, all who come seeking to serve the needs and concerns of all in our State. Help us all here to embody the trust of those who sent us here. In any course that is set, oh God, let it be to serve the interests of all. In any goal pursued, bring all to a seeking of the common good. For any who become weary and discouraged, sustain and strengthen them, oh God, and let all of us recognize our need for You. Oh loving God, in all things let our hands reach out for Your touch and compassion, let our feet follow Your path and direction, and let our hearts burn with the fire of Your love and service. All honor and glory be Yours now and forever. Amen.

National Anthem by the Windham Chamber Singers of Windham, recipients of the Cup of Vienna and the best-of-competition prize at the International Youth and Music Festival held in Vienna, Austria.

Off Record Remarks

Senate at Ease
Senate called to order by the President.

COMMUNICATIONS

The Following Communication:
THE SENATE OF MAINE
OFFICE OF THE PRESIDENT
STATE HOUSE STATION 3
AUGUSTA, ME 04333

July 16, 1996

The Honorable May M. Ross
Secretary of the Senate
State House Station #3
Augusta, ME 04333

Dear Madam Secretary:

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 Thursday, August 1, 1996 at one o'clock in the afternoon for the purpose of voting upon confirmation of the various appointments made by the Honorable Angus S. King, Jr., Governor of the State of Maine.

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

Senators: ROLL CALL
ABROMSON, AMERO, BEGLEY, BENOIT,
BERUBE, BUSTIN, CAREY, CASSIDY,
CIANCHETTE, CLEVELAND, ESTY,
FERGUSON, GOLDTHWAIT, HALL,
HANLEY, HARRIMAN, HATHAWAY,
KIEFFER, LAWRENCE, LORD,
McCORMICK, MICHAUD, MILLS,
PARADIS, PENDEXTER, PINGREE,
RUHLIN, SMALL, STEVENS, and the
PRESIDENT, Senator BUTLAND

30 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 AMERO of Cumberland, the following Senator Order:

ORDERED, that a message be sent to His Excellency, Governor Angus S. King, 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.

S.O. 43

Which was READ and PASSED.

The President appointed the Senator from Cumberland, Senator AMERO to deliver the message.

Off Record Remarks

At this point the Senator from Cumberland, Senator AMERO reported that she had delivered the message with which she was charged.

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.

On motion by Senator LAWRENCE of York, RECESSED until the sound of the bell.

After Recess

Senate called to order by the President.

Off Record Remarks

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

June 25, 1996

The Honorable Jeffrey Butland
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003
Dear Jeff,

This is to inform you that I am today nominating Theresa S. Hoffman of Newburgh, Maine for appointment and Steven O. Mason of Beaver Cove, Maine and Stephen W. Wight of Bethel, Maine for reappointment as members of the Land Use Regulation Commission.

Pursuant to Title 12, MRSA Section 683, these nominations will require review by the Joint Standing Committee on Agriculture, Conservation and Forestry and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/Angus S. King, Jr.
Governor
S.C. 587

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333

June 25, 1996

Senator Vinton E. Cassidy
Representative Robert W. Spear
Chairpersons
Joint Standing Committee on Agriculture,
Conservation and Forestry
117th Legislature
Augusta, Maine 04333

Dear Senator Cassidy and Representative Spear:

Please be advised that Governor Angus S. King, Jr. has nominated Theresa S. Hoffman of Newburgh for appointment, and Steven O. Mason of Beaver Cove and Stephen W. Wight of Bethel for reappointment as members of the Land Use Regulation Commission.

Pursuant to Title 12 MRSA, Section 683, these nominations will require review by your Committee and confirmation by the Senate.

Sincerely,
S/May M. Ross
Secretary of the Senate
S.C. 588

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 16, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration

the nomination of Theresa S. Hoffman of Newburgh, for appointment to the Land Use Regulation Commission.

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

YEAS:	Sen. 2	Cassidy of Washington, Lord of York
	Rep. 10	Spear of Nobleboro, Kilkelly of Wiscasset, Ahearne of Madawaska, Hichborn of Lagrange, Tyler of Windham, Strout of Corinth, Cross of Dover-Foxcroft, Kneeland of Easton, Dexter of Kingfield, Pendleton of Scarborough

NAYS:	0	
ABSENT:	1	Sen. Paradis of Aroostook

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 Theresa S. Hoffman of Newburgh, for appointment to the Land Use Regulation Commission be confirmed.

Signed:

S/Vinton E. Cassidy Senate Chair	S/Robert W. Spear House Chair S.C. 613
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Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on AGRICULTURE, CONSERVATION AND FORESTRY has recommended the nomination of Theresa S. Hoffman of Newburgh be confirmed. The Chair recognizes the Senator from Franklin, Senator Benoit.

Senator BENOIT: Thank you, Mr. President. May it please the Senate. I'm going to vote in opposition to the nominee, and I want to briefly tell you the reasons why. My statement will equally apply to the other two nominees to follow, nominees to the Land Use Regulation Commission. As you know, the LURC, the Land Use Regulation Commission, was established in 1971. It has existed for 25 years. It's a fact of life in the State of Maine that in that 25 years there has been not one appointment to that important commission from Franklin County, the county in my district. My constituents are up in arms about it. They are heavily "LURCed". Most of Franklin County, 60% to 75% of the land mass, is in LURC's jurisdiction. We have a regional LURC office in Franklin County, in Rangeley. That's how busy they are up there. We don't have a commissioner and we haven't had one for 25 years. We get passed over and passed over. We are second cousins when it comes to this important commission, it seems. If you take a look at all of the towns and plantations that make up LURC's jurisdiction, 15% of LURC's jurisdiction is in Franklin County. Sometimes you can define something by telling what it isn't. I'm not opposed to this nominee's qualifications. She is qualified. She is going to do a good job. She is a woman. I'm pleased to see the Governor appointing a woman to this important commission. I am pleased to see women in our society succeeding. I have two daughters who are grown and raising families; and all they ask for is an even chance to compete, fairness. So, I like to see this, when the Governor appoints women to important positions in our society.

I'm really addressing the Governor I guess, as a matter of fairness. We have all heard of Oil of Olay, I'm talking about the Oil of Fairness. The Governor has the oil can, I'm the squeaky wheel and my constituents have had it. There are some fine people in Franklin County who should be considered and appointed to this important commission, given the amount of jurisdiction it has where we live. Just to close out, you know that LURC is the planning board for the unorganized territories of the State. Just look at the law that deals with planning boards in our towns and cities. The membership comes from the towns and cities. Look where the membership comes from on this planning board over the years. Auburn, Brunswick, Hallowell, Bangor. LURC jurisdiction? No way. So, what we want here, Governor, is the oil of fairness; and I am voting against this nominee, and the other two, for that reason. They are fine people. I have no quarrel with their qualifications. They will do a good job; but darn it all, give us some recognition. Give us some membership on this important board that lives in our lives every day. Thank you.

THE PRESIDENT: The pending question before the Senate is: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 506 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: Senator: **BEHOIT**
 NAYS: Senators: **ABROMSON, AMERO, BEGLEY, BERUBE, BUSTIN, CAREY, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS,** and the **PRESIDENT, Senator BUTLAND**

ABSENT: Senators: **CARPENTER, LONGLEY, RAND**

1 Senator having voted in the affirmative and 31 Senators having voted in the negative, with 3 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 Theresa S. Hoffman, for appointment to the Land Use Regulation Commission, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE
 AUGUSTA, MAINE 04333**

July 16, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of Steven O. Mason of Beaver Cove, for reappointment to the Land Use Regulation Commission.

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

YEAS:	Sen. 2	Cassidy of Washington, Lord of York
	Rep. 9	Spear of Nobleboro, Kilkelly of Wiscasset, Hichborn of Lagrange, Tyler of Windham, Strout of Corinth, Cross of Dover-Foxcroft, Kneeland of Easton, Dexter of Kingfield, Pendleton of Scarborough

NAYS: 1 Rep. Ahearne of Madawaska

ABSENT: 1 Sen. Paradis of Aroostook

Eleven members of the Committee having voted in the affirmative and one in the negative, it was the vote of the Committee that the nomination of Steven O. Mason of Beaver Cove, for reappointment to the Land Use Regulation Commission be confirmed.

Signed:

S/Vinton E. Cassidy
 Senate Chair

S/Robert W. Spear
 House Chair
 S.C. 614

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

THE PRESIDENT: The Joint Standing Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** has recommended the nomination of Steven O. Mason of Beaver Cove be confirmed. The Chair recognizes the Senator from Kennebec, Senator McCormick.

Senator **McCORMICK:** Thank you, Mr. President. I rise today to oppose this nomination. I believe that what is before us is no less than whether it will appear to the people of the State of Maine that our government is under the control of special interests, or whether it is under the control of people. The story behind these two nominees is that LURC has been working on a land use plan and voted, last March, to uphold a new use of the management and natural character zoning designation that have been on their books for years. They voted to allow LURC to designate certain lands, especially the wild lakes, to be in this zoning without, necessarily, the permission of the landowner. That was the vote they took last March. Then on the eve of the final vote, four months after the comment period had been closed, the three commissioners, two of who are before us today, and Mr. Wight is one, accepted from the paper companies an untitled memo which I hold in my hand; and I would be glad to make it available to any of you who would like to see it, and, in essence, broke the rules of LURC, accepted this memo, and then the next day, during the hearing and the final vote, reversed themselves on this point of policy that I just described, and gave to the paper company something that every single property owner in this State does not have, and that is the ability to tell their planning boards what to do. LURC is the planning board for the State of Maine's unorganized territories, and LURC has given to the paper

companies power that landowners and citizens do not have. That's the story. I'm sure you have read accounts of this in the paper; and there are many voices on either side, as you might think on something like this; but I have in front of me a copy of the rules of LURC and one particular focus of everybody's comment is were the rules broken or were they not? There are clearly many people who think that they were; and I will read to you one rule of land use planning, Regulation Commission 5.9 sub 1, which says, "After the conclusion of the public hearing, no further evidence or testimony will be allowed into the record." I understand that the nominee before us was trained in these rules, and that he should have known better. I further would like to read from a letter from the Attorney General's representative, Jeff Pidot, who advises this committee, to a fellow Senator here who asked about this matter. The letter states, "Regardless of the intentions of the parties at the time, efforts by any interest group to personally visit individual commission members, including at their homes, and to provide significant oral and written commentary on the plan months after the hearing record has closed, and on the virtual eve of the commission meeting set to decide the plan's fate, must be seen as a breach of the spirit, as well as the letter of these regulations, and the procedures they envision." The point of policy that was taken up and is embodied in this controversy, and in this vote, is an important one. This is not just a procedural vote, a procedural misstep that these three men took, one of them is not before us. This is a reversal of an important public policy point and an attempt, finally, by LURC to utilize the management and natural resource zoning provision to maintain the wilderness and timber harvesting character of our northern woods, the natural resource that is unique in this country, in this world, and it happens to reside in upper New York, Vermont and Maine, the northern woods. It is half the land of Maine, and LURC has jurisdiction over it; and these two men have, I think, called into question their judgement and their neutrality by the actions they took.

The last point I want to make is one about jobs. Half the land of Maine, as I said, is owned by the paper companies; and its land use is controlled by LURC and the two nominees that we have before us today. The question before us, and it comes before us time after time after time, it will come before you again in the next session, is whether some entities, usually corporations, in this case large paper companies, can control a resource in order to extract as much economic value, i.e. profit, for themselves at this moment in time, and be damned to everyone else; or whether government is going to step up to the plate, finally, and do its job and make the economy a level playing field and allow that resource to be sustained and used for jobs for everyone now, profitability for the paper companies now and into the future, and jobs now and into the future. You will note, if you followed all of the clippings on this, that the economic value of the recreational businesses and opportunities, and value from the northern woods equals, at this point, the timber harvesting value and jobs for the north woods. So, we have before us a huge public policy issue. We have before us an ethical dilemma, an ethical breach and a breach of rules on the part of this nominee. We have before us an important natural resource

policy question, and whether or not we will be able to save the north woods and its character for timber harvesting and primitive use. Lastly, we have before us the issue of jobs and whether we are going to allow the paper companies to extract as much value as they see fit for half of the State of Maine, or whether government is going to step up to the plate and say, "This resource belongs to all of us. We must sustain it so we can save the jobs that it now supports and sustain the jobs for the next generation that it will support." I urge you to vote against this nomination and vote yes. Thank you.

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

Senator CAREY: Mr. President. I would like to direct a question through the Chair, if I might, to the good Senator from Kennebec. I noticed that the vote was eleven to one, with one absent, in both instances, so I won't have to rise for the second one. I would ask if the Senator made her views known to the Committee so they might take that under their deliberations before they voted?

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

Senator McCORMICK: No, I didn't. I'm glad you brought up the subject of the hearing; because, once again, I don't think that the important public policy issues that are embodied in this decision that is now before each and every one of you, my fellow Senators, was given a good hearing, was given a good airing at that particular hearing. I'm welcoming this discussion and I hope we have a good one here today.

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator HALL: Thank you, Mr. President. Ladies and Gentlemen of the Senate. I stand today to defend the nominee for this LURC commission position, Steven Mason of Beaver Cove. Mr. Mason lives in my district. Not only that, but I have known him for many, many years, and have found him to be one of the most honest and sincere individuals that I know, barring none. I also would like to speak, as it was brought up, to the newspaper articles. I'm sure there is no one here that hasn't read a newspaper article, after giving a quote or an interview to a newspaper, and wondered if the person was in the same room with you. If you believe everything you read, then you are missing a lot, with no exception to these articles. I understand that there were many drafts written on this land use proposal over the last several months. Yes, the public hearings ended quite a while ago, but I also understand that the draft was rewritten since then. The changes of wording changes the meanings of what was heard in the public hearing. Anyone that would have a concern over their land, I would think, should be very concerned when the words are changed. It's a whole new ballgame, a whole new perception. These commissioners, as I understand, were passed these letters as they were leaving a meeting. Anyone, and I could prove it, I could pass you something, or anyone could pass you something; and you will accept it, nine out of ten people will. I also understand that once they had taken it, read it later, realizing that what they had may be in conflict with the rules of the LURC commission, they then brought it to the board's attention the following day. To me, they have done what was fair and the honest thing to do. Yes, new public hearings are now open and have been announced, for two reasons, I feel. One, because of

the misconception that some of the people have of a wrongdoing here. The other reason is because the draft has been changed since the public had a way to comment on it. I surely see no harm done here. I congratulate these people for bringing it forward. I think they did the right thing. I will be voting along with the committee to confirm this nominee. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Cassidy.

Senator **CASSIDY:** Thank you, Mr. President, Men and Women of the Senate. Obviously, I would like to respond to some of the comments from the good Senator. We did hold our hearing two weeks ago on these nominations, all three the same day; and I think, if I remember correctly, it went on for three and a half or four hours before we got out of there. I'm sure we aired this whole discussion with ample time for folks to state their feelings. As a matter of fact, Mr. Carson, from the Natural Resources Council, came up to me after the hearing and said, "Senator Cassidy, I really appreciate you letting me express my views." So, I think we heard this thing to a great extent that day. The issue here, I don't think, is the role of the paper companies, as far as economic value and all of those kinds of things. Obviously, 20% of the jobs in our state with the base of the paper industry is important to all of us and to the income of those individuals, as well as the state's economy. I think that debate will be heard later as we progress for the next few months. The issue here today is the qualifications, in this case, of Mr. Mason. I just would like to remind the good Senators here in this hall today that Mr. Mason did not solicit information from anybody. He was handed this material. This came out during the hearing. The next morning those gentlemen presented that at their meeting and said this is what they received last night from some of the folks in the paper industry. He has a tremendous background serving on the LURC board. We also had a gentleman, Mr. O'Brien, who is formerly a member of the LURC commission who stated to us, and actually had some tapes with him, which we did not, obviously, play, that there was not an official vote taken at the prior meeting. There was a straw vote and it was three to two to one. There were other concerns and issues. So, I have no problem with the process and the way it was done. I would like to have seen those folks request to have that time period opened up again for further comments. Unfortunately, that was not done. It was not Mr. Mason who solicited this information. Somebody could pass me anything as I leave this building today. The next morning they reported that to the full committee. I see nothing wrong with that. It's an unfortunate process, but I think it's unfair to jeopardize these gentlemen who have offered to serve the State of Maine and have for many years.

Finally, the next meeting, which I think was two days later, it was shortly after our hearing, the LURC board did vote to reopen public comments and to take information from both sides. Obviously, the paper companies who own that land are going to have an interest in what goes on up there. They are paying the taxes on it. They are supplying the jobs here in the state and I think it's great that we have this natural resource here. I do realize that we need to protect it and be stewards of that and to have this for our future, and I'm sure we will. With

that, if I could answer any other questions about what went on that day at the hearing; but we certainly aired this thing. We discussed it. We listened to everybody; and, as was mentioned, we did have an eleven to one vote out of the committee and I certainly will support Mr. Mason and his reappointment to LURC. Thank you.

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

Senator **LORD:** Thank you, Mr. President. My Learned Colleagues. You have heard the vote three, two, one. One absent, Mr. Mason was the absentee. He wasn't even there at the March meeting. I don't think people should believe everything they read in the paper. It was brought out that it was a straw vote. It was not an official vote and Mr. Mason was absent at that vote. It was brought out by a number of people as to his qualifications, and I always thought you judge a man on his qualifications. I urge you to vote for the confirmation. Thank you.

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

Senator **HARRIMAN:** Thank you, Mr. President. Good afternoon, Ladies and Gentlemen of the Senate. I am rising this afternoon to ask that you join me in voting to override the recommendation of the committee. Not because the committee didn't do a thorough job. I'm sure they did. Not because of the comments of the people who are being reappointed. I think that should tell us something of the experience that they have and the role that they play. The fact is, Ladies and Gentlemen of the Senate, the Land Use Regulatory Commission has a significant impact, power, and authority over the land use in the State of Maine. Whether the votes were taken by the Commission at the time the public commentary was taken were one way, and after this alleged incident they changed the other way, is immaterial. The perception is that the public does not trust the process. I believe that their perception is, indeed, reality. I often hear from people who tell me how much they love this State but it's the government they fear. I think they fear the government because they don't trust it. They truly believe that there are cozy relationships where special interest have access that they don't have. In this instance, Ladies and Gentlemen of the Senate, with a commission with the broad powers that LURC has, we cannot let the message come out of this Chamber today that we condone the perception, and indeed the reality, that has gone on here. I hope you will join me in voting yes. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Benoit.

Senator **BENOIT:** Thank you, Mr. President. May it please the Senate. I wish to state on the record, after incorporating by reference, if I may, my previous remarks, a further reason why I will be opposing this nomination. I'm hearing an argument today that there was a mistake made; but, oh well, it wasn't a serious mistake. My constituents take the view that this was a serious mistake because look what happened. After the hearing process was over, done with, finished, it is now necessary to reopen the public hearing process to correct that mistake. That speaks for itself and that, perhaps, is one of the many reasons I oppose this nomination.

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

Senator **MICHAUD**: Thank you, Mr. President, Men and Women of the Senate. I, too, rise to oppose this nomination. I have thought long and hard because I have known these individuals since they were on LURC before. However, I think they have put doubt on the credibility of the Commission. I did ask the attorney who represents LURC what went on and if, in fact, they did violate any of the rules. I will read just a couple of paragraphs from a letter I received from the Attorney General's office. It says, "In response to your request, enclosed are pertinent excerpts from the LURC regulation dealing with the conduct of public hearings on the matter such as the revised comprehensive plan now pending before the Commission. As these regulations provide, and as the LURC published a well-distributed notice, state at the time, the Commission held extensive public hearings at various locations around the state to receive public (including industry) testimony and comment on the proposed plan. Also, as announced in the public notice, the Commission then set a further extensive comment period for anyone to write to the Commission on the proposed plan. This public input process ended in the early spring. At that time, as I believe is well known to all who participate, the hearing record was closed. The Commission then was supposed to be left to its own deliberation and decision-making. Even the cover of the revised plan distributed in recent months conspicuously states that the record was closed. The enclosed regulations specifically provided that after the record closes, no further testimony or comment is allowed, unless the Commission reopens the record, which it may do for any reason the commission deems appropriate, acting as a body at a regular public meeting. Clearly, the idea of these regulations is that the Commission is to engage in this public hearing process, in public view, and in a way which every interested party is given a fair and equal opportunity to participate and comment. Regardless of the intentions of the parties at the time, efforts by any interest groups to personally visit individual Commission members, including at their homes, and to provide significant oral and written commentary to the plan, months after the hearing record had closed, and on the virtual eve of the Commission's meeting, set to decide the plan's fate, must be seen as a breach of the spirit as well as the letter of these regulations." I think that the three members of the Commission, when they received that document, they should not have voted the next day on the plan. They should have asked for it to be reopened. That was the appropriate thing for them to do. What they did later was cover their tracks. As far as the industry lobby, which I understand that they had legal advice from an individual which should have known better, all the industry would have had to do, and I'm not commenting on the plan itself, I'm commenting on the process that they went through. I have not looked at the plan, whether it is a good plan or a bad plan; but industry knows what the process is. The attorney that advised industry knew the process. All industry had to do was go to the LURC meeting that day and say they had severe concerns with what was in the plan and ask them to reopen it. That's all they had to do.

As far as training, I did ask Jeff Pidot, who is the attorney for the Land Use Regulation Commission, what training does he, or the LURC staff give to new members. They do give extensive training when the Commission gets a new member. The two that we are

confirming today went through that training. They knew what the process was and they violated it. As far as Malachi Anderson, it is my understanding that he was supposed to have training; however, the training did get cancelled, so that is understandable. But, as far as the other members, I think it's wrong. There is enough mistrust about politicians and bureaucracy. I do not think that we ought to confirm this nominee or the one following. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Cassidy.

Senator **CASSIDY**: Thank you, Mr. President, Men and Women of the Senate. I think it's important to remember that we have before us one name, Mr. Mason, for reconsideration here today for nomination. The other thing, Mr. President, just to say one more time, I agree with the good Senator that the process didn't work and it needs to be looked at and we need to be sure that these things don't happen in the future. I must remind you again that Mr. Mason did not solicit this information. The next morning they brought it out to the public. It's not like they hid this for three weeks. These are honorable people who have served the State of Maine for many years in that capacity and in other areas. I hope that you will keep that in mind. Maybe the process isn't good. Maybe the companies had the wrong intentions, but Mr. Mason didn't ask for that and he brought this information forward immediately the next morning. Thank you.

THE PRESIDENT: The pending question before the Senate is "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 506 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: **BENOIT, BUSTIN, CLEVELAND, ESTY, FAIRCLOTH, HARRIMAN, McCORMICK, MICHAUD, O'DEA, PINGREE**

NAYS: Senators: **ABROMSON, AMERO, BEGLEY, BERUBE, CAREY, CASSIDY, CIANCHETTE, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HATHAWAY, KIEFFER, LAWRENCE, LORD, MILLS, PARADIS, PENDEXTER, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND**

ABSENT: Senators: **CARPENTER, LONGLEY, RAND**

10 Senators having voted in the affirmative and 22 Senators having voted in the negative, with 3 Senators being absent, and 10 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 Steven O. Mason, for reappointment to the Land Use Regulation Commission, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

Off Record Remarks

The Following Communication:
MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 16, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of Stephen W. Wight of Bethel, for reappointment to the Land Use Regulation Commission.

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

YEAS:	Sen. 2	Cassidy of Washington, Lord of York
	Rep. 9	Spear of Nobleboro, Kilkelly of Wiscasset, Hichborn of Lagrange, Tyler of Windham, Strout of Corinth, Cross of Dover-Foxcroft, Kneeland of Easton, Dexter of Kingfield, Pendleton of Scarborough
NAYS:	1	Rep. Ahearne of Madawaska
ABSENT:	1	Sen. Paradis of Aroostook

Eleven members of the Committee having voted in the affirmative and one in the negative, it was the vote of the Committee that the nomination of Stephen W. Wight of Bethel, for reappointment to the Land Use Regulation Commission be confirmed.

Signed:

S/Vinton E. Cassidy Senate Chair	S/Robert W. Spear House Chair S.C. 615
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Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** has recommended the nomination of Stephen W. Wight of Bethel be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 506 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:	BENOIT, BUSTIN, CLEVELAND, ESTY, FAIRCLOTH, HARRIMAN, McCORMICK, MICHAUD, O'DEA, PINGREE
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NAYS:	Senators:	ABROMSON, AMERO, BEGLEY, BERUBE, CAREY, CASSIDY, CIANCHETTE, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HATHAWAY, KIEFFER, LAWRENCE, LORD, MILLS, PARADIS, PENDEXTER, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND
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ABSENT: Senators: CARPENTER, LONGLEY, RAND
 10 Senators having voted in the affirmative and 22 Senators having voted in the negative, with 3 Senators being absent, and 10 being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Stephen W. Wight, for reappointment to the Land Use Regulation Commission, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

Off Record Remarks

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

June 28, 1996

The Honorable Jeffrey Butland
 President of the Senate
 #3 State House Station
 Augusta, Maine 04333-0003
 Dear Jeff,

This is to inform you that I am today nominating William N. Lund of Falmouth for appointment as the Director of the Office of Consumer Credit Regulation.

Pursuant to Title 9-A MRSA, Section 6-103, this nomination will require review by the Joint Standing Committee on Banking and Insurance and confirmation by the Senate.

Thank you for your assistance in this matter.
 Sincerely,
 S/S. Catherine Longley, Commissioner
 Department of Professional and
 Financial Regulation
 S.C. 589

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333

June 28, 1996

Senator I. Joel Abromson
 Representative Marc J. Vigue
 Chairpersons
 Joint Standing Committee on Banking
 and Insurance
 117th Legislature
 Augusta, Maine 04333

Dear Senator Abromson and Representative Vigue:

Please be advised that the Commissioner of the Department of Professional and Financial Regulation, S. Catherine Longley, has nominated William N. Lund of Falmouth for appointment as Director of the Office of Consumer Credit Regulation.

Pursuant to Title 9-A MRSA, Section 6-103, this nomination will require review by your committee and confirmation by the Senate.

Sincerely,
S/May M. Ross
Secretary of the Senate
S.C. 590

Which was READ and ORDERED PLACED ON FILE.

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

July 2, 1996

The Honorable Jeffrey Butland
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003
Dear Jeff,

This is to inform you, pursuant to Title 9-A, MRSA Section 6-103, that I am withdrawing and reposting my nomination of William N. Lund of Falmouth as Director of the Office of Consumer Credit Regulation.

This nomination is currently pending before the Joint Standing Committee on Banking and Insurance.

Thank you for your assistance in this matter.

Sincerely,
S/S. Catherine Longley, Commissioner
Department of Professional and
Financial Regulation
S.C. 591

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333

July 2, 1996

Senator I. Joel Abromson
Representative Marc J. Vigue
Chairpersons
Joint Standing Committee on Banking
and Insurance
117th Legislature
Augusta, Maine 04333

Dear Senator Abromson and Representative Vigue:
Please be advised that the Commissioner of the Department of Professional and Financial Regulation, S. Catherine Longley, has withdrawn and renominated William N. Lund of Falmouth for appointment as Director of the Office of Consumer Credit Regulation.

Pursuant to Title 9-A MRSA, Section 6-103, this nomination is currently pending before your committee.

Sincerely,
S/May M. Ross
Secretary of the Senate
S.C. 592

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 31, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Banking and Insurance has had under consideration the nomination of William N. Lund of Falmouth, for appointment as the Director of the Office of Consumer Credit Regulation.

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 Abromson of Cumberland,
Small of Sagadahoc,
McCormick of Kennebec
Rep. 9 Vigue of Winslow, Chase of
China, Gates of Rockport,
Saxl of Portland, Thompson
of Naples, Campbell of
Holden, Guerrette of
Pittston, Jones of
Pittsfield, Mayo of Bath

NAYS: 0
ABSENT: 1 Rep. Lumbra of Bangor

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 N. Lund of Falmouth, for appointment as the Director of the Office of Consumer Credit Regulation be confirmed.

Signed:
S/I. Joel Abromson
Senate Chair
S/Marc J. Vigue
House Chair
S.C. 639

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on BANKING AND INSURANCE has recommended the nomination of William N. Lund of Falmouth be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY,
CIANCHETTE, CLEVELAND, ESTY,
FAIRCLOTH, FERGUSON, GOLDTHWAIT,
HALL, HANLEY, HARRIMAN,
HATHAWAY, KIEFFER, LAWRENCE,
LORD, McCORMICK, MICHAUD, MILLS,
O'DEA, PENDEXTER, PINGREE,
RUHLIN, SMALL, STEVENS, and the
PRESIDENT, Senator BUTLAND
ABSENT: Senators: CARPENTER, LONGLEY, PARADIS, RAND

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on BUSINESS AND ECONOMIC DEVELOPMENT has recommended the nomination of Perry B. Newman of Sharker Heights, Ohio, 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 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, PARADIS, RAND
 No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 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 Perry B. Newman, for appointment as the Director of the International Trade Center, was CONFIRMED.

The Secretary informed the Speaker of the House.

Off Record Remarks

The Following Communication:

MAINE STATE LEGISLATURE
 AUGUSTA, MAINE 04333

July 31, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Business and Economic Development has had under consideration the nomination of Norma M. Rice of Kittery, for reappointment to the Maine Real Estate 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: Sen. 2 Harriman of Cumberland, Cianchette of Somerset

Rep. 7

Rowe of Portland, Povich of Ellsworth, Richard of Madison, Libby of Kennebunk, Reed of Dexter, Cameron of Rumford, Birney of Paris

NAYS: 0
 ABSENT: 4

Sen. Goldthwait of Hancock, Rep. Davidson of Brunswick, Rep. Sirois of Caribou, Rep. Lemont of Kittery

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 Norma M. Rice of Kittery, for reappointment to the Maine Real Estate Commission be confirmed.

Signed:

S/Philip E. Harriman
 Senate Chair

S/G. Steven Rowe
 House Chair
 S.C. 641

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on BUSINESS AND ECONOMIC DEVELOPMENT has recommended the nomination of Norma M. Rice of Kittery 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 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, PARADIS, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, O'DEA, RAND
 No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 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 Norma M. Rice, for reappointment as a member of the Maine Real Estate Commission, was CONFIRMED.

The Secretary informed the Speaker of the House.

The Following Communication:

STATE OF MAINE
 OFFICE OF THE GOVERNOR
 1 STATE HOUSE STATION
 AUGUSTA, MAINE
 04333-0001

June 25, 1996

The Honorable Jeffrey Butland
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003
Dear Jeff,

This is to inform you that I am today nominating Ryan K. Witham of Shawmut for reappointment as the student trustee of the University of Maine Board of Trustees.

Pursuant to P.L. 1987, Chapter 735, Section 73, this nomination will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/Angus S. King, Jr.
Governor
S.C. 596

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

June 25, 1996

The Honorable Jeffrey Butland
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003
Dear Jeff,

This is to inform you that I am today nominating Penny S. Harris of Camden for reappointment and James D. Mullen of Bangor for appointment as members of the University of Maine Board of Trustees.

Pursuant to Private and Special Law 1967, Chapter 229, these nominations will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/Angus S. King, Jr.
Governor
S.C. 597

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

June 25, 1996

The Honorable Jeffrey Butland
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003
Dear Jeff,

This is to inform you that I am today renominating David S. Loeb of Olympic Valley, CA and nominating Richard J. Grosh of Brooklin for appointment as members of the Maine Maritime Academy, Board of Trustees.

Pursuant to P.L. 1975, Chapter 771, Section 428, these nominations will require review by the Joint Standing Committee on Education and Cultural Services and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/Angus S. King, Jr.
Governor
S.C. 598

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

June 25, 1996

The Honorable Jeffrey Butland
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003
Dear Jeff,

This is to inform you that I am today nominating John Duke Albanese of Oakland as Commissioner of the Department of Education.

Pursuant to Title 20A, MRSA Section 251, this nomination will require review by the Joint Standing Committee on Education and Cultural Affairs and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/Angus S. King, Jr.
Governor
S.C. 599

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333

June 25, 1996

Senator Mary E. Small
Representative Wendy L. Ault
Chairpersons
Joint Standing Committee on Education
and Cultural Affairs
117th Legislature
Augusta, Maine 04333

Dear Senator Small and Representative Ault:

Please be advised that Governor Angus S. King, Jr. has nominated the following:

Ryan K. Witham of Shawmut for reappointment as the student trustee of the University of Maine Board of Trustees, pursuant to Public Law 1987, Chapter 735, Section 73;

Penny S. Harris of Camden for reappointment and James D. Mullen of Bangor for appointment as members of the University of Maine Board of Trustees, pursuant to Private and Special Law 1967, Chapter 229;

David S. Loeb of Olympic Valley, California and Richard J. Grosh of Brooklin for appointment as members of the Maine Maritime Academy Board of Trustees, pursuant to Public Law 1975, Chapter 771, Section 428; and

John Duke Albanese of Oakland as Commissioner of the Department of Education, pursuant to Title 20A MRSA, Section 251.

These nominations will require review by your Committee and confirmation by the Senate.

Sincerely,
S/May M. Ross
Secretary of the Senate
S.C. 600

Which was READ and ORDERED PLACED ON FILE.

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

July 18, 1996

The Honorable Jeffrey Butland
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003

Dear Jeff,

This is to inform you, pursuant to P.L. 1987, Chapter 735, Section 73, that I am withdrawing my nomination of Ryan K. Witham of Shawmut for reappointment as the student trustee of the University of Maine Board of Trustees.

This nomination is currently pending before the Joint Standing Committee on Education and Cultural Affairs.

Thank you for your assistance in this matter.

Sincerely,
S/Angus S. King, Jr.
Governor
S.C. 616

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333

July 18, 1996

Senator Mary E. Small
Representative Wendy L. Ault
Chairpersons
Joint Standing Committee on Education
and Cultural Affairs
117th Legislature
Augusta, Maine 04333

Dear Senator Small and Representative Ault:

Please be advised that Governor Angus S. King, Jr. has withdrawn his nomination of Ryan K. Witham of Shawmut for reappointment as the student trustee of the University of Maine Board of Trustees.

Pursuant to Public Law 1987, Chapter 735, Section 73, this nomination is currently pending before your committee.

Sincerely,
S/May M. Ross
Secretary of the Senate
S.C. 617

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 18, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Penny S. Harris of Camden, for reappointment to the University of Maine Board of Trustees.

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

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

NAYS: 0
ABSENT: 1 Rep. Winn of Glenburn
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 Penny S. Harris of Camden, for reappointment to the University of Maine Board of Trustees be confirmed.

Signed:

S/Mary E. Small S/Wendy L. Ault
Senate Chair House Chair
S.C. 618

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on EDUCATION AND CULTURAL AFFAIRS has recommended the nomination of Penny S. Harris of Camden 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 506 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, CASSIDY,
CIANCHETTE, CLEVELAND, ESTY,
FAIRCLOTH, FERGUSON, GOLDTHWAIT,
HALL, HANLEY, HARRIMAN,
HATHAWAY, KIEFFER, LAWRENCE,
LORD, McCORMICK, MICHAUD, MILLS,
O'DEA, PARADIS, PENDEXTER,
PINGREE, RUHLIN, SMALL, STEVENS,
and the PRESIDENT, Senator
BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, RAND

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 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 Penny S. Harris, for reappointment to the University of Maine Board of Trustees, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

July 18, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of James D. Mullen of Bangor, for appointment to the University of Maine Board of Trustees.

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

YEAS:	Sen. 3	Small of Sagadahoc, Abromson of Cumberland, Esty of Cumberland
	Rep. 8	Ault of Wayne, Martin of Eagle Lake, Stevens of Orono, Brennan of Portland, Desmond of Mapleton, Barth of Bethel, Libby of Buxton, McElroy of Unity
NAYS:	0	
ABSENT:	2	Rep. Cloutier of South Portland, Rep. Winn of Glenburn

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 James D. Mullen of Bangor, for appointment to the University of Maine Board of Trustees be confirmed.

Signed:

S/Mary E. Small Senate Chair	S/Wendy L. Ault House Chair S.C. 619
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Which was **READ** and **ORDERED PLACED ON FILE**.

THE PRESIDENT: The Joint Standing Committee on **EDUCATION AND CULTURAL AFFAIRS** has recommended the nomination of James D. Mullen 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 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, RAND

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of James D. Mullen, for appointment to the University of Maine Board of Trustees, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

July 18, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of David S. Loeb of Olympic Valley, California, for appointment to the Maine Maritime Academy 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, Abromson of Cumberland
	Rep. 7	Ault of Wayne, Cloutier of South Portland, Brennan of Portland, Desmond of Mapleton, Barth of Bethel, Libby of Buxton, McElroy of Unity
NAYS:	0	
ABSENT:	4	Sen. Esty of Cumberland, Rep. Martin of Eagle Lake, Rep. Stevens of Orono, Rep. Winn of Glenburn

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 David S. Loeb of Olympic Valley, California, for appointment to the Maine Maritime Academy Board of Trustees be confirmed.

Signed: S/Mary E. Small
Senate Chair
S/Wendy L. Ault
House Chair
S.C. 620

Which was READ and ORDERED PLACED ON FILE.
THE PRESIDENT: The Joint Standing Committee on EDUCATION AND CULTURAL AFFAIRS has recommended the nomination of David S. Loeb of Olympic Valley, California, 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 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, PARADIS, RAND
No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 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 David S. Loeb, for appointment to the Maine Maritime Academy Board of Trustees, was CONFIRMED.

The Secretary informed the Speaker of the House.

The Following Communication:

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 18, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Richard J. Grosh of Brooklin, for appointment to the Maine Maritime Academy 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. 9 Ault of Wayne, Martin of Eagle Lake, Cloutier of South Portland, Stevens of Orono, Brennan of Portland, Desmond of Mapleton, Barth of Bethel, Libby of Buxton, McElroy of Unity

NAYS: 0
ABSENT: 1 Rep. Winn of Glenburn
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 Richard J. Grosh of Brooklin, for appointment to the Maine Maritime Academy Board of Trustees be confirmed.

Signed:

S/Mary E. Small Senate Chair
S/Wendy L. Ault House Chair
S.C. 621

Which was READ and ORDERED PLACED ON FILE.
THE PRESIDENT: The Joint Standing Committee on EDUCATION AND CULTURAL AFFAIRS has recommended the nomination of Richard J. Grosh of Brooklin 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 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, RAND
No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Richard J. Grosh, for appointment to the Maine Maritime Academy Board of Trustees, was CONFIRMED.

The Secretary informed the Speaker of the House.

The Following Communication:

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 18, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of John Duke Albanese of Oakland, for appointment as the Commissioner of the Department of Education.

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

YEAS:	Sen. 3	Small of Sagadahoc, Abromson of Cumberland, Esty of Cumberland
	Rep. 10	Ault of Wayne, Martin of Eagle Lake, Cloutier of South Portland, Stevens of Orono, Brennan of Portland, Winn of Glenburn, Desmond of Mapleton, Barth of Bethel, Libby of Buxton, McElroy of Unity

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 John Duke Albanese of Oakland, for appointment as the Commissioner of the Department of Education be confirmed.

Signed:

S/Mary E. Small Senate Chair	S/Wendy L. Ault House Chair S.C. 622
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Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on EDUCATION AND CULTURAL AFFAIRS has recommended the nomination of John Duke Albanese of Oakland 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 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, RAND

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 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 John Duke Albanese, for appointment as the Commissioner of the Department of Education, was CONFIRMED.

The Secretary informed the Speaker of the House.

Off Record Remarks

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

July 1, 1996

The Honorable Jeffrey Butland
 President of the Senate
 #3 State House Station
 Augusta, Maine 04333-0003
 Dear Jeff,

This is to inform you that I am today nominating Stanley D. Milton of Andover for reappointment and Lila S. Ware of Skowhegan for appointment as members of the Inland Fisheries and Wildlife Advisory Council.

Pursuant to Title 12, MRSA Section 7033-A, these nominations will require review by the Joint Standing Committee on Inland Fisheries Wildlife and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
 S/Angus S. King, Jr.
 Governor
 S.C. 601

Which was READ and ORDERED PLACED ON FILE.

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

July 1, 1996

The Honorable Jeffrey Butland
 President of the Senate
 #3 State House Station
 Augusta, Maine 04333-0003
 Dear Jeff,

This is to inform you that I am today nominating Urban (Sonny) D. Pierce, Jr. of West Buxton, Gail E. Gould of Calais, James A. Barresi of Mapleton, John B. Dimond of Orono, John S. Banks of Milford, Cliv

Dore of Perry and William H. Nichols, Jr. of Cumberland Foreside for appointments as members of the new Atlantic Salmon Authority.

Pursuant to Public Law 1996, Chapter 535, these nominations will require review by the Joint Standing Committee on Inland Fisheries and Wildlife and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/Angus S. King, Jr.
Governor
S.C. 602

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

The Following Communication:

**MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333**

July 1, 1996

Senator Stephen E. Hall
Representative Ernest C. Greenlaw
Chairpersons
Joint Standing Committee on Inland
Fisheries and Wildlife
117th Legislature
Augusta, Maine 04333

Dear Senator Hall and Representative Greenlaw:

Please be advised that Governor Angus S. King, Jr. has nominated the following:

Stanley D. Milton of Andover for reappointment and Lila S. Ware of Skowhegan for appointment as members of the Inland Fisheries and Wildlife Advisory Council, pursuant to Title 12 MRSA, Section 7033-A; and

Urban D. Pierce, Jr. of West Buxton, Gail E. Gould of Calais, James A. Barresi of Mapleton, John B. Dimond of Orono, John S. Banks of Milford, Cliv Dore of Perry and William H. Nichols, Jr. of Cumberland Foreside for appointment as members of the new Atlantic Salmon Authority, pursuant to Public Law 1996, Chapter 535.

These nominations will require review by your Committee and confirmation by the Senate.

Sincerely,
S/May M. Ross
Secretary of the Senate
S.C. 603

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

The Following Communication:

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

July 22, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Stanley D. Milton of Andover, for reappointment to the Inland Fisheries and Wildlife Advisory Council.

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	Hall of Piscataquis, Kieffer of Aroostook, Michaud of Penobscot
	Rep. 8	Greenlaw of Standish, Jacques of Waterville, Clark of Millinocket, Rosebush of East Millinocket, Tyler of Windham, Tufts of Stockton Springs, Chick of Lebanon, Perkins of Penobscot

NAYS:	1	Rep. Underwood of Oxford
ABSENT:	1	Rep. Paul of Sanford

Eleven members of the Committee having voted in the affirmative and one in the negative, it was the vote of the Committee that the nomination of Stanley D. Milton of Andover, for reappointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed:

S/Stephen E. Hall
Senate Chair

S/Ernest C. Greenlaw
House Chair
S.C. 623

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

THE PRESIDENT: The Joint Standing Committee on **INLAND FISHERIES AND WILDLIFE** has recommended the nomination of Stanley D. Milton of Andover be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, HANLEY, LONGLEY, RAND
No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 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 Stanley D. Milton, for reappointment to the Inland Fisheries and Wildlife Advisory Council, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
 July 22, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Lila S. Ware of Skowhegan, for appointment to the Inland Fisheries and Wildlife Advisory Council.

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	Hall of Piscataquis, Kieffer of Aroostook, Michaud of Penobscot
	Rep. 9	Greenlaw of Standish, Jacques of Waterville, Clark of Millinocket, Rosebush of East Millinocket, Tyler of Windham, Tufts of Stockton Springs, Chick of Lebanon, Perkins of Penobscot, Underwood of Oxford

NAYS: 0

ABSENT: 1 Rep. Paul of Sanford

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 Lila S. Ware of Skowhegan, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed:

S/Stephen E. Hall
 Senate Chair

S/Ernest C. Greenlaw
 House Chair
 S.C. 624

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on **INLAND FISHERIES AND WILDLIFE** has recommended the nomination of Lila S. Ware of Skowhegan be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, HANLEY, LONGLEY, RAND
 No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 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 Lila S. Ware, for appointment to the Inland Fisheries and Wildlife Advisory Council, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

Off Record Remarks

The Following Communication:
MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
 July 22, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Urban (Sonny) D. Pierce, Jr. of West Buxton, for appointment as a Board Member of the Atlantic Salmon 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	Hall of Piscataquis, Kieffer of Aroostook, Michaud of Penobscot
	Rep. 8	Greenlaw of Standish, Jacques of Waterville, Rosebush of East Millinocket, Tyler of Windham, Tufts of Stockton Springs, Chick of Lebanon, Perkins of Penobscot, Underwood of Oxford

NAYS: 0

ABSENT: 2 Rep. Clark of Millinocket,
 Rep. Paul of Sanford

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 Urban (Sonny) D. Pierce, Jr. of West Buxton, for appointment as a Board Member of the Atlantic Salmon Authority be confirmed.

Signed: S/Stephen E. Hall
Senate Chair

S/Ernest C. Greenlaw
House Chair
S.C. 625

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on INLAND FISHERIES AND WILDLIFE has recommended the nomination of Urban D. Pierce, Jr. of West Buxton be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on INLAND FISHERIES AND WILDLIFE be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, HATHAWAY, LONGLEY, RAND

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 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 Urban D. Pierce, Jr., for appointment as a Board Member of the Atlantic Salmon Authority, was CONFIRMED.

The Secretary informed the Speaker of the House.

The Following Communication:

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 22, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Gail E. Gould of Calais, for appointment as a Board Member of the Atlantic Salmon 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. 1 Michaud of Penobscot

Rep. 7 Greenlaw of Standish,
Jacques of Waterville,
Rosebush of East
Millinocket, Tyler of
Windham, Tufts of Stockton
Springs, Chick of Lebanon,
Perkins of Penobscot

NAYS: 3 Sen. Hall of Piscataquis,
Sen. Kieffer of Aroostook,
Rep. Underwood of Oxford
ABSENT: 2 Rep. Clark of Millinocket,
Rep. Paul of Sanford

Eight members of the Committee having voted in the affirmative and three in the negative, it was the vote of the Committee that the nomination of Gail E. Gould of Calais, for appointment as a Board Member of the Atlantic Salmon Authority be confirmed.

Signed:

S/Stephen E. Hall
Senate Chair

S/Ernest C. Greenlaw
House Chair
S.C. 626

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Kieffer.

Senator KIEFFER: Thank you, Mr. President, Ladies and Gentlemen of the Senate. About a year and a half ago legislation was passed creating the Atlantic Salmon Authority. Since that time we have busied ourself with removing every kind of an obstacle that could be put in our way to get this Salmon Authority up and running, and these board members appointed. So, it was very difficult for me to oppose any member of this new authority, especially in light of the fact that I have been so supportive of the existence of this authority since day one. This authority is made up of nine board members, but only four of them are actually representing rivers that exist in the state. One represents the Saco drainage, one the Penobscot drainage, one all of the drainages down east, and one the Aroostook drainage. The other members are one member of the Passamaquoddy Tribe and one member of the Penobscot Nation, one member at large and the two commissioners. I believe that the most important member of this body, at this point in time, is the representative from the Washington County area. I say that because the rivers down there, which are made up of the Narraguagus, the Pleasant, the Machias, the East Machias, and the Dennys, are all under investigation to either be listed on an endangered species for the Atlantic salmon. Prior to the hearing on Gail E. Gould, I received many letters. I have quite a stack of them here; and although the authors of these letters are not specifically opposed to Mrs. Gould, per se, they feel very strongly that she did not represent the five downeast rivers that are in danger of being placed on the endangered species list; and that the representative on that board should come from one of those rivers. They also have a Downeast Salmon Federation, which represents several clubs from the Washington County area. These are considered the Class A salmon rivers in Washington County, and Mrs. Gould is a member of the St. Croix River, which is considered a Class D river and does not have the exposure of the potential listing as an endangered species. In retrospect, of course, it would have been nice if the members of all of these clubs had each appointed two members to serve as a nominating committee; and they could have come up with one

representative that they all could have supported from the Washington County area. However, that wasn't done; and, in retrospect, I think that was a very bad mistake. I certainly have no feeling that Mrs. Gould is not a very qualified individual. I met her for the first time at the hearing. She stood up very well under questioning. We had a very frank discussion afterwards, and I have the utmost respect for her. However, my concern is that we are now starting off this Salmon Authority that we have worked so hard and diligently to get up and running with, like they say, one foot in the grave and the other on a banana peel. I think we are starting off with some animosity internally that could very well bring down what right now is pretty close to a house of cards.

I feel Mrs. Gould will be confirmed here today; and, if she is, I sincerely offer her my support. I hope that she has the ability to bring these folks together and unite them; and a year from now, when we are back, I sincerely hope that everyone will be working in the same direction. I say this only to support the position of my vote against Mrs. Gould, and there certainly is no personal animosity in any way. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Hall.

Senator **HALL:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise today only to second everything the fine Senator from Aroostook, Senator Kieffer, has said. I could not have said it any better myself. As the Chair of the Fish and Wildlife Committee, I feel very strongly that the representative for the Washington County area should have come from one of the five rivers that indeed are Class A waters where the salmon are apt to be listed as endangered species. They have the most to lose if this occurs; and, at least, I think they would have felt better had they had one of their own, from their own club, speak for them. I will be voting in opposition of my committee. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Cassidy.

Senator **CASSIDY:** Thank you, Mr. President, Men and Women of the Senate. I, too, would like to rise this afternoon to speak about this issue. I must tell you, also, I have known Mrs. Gould and her husband for many years, and certainly she is qualified to sit on that commission. The issue here today is the representation that was mentioned earlier. I must tell you, also, that her husband is my dentist; and I hate to go back with my next cavity because I hope he will use some novacain when he drills it. On a serious note, though, this has been an issue that we have been concerned with for months. Back when we were in regular session this last spring, as it was mentioned earlier, the Governor appointed some people and then brought the names back. I, not having served on that committee, hadn't followed it or heard anything from anybody for quite a long time; and then finally I did get a notice that Gail had been resubmitted to serve on that committee. Consequently, shortly after that, I started getting a lot of calls and letters at home, since these rivers mentioned are in my district; and as you know, those five rivers are the ones that we are concerned about for endangered species. Those clubs then got together and took a vote and submitted another person to the Governor. I wish Senator Kieffer had mentioned earlier that we would have had

the six clubs vote and submit one name; but, unfortunately, we can't do anything about what has happened in the past. I feel, also, that those rivers, since they are listed and there are going to be some questions as to the future of those, that the representation, obviously, should come from that larger group, rather than a Class B river, which is the St. Croix, where I live. For that reason, and I could go on for a long time about the issue and some of the letters and calls I received; but, as the day is getting long, I will say that I will join the two Senators in opposing this nomination. Thank you.

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

Senator **MICHAUD:** Thank you, Mr. President, Men and Women of the Senate. I hope you will vote "No" on this nomination and confirm Mrs. Gould. We did receive many letters from different clubs in Washington County. I did take a trip down to Washington County to see how the people felt down in that area. I voted in favor of Mrs. Gould and I will explain why. There has been talk here, earlier today, of how people wish they did come from those rivers. Unfortunately, the language in the statute does not require that. The language in the statute requires one member who resides within the land area that compromises the drainage for the St. Croix, East Machias, Machias, Narraguagus, Pleasant, or Dennys Rivers. Also, in the statute that was passed, the Governor may appoint four river drainage representatives from a list of names submitted by the salmon clubs. It's my understanding, I believe, there are five clubs in Washington County in that drainage area. One of the clubs, the St. Croix Club, did, in fact, submit Gail Gould's name to the Governor. The other clubs did submit other names. There were three or four other names that were submitted. However, Mrs. Gould was the one that the Governor chose to nominate. So, as a member of the committee, I had to look at her qualifications. Senator Kieffer did mention that she did do a good job. She did stand up through a lot of questioning from the committee. She withstood the questioning. She did very well on her feet. The main opposition from those who are opposed to Mrs. Gould was because they wanted another individual, a Francis Reynolds. As a committee member we did not have that individual before us. I am not saying that he would not make as good a member of the authority as Mrs. Gould would, however we did not have him. That issue is not before us. The issue was Mrs. Gould and she did withstand the committee process. She did a very good job. I do have a concern, however, that the majority of the clubs were opposed to her. I asked Gail whether or not she would work exceptionally hard to help address those concerns of the other clubs. She assured me that she would. The only legislator that I heard any comment from was the good Senator from Penobscot, Senator Ruhlin. We have had extensive conversations about Gail; and I have a lot of respect for his opinion, particularly when it comes to salmon issues. I think she is well qualified; she meets all the criteria of the law; and, therefore, I voted for her in committee. I hope the Senate will vote to confirm Gail today. Thank you.

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

Senator **RUHLIN:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. First of all, I would like to make a couple of comments, if I could, about

the nomination process that we are discussing here as we discuss this candidate. I must say that the nomination process has worked well. I think this is a germane moment to mention that everyone of those nominees who appeared before the committee, most of them I do know, but every one of them was an exceptionally well-qualified candidate. The legislation that this Senate passed, that the present Governor signed into law, that is now the law of this State, to have an authority, a Salmon Authority, to protect the environment, the habitat and the life cycle of the Atlantic salmon in the State of Maine, that it be statewide. That it not be limited to one river and the riverine politics, or that river and the riverine politics of that area, but that the individuals come from throughout the State, and that they be knowledgeable of their own area, and also knowledgeable of the problem throughout the State. That they come to solve the problems throughout the State. That they recognize the interrelations between the State of Maine and Canada, between the North American continent and Iceland and Denmark and Greenland, where these fish are so heavily predatorede in the ocean. That they understand the science of an ozone hole perhaps creating different ocean temperatures. We need people now, more so than ever, in this time when the Atlantic salmon is, in fact, threatened and endangered. We need people who are not only experienced, as this candidate, Mrs. Gould. I can vouch for twenty years of salmon experience. She has, coupled with that experience, a great concern for the Atlantic salmon. I can vouch for her love for the Atlantic salmon. She has a knowledge of the habitat, a knowledge of the salmon's life cycle. Through discussions in depth with her, I can vouch for those. There is no person nominated in this process more fully qualified to serve on that Authority than Mrs. Gail Gould. I could go on but it's getting late in the afternoon. The good gentlemen who said otherwise, I would remind them that every member of that Authority has equal importance, not one from one area. They are all of equal importance. I would remind them that we need an Authority that represents the State, the Atlantic salmon of this State, and gives them that protection. I highly commend to this Senate the nominee before you. Thank you.

THE PRESIDENT: The Joint Standing Committee on **INLAND FISHERIES AND WILDLIFE** has recommended the nomination of Gail E. Gould of Calais be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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: **BENOIT, CAREY, CASSIDY, HALL, HANLEY, HATHAWAY, KIEFFER, PENDEXTER, STEVENS**

NAYS: Senators: **ABROMSON, AMERO, BEGLEY, BERUBE, BUSTIN, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HARRIMAN, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PINGREE, RUHLIN, SMALL, and the PRESIDENT, Senator BUTLAND**

ABSENT: Senators: **CARPENTER, LONGLEY, RAND**

9 Senators having voted in the affirmative and 23 Senators having voted in the negative, with 3 Senators being absent, and 9 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 Gail E. Gould, for appointment as a Board Member of the Atlantic Salmon Authority, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

Off Record Remarks

The Following Communication:

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

July 22, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of James A. Barresi of Mapleton, for appointment as a Board Member of the Atlantic Salmon 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	Hall of Piscataquis, Kieffer of Aroostook, Michaud of Penobscot
	Rep. 8	Greenlaw of Standish, Jacques of Waterville, Rosebush of East Millinocket, Tyler of Windham, Tufts of Stockton Springs, Chick of Lebanon, Perkins of Penobscot, Underwood of Oxford

NAYS: 0

ABSENT: 2 Rep. Clark of Millinocket,
Rep. Paul of Sanford

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 James A. Barresi of Mapleton, for appointment as a Board Member of the Atlantic Salmon Authority be confirmed.

Signed:

S/Stephen E. Hall
Senate Chair

S/Ernest C. Greenlaw
House Chair
S.C. 627

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

THE PRESIDENT: The Joint Standing Committee on **INLAND FISHERIES AND WILDLIFE** has recommended the nomination of James A. Barresi of Mapleton be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, PINGREE, RAND
 No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of James A. Barresi, for appointment as a Board Member of the Atlantic Salmon Authority, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE
 AUGUSTA, MAINE 04333**

July 22, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of John B. Dimond of Orono, for appointment as a Board Member of the Atlantic Salmon 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 Hall of Piscataquis,
 Kieffer of Aroostook,
 Michaud of Penobscot

Rep. 8 Greenlaw of Standish,
 Jacques of Waterville,
 Rosebush of East
 Millinocket, Tyler of
 Windham, Tufts of Stockton
 Springs, Chick of Lebanon,
 Perkins of Penobscot,
 Underwood of Oxford

NAYS: 0
 ABSENT: 2

Rep. Clark of Millinocket,
 Rep. Paul of Sanford

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 John B. Dimond of Orono, for appointment as a Board Member of the Atlantic Salmon Authority be confirmed.

Signed:

S/Stephen E. Hall
 Senate Chair

S/Ernest C. Greenlaw
 House Chair
 S.C. 628

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

THE PRESIDENT: The Joint Standing Committee on **INLAND FISHERIES AND WILDLIFE** has recommended the nomination of John B. Dimond of Orono be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, PINGREE, RAND
 No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 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 John B. Dimond, for appointment as a Board Member of the Atlantic Salmon Authority, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE
 AUGUSTA, MAINE 04333**

July 22, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of John S. Banks of Milford, for appointment as a Board Member of the Atlantic Salmon 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	Hall of Piscataquis, Kieffer of Aroostook, Michaud of Penobscot
	Rep. 8	Greenlaw of Standish, Jacques of Waterville, Rosebush of East Millinocket, Tyler of Windham, Tufts of Stockton Springs, Chick of Lebanon, Perkins of Penobscot, Underwood of Oxford

NAYS:	0	
ABSENT:	2	Rep. Clark of Millinocket, Rep. Paul of Sanford

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 John S. Banks of Milford, for appointment as a Board Member of the Atlantic Salmon Authority be confirmed.

Signed:

S/Stephen E. Hall Senate Chair	S/Ernest C. Greenlaw House Chair S.C. 629
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Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on INLAND FISHERIES AND WILDLIFE has recommended the nomination of John S. Banks of Milford be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on INLAND FISHERIES AND WILDLIFE be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, PINGREE, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, RAND

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 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 John S. Banks, for appointment as a Board Member of the Atlantic Salmon Authority, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

July 30, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Cliv Dore of Perry, for appointment as a Board Member of the Atlantic Salmon 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	Hall of Piscataquis, Kieffer of Aroostook
	Rep. 7	Greenlaw of Standish, Jacques of Waterville, Paul of Sanford, Rosebush of East Millinocket, Tufts of Stockton Springs, Chick of Lebanon, Underwood of Oxford

NAYS:	0	
ABSENT:	4	Sen. Michaud of Penobscot, Rep. Tyler of Windham, Rep. Clark of Millinocket, Rep. Perkins of Penobscot

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 Cliv Dore of Perry, for appointment as a Board Member of the Atlantic Salmon Authority be confirmed.

Signed:

S/Stephen E. Hall Senate Chair	S/Ernest C. Greenlaw House Chair S.C. 636
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Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on INLAND FISHERIES AND WILDLIFE has recommended the nomination of Cliv Dore of Perry be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on INLAND FISHERIES AND WILDLIFE be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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,
 CIANCHETTE, CLEVELAND, ESTY,
 FAIRCLOTH, FERGUSON, GOLDTHWAIT,
 HALL, HANLEY, HARRIMAN,
 HATHAWAY, KIEFFER, LAWRENCE,
 LORD, McCORMICK, MICHAUD, MILLS,
 O'DEA, PARADIS, PENDEXTER,
 PINGREE, RUHLIN, SMALL, STEVENS,
 and the PRESIDENT, Senator
 BUTLAND

ABSENT: Senators: CARPENTER, CASSIDY, LONGLEY, RAND
 No Senator having voted in the affirmative and 31
 Senators having voted in the negative, with 4
 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 Cliv Dore, for
 appointment as a Board Member of the Atlantic Salmon
 Authority, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:
MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333
 July 22, 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 505 of the 117th Maine Legislature,
 the Joint Standing Committee on Inland Fisheries and
 Wildlife has had under consideration the nomination
 of William H. Nichols, Jr. of Cumberland Foreside,
 for appointment as a Board Member of the Atlantic
 Salmon 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 Hall of Piscataquis,
 Kieffer of Aroostook,
 Michaud of Penobscot
 Rep. 8 Greenlaw of Standish,
 Jacques of Waterville,
 Rosebush of East
 Millinocket, Tyler of
 Windham, Tufts of Stockton
 Springs, Chick of Lebanon,
 Perkins of Penobscot,
 Underwood of Oxford

NAYS: 0
 ABSENT: 2 Rep. Clark of Millinocket,
 Rep. Paul of Sanford

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 William
 H. Nichols, Jr. of Cumberland Foreside, for
 appointment as a Board Member of the Atlantic Salmon
 Authority be confirmed.

Signed: S/Ernest C. Greenlaw
 House Chair
 S.C. 630

S/Stephen E. Hall
 Senate Chair

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

THE PRESIDENT: The Joint Standing Committee on
INLAND FISHERIES AND WILDLIFE has recommended the
 nomination of William H. Nichols, Jr. of Cumberland
 Foreside be confirmed.

The pending question before the Senate is:
 "Shall the recommendation of the Committee on **INLAND**
FISHERIES AND WILDLIFE be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section
 151, and with Joint Rule 506 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, CASSIDY,
 CIANCHETTE, CLEVELAND, ESTY,
 FAIRCLOTH, FERGUSON, GOLDTHWAIT,
 HALL, HANLEY, HARRIMAN,
 HATHAWAY, KIEFFER, LAWRENCE,
 LORD, McCORMICK, MICHAUD, MILLS,
 O'DEA, PARADIS, PENDEXTER,
 RUHLIN, SMALL, STEVENS, and the
 PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, PINGREE, RAND
 No Senator having voted in the affirmative and 31
 Senators having voted in the negative, with 4
 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 H. Nichols,
 Jr., for appointment as a Board Member of the
 Atlantic Salmon Authority, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:
STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001
 July 2, 1996

The Honorable Jeffrey Butland
 President of the Senate
 #3 State House Station
 Augusta, Maine 04333-0003
 Dear Jeff,

This is to inform you that I am today nominating
 James MacMichael of Skowhegan for appointment as
 Maine District Court Judge (not designated as a
 resident of any District) and Robert E. Mullen of
 Winthrop for appointment as Maine District Court
 Judge (not designated as a resident of any District).

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

Thank you for your assistance in this matter.

Sincerely,
 S/Angus S. King, Jr.
 Governor
 S.C. 604

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

The Following Communication:

MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333

July 2, 1996

Senator S. Peter Mills
Representative Sharon Treat
Chairpersons
Joint Standing Committee on Judiciary
117th Legislature
Augusta, Maine 04333

Dear Senator Mills and Representative Treat:

Please be advised that Governor Angus S. King, Jr. has nominated James MacMichael of Skowhegan and Robert E. Mullen of Winthrop for appointment as Judges of the Maine District Court.

Pursuant to Title 4 MRSA, Section 157, these nominations will require review by your committee and confirmation by the Senate.

Sincerely,
S/May M. Ross
Secretary of the Senate
S.C. 605

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 30, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of James MacMichael of Skowhegan, for appointment 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,
		Pendexter of Cumberland,
		Faircloth of Penobscot
	Rep. 10	Treat of Gardiner, Lemke of
		Westbrook, 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: 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 James MacMichael of Skowhegan, for appointment 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. 637

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on JUDICIARY has recommended the nomination of James MacMichael of Skowhegan be confirmed.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Benoit.

Senator BENOIT: Thank you, Mr. President. May it please the Senate. I will just take a minute. This is an outstanding appointment by the Governor, and I commend the Governor for making this particular nomination. When Judge MacMichael goes to work daily, he will put on a black robe, as I did for sixteen years. I learned that nine out of ten judges don't know why the robe is black. Red is a quid pro quo for the many times that you have appeared in court in a professional way and with manners on behalf of your clients. If you want to know why the robe is black, so as not to be embarrassed in not knowing, just ask.

THE PRESIDENT: 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 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, LONGLEY, PINGREE, RAND
No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being absent, and None being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of James MacMichael, for appointment as a Judge of the Maine District Court, was CONFIRMED.

The Secretary informed the Speaker of the House.

Off Record Remarks

The Following Communication:

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 30, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Robert E. Mullen of Winthrop, for appointment 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, Pendexter of Cumberland, Faircloth of Penobscot
	Rep. 10	Treat of Gardiner, Lemke of Westbrook, 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: 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 Robert E. Mullen of Winthrop, for appointment 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. 638
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Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on JUDICIARY has recommended the nomination of Robert E. Mullen of Winthrop be confirmed.

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

Senator CLEVELAND: Thank you, Mr. President, Men and Women of the Senate. I want to take a few moments this afternoon to rise in support of Mr. Mullen's nomination to the Court. I have known Mr. Mullen for many years, since 1979 when he first joined the firm of Linnell, Choate and Webber in the City of Auburn. I have had occasion to work with him and know him since that time, both as a Mayor for the City of Auburn, and his representation and his firm's representation of the City, and, more personally, in my work that I do as a Court Mediator in family relations over the past six years. Mr. Mullen brings to this position the highest integrity, unquestioned, tremendous experience in law. He is always well prepared when he has issues before him in representing his clients. He really has the ideal temperament for this kind of position, patient, calm, helpful, particularly in District Court where you have many people unfamiliar with the law who are, for the first time, coming before the legal system and are somewhat unsure and anxious of themselves, and in often cases, are pro se, that is without the benefit of an attorney. He is the perfect individual to help them understand the law and to respect it as much as he does, which I think is one of the highest recommendations, not only to know the law, but to respect the law. Further, I think his experience in domestic relations are an excellent background, particularly since the court handles such a large load of domestic cases, family problems which bring a

unique circumstance to the court, fathers, mothers, and, in particular, the interest of the children. There are always difficult and excruciating circumstances in deciding how their lives will go forward and be treated fairly at that point. He is a highly respected attorney in Androscoggin County and throughout the State, and we couldn't have had a better nominee.

Secondly, I rise to support his nomination because I would hope that I would get unanimous support, which would be one of the rare occasions that I could put that by my name in this chamber. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Benoit.

Senator BENOIT: Thank you, Mr. President. May it please the Senate. I want to offer Mr. Mullen the same offer I just made to Mr. MacMichael. But these two gentlemen are going to be very busy, so I will do part of their research for them right now on the black robe point. Something happened in England in 1714. Before that date, robes were always red, never black. Since that year, 1714 in England, robes have since been black. Now all they need to do is find out what the event was; and this will put them to work a little bit sooner than otherwise, given this information. Thank you.

THE PRESIDENT: 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 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, MILLS, O'DEA, PARADIS, PENDEXTER, RUHLIN, STEVENS, and the PRESIDENT, Senator BUTLAND
ABSENT:	Senators:	CARPENTER, HATHAWAY, LONGLEY, PINGREE, RAND, SMALL

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 Robert E. Mullen, for appointment as a Judge of the Maine District Court, was CONFIRMED.

The Secretary informed the Speaker of the House.

Off Record Remarks

On motion by Senator HANLEY of Oxford, RECESSED for five minutes.

After Recess
Senate called to order by the President.

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

June 25, 1996

The Honorable Jeffrey Butland
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003
Dear Jeff,

This is to inform you that I am today nominating Edwin S. Hamm of Old Orchard Beach, Maine for appointment as a member of the Maine Labor Relations Board.

Pursuant to Title 26, MRSA Section 968, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/Angus S. King, Jr.
Governor
S.C. 606

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333

June 25, 1996

Senator Charles M. Begley
Representative Pamela H. Hatch
Chairpersons
Joint Standing Committee on Labor
117th Legislature
Augusta, Maine 04333

Dear Senator Begley and Representative Hatch:

Please be advised that Governor Angus S. King, Jr. has nominated Edwin S. Hamm of Old Orchard Beach for appointment as a member of the Maine Labor Relations Board.

Pursuant to Title 26 MRSA, Section 968, this nomination will require review by your Committee and confirmation by the Senate.

Sincerely,
S/May M. Ross
Secretary of the Senate
S.C. 607

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 23, 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 505 of the 117th Maine Legislature,

the Joint Standing Committee on Labor has had under consideration the nomination of Edwin S. Hamm of Old Orchard Beach, for appointment to the Maine Labor Relations Board.

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

YEAS:	Sen. 3	Begley of Lincoln, Mills of Somerset, Rand of Cumberland Hatch of Skowhegan, Tuttle of Sanford, Lemaire of Lewiston, Samson of Jay, Joy of Crystal, Joyce of Biddeford, Pendleton of Scarborough, Stedman of Hartland, Winsor of Norway
	Rep. 9	

NAYS:	0	
ABSENT:	1	Rep. Chase of China

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 Edwin S. Hamm of Old Orchard Beach, for appointment to the Maine Labor Relations Board be confirmed.

Signed:

S/Charles M. Begley Senate Chair	S/Pamela H. Hatch House Chair S.C. 631
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Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on LABOR has recommended the nomination of Edwin S. Hamm of Old Orchard Beach be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND
	Senators:	CARPENTER, HATHAWAY, LONGLEY, MILLS, PINGREE, RAND

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 Edwin S. Hamm, for appointment to the Maine Labor Relations Board, was CONFIRMED.

The Secretary informed the Speaker of the House.

Off Record Remarks

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

June 28, 1996

The Honorable Jeffrey Butland
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003

Dear Jeff,

This is to inform you that I am today nominating Robert Cooper of Alfred for reappointment and Raquel D. Boehmer of Monhegan Island for appointment as members of the State Liquor and Lottery Commission.

Pursuant to Title 8, MRSA Sections 373 & 374, these nominations will require review by the Joint Standing Committee on Legal and Veterans Affairs and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/Angus S. King, Jr.
Governor
S.C. 608

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333

June 28, 1996

Senator Norman K. Ferguson, Jr.
Representative Harry G. True
Chairpersons

Joint Standing Committee on Legal
and Veterans Affairs
117th Legislature
Augusta, Maine 04333

Dear Senator Ferguson and Representative True:

Please be advised that Governor Angus S. King, Jr. has nominated Robert Cooper of Alfred for reappointment and Raquel D. Boehmer of Monhegan Island for appointment as members of the State Liquor and Lottery Commission.

Pursuant to Title 8 MRSA, Sections 373 and 374, these nominations will require review by your committee and confirmation by the Senate.

Sincerely,
S/May M. Ross
Secretary of the Senate
S.C. 609

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

July 26, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Legal and Veterans Affairs has had under consideration the nomination of Robert Cooper of Alfred, for reappointment to the State Liquor and Lottery Commission.

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

YEAS:	Sen. 2	Ferguson of Oxford, Stevens of Androscoggin
	Rep. 9	True of Fryeburg, Nadeau of Saco, Gamache of Lewiston, Chizmar of Lisbon, Fisher of Brewer, Carr of Hermon, Murphy of Berwick, Buck of Yarmouth, Labrecque of Gorham

NAYS:	0	
ABSENT:	2	Sen. Michaud of Penobscot, Rep. Lemont of Kittery

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 Robert Cooper of Alfred, for reappointment to the State Liquor and Lottery Commission be confirmed.

Signed:

S/Norman K. Ferguson, Jr. Senate Chair	S/Harry G. True House Chair S.C. 632
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Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on LEGAL AND VETERANS AFFAIRS has recommended the nomination of Robert Cooper of Alfred be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND
ABSENT:	Senators:	CARPENTER, HATHAWAY, LONGLEY, MILLS, PINGREE, RAND

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 Robert Cooper, for

reappointment to the State Liquor and Lottery Commission, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

July 26, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on Legal and Veterans Affairs has had under consideration the nomination of Raquel D. Boehmer of Monhegan Island, for appointment to the State Liquor and Lottery Commission.

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

YEAS:	Sen. 2	Ferguson of Oxford, Stevens of Androscoggin
	Rep. 9	True of Fryeburg, Nadeau of Saco, Gamache of Lewiston, Chizmar of Lisbon, Fisher of Brewer, Carr of Hermon, Murphy of Berwick, Buck of Yarmouth, Labrecque of Gorham
NAYS:	0	
ABSENT:	2	Sen. Michaud of Penobscot, Rep. Lemont of Kittery

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 Raquel D. Boehmer of Monhegan Island, for appointment to the State Liquor and Lottery Commission be confirmed.

Signed:

S/Norman K. Ferguson, Jr. Senate Chair	S/Harry G. True House Chair S.C. 633
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Which was **READ** and **ORDERED PLACED ON FILE**.

THE PRESIDENT: The Joint Standing Committee on **LEGAL AND VETERANS AFFAIRS** has recommended the nomination of Raquel D. Boehmer of Monhegan Island be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, HATHAWAY, LONGLEY, MILLS, PINGREE, RAND

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 Raquel D. Boehmer, for appointment to the State Liquor and Lottery Commission, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

Off Record Remarks

The Following Communication:

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001**

July 10, 1996

The Honorable Jeffrey Butland
President of the Senate
#3 State House Station
Augusta, Maine 04333-0003
Dear Jeff,

This is to inform you that I am today nominating Derek P. Langhauser of Falmouth for reappointment and Peter G. Cary of Cape Elizabeth for appointment as members of the Maine Court Facilities Authority.

Pursuant to Title 4 MRSA, Section 1602, these nominations will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,
S/Angus S. King, Jr.
Governor
S.C. 610

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

The Following Communication:

**MAINE STATE SENATE
STATE HOUSE STATION 3
AUGUSTA, MAINE 04333**

July 10, 1996

Senator Jane A. Amero
Representative Beverly C. Daggett
Chairpersons
Joint Standing Committee on State and Local Government
117th Legislature
Augusta, Maine 04333

Dear Senator Amero and Representative Daggett:

Please be advised that Governor Angus S. King, Jr. has nominated Derek P. Langhauser of Falmouth for reappointment and Peter G. Cary of Cape Elizabeth for

appointment as members of the Maine Court Facilities Authority.

Pursuant to Title 4 MRSA, Section 1602, these nominations will require review by your committee and confirmation by the Senate.

Sincerely,
S/May M. Ross
Secretary of the Senate
S.C. 611

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

The Following Communication:

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

July 25, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of Derek P. Langhauser of Falmouth, for reappointment to the Maine Court Facilities 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	Amero of Cumberland, Carpenter of York, Longley of Waldo
	Rep. 6	Daggett of Augusta, Ahearne of Madawaska, Rosebush of East Millinocket, Look of Jonesboro, Savage of Union, Gerry of Auburn
NAYS:	0	
ABSENT:	4	Rep. Lemke of Westbrook, Rep. Saxl of Bangor, Rep. Robichaud of Caribou, Rep. Lane of Enfield

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 Derek P. Langhauser of Falmouth, for reappointment to the Maine Court Facilities Authority be confirmed.

Signed:

S/Jane A. Amero
Senate Chair

S/Beverly C. Daggett
House Chair
S.C. 634

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

THE PRESIDENT: The Joint Standing Committee on **STATE AND LOCAL GOVERNMENT** has recommended the nomination of Derek P. Langhauser of Falmouth be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND
ABSENT:	Senators:	CARPENTER, HATHAWAY, LONGLEY, MILLS, PINGREE, RAND

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 Derek P. Langhauser, for reappointment to the Maine Court Facilities Authority, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

The Following Communication:

**MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333**

July 25, 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 505 of the 117th Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of Peter G. Cary of Cape Elizabeth, for appointment to the Maine Court Facilities 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	Amero of Cumberland, Carpenter of York, Longley of Waldo
	Rep. 6	Daggett of Augusta, Ahearne of Madawaska, Rosebush of East Millinocket, Look of Jonesboro, Savage of Union, Gerry of Auburn
NAYS:	0	
ABSENT:	4	Rep. Lemke of Westbrook, Rep. Saxl of Bangor, Rep. Robichaud of Caribou, Rep. Lane of Enfield

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 Peter G. Cary of Cape Elizabeth, for appointment to the Maine Court Facilities Authority be confirmed.

Signed:

S/Jane A. Amero
Senate Chair

S/Beverly C. Daggett
House Chair
S.C. 635

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

THE PRESIDENT: The Joint Standing Committee on **STATE AND LOCAL GOVERNMENT** has recommended the nomination of Peter G. Cary of Cape Elizabeth be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 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, CASSIDY, CIANCHETTE, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, KIEFFER, LAWRENCE, LORD, McCORMICK, MICHAUD, O'DEA, PARADIS, PENDEXTER, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

ABSENT: Senators: CARPENTER, HATHAWAY, LONGLEY, MILLS, PINGREE, RAND

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 Peter G. Cary, for appointment to the Maine Court Facilities Authority, was **CONFIRMED**.

The Secretary informed the Speaker of the House.

ORDERS

Senate Order

On motion by Senator **KIEFFER** of Aroostook, the following Senate Order:

ORDERED, that a message be sent to His Excellency, Governor Angus S. King, Jr., informing him that the Senate has transacted all the business which has come before it and is ready to Adjourn Without Day.

S.O. 44

Which was **READ** and **PASSED**.

The President appointed the Senator from Aroostook, Senator **KIEFFER** to deliver the message.

Senator **CAREY** of Kennebec was granted unanimous consent to address the Senate on the Record.

Senator **CAREY:** Thank you, Mr. President. We are going to be losing a member of the Secretary's staff next week. I would hope that maybe we could show our appreciation for the work that this person has done. She has been truly nonpolitical in all of her

dealings with the telephone calls that she has taken, with the personal contact that she has had in her office with the people who have come in there, and I would hope that we can also recognize the work that she has done for us in the manning the microphone console for us. I would like to have us all express our thanks to Beth Cyr for the work that she has done for us. Thank you.

THE PRESIDENT: The Chair would like to echo the words and thoughts of the Senator from Kennebec, Senator Carey. We will miss you and we wish you the best of luck.

Senate at Ease
Senate called to order by the President.

At this point, the Senator from Aroostook, Senator **KIEFFER** reported that he had delivered the message with which he was charged.

Off Record Remarks

On motion by Senator **LORD** of York, at 5:20 p.m. on Thursday, August 1, 1996, the Honorable **JEFFREY H. BUTLAND**, President of the Senate, declared the Second Confirmation Session of the 117th Legislature, **ADJOURNED SINE DIE**.