

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Ninth  
Legislature***

**OF THE**

**STATE OF MAINE**

**SECOND REGULAR SESSION**

**January 2 to April 3, 1980**

**THIRD SPECIAL SESSION**

**May 22, 1980**

**THIRD CONFIRMATION SESSION**

**July 17, 1980**

**FOURTH CONFIRMATION SESSION**

**July 24, 1980**

**FIFTH CONFIRMATION SESSION**

**September 12, 1980**

**REPORT, HEARING TRANSCRIPT AND  
RELATED MEMORANDA OF THE JOINT  
SELECT COMMITTEE ON INDIAN LAND  
CLAIMS**

STATE OF MAINE  
One Hundred and Ninth Legislature  
Third Confirmation Session  
JOURNAL OF THE SENATE

July 17, 1980

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 at two o'clock in the afternoon.

The Senate called to order by the Secretary.

The SECRETARY: The Secretary would ask that the Sergeant-at-Arms to escort the Senator from Kennebec, Senator Pierce, to the rostrum to assume the duties of President Pro-Tem.

The Sergeant-at-Arms escorted the Senator from Kennebec, Senator Pierce, to the rostrum, where he acted as President Pro-Tem.

Prayer by the Reverend George C. Bland, South Parish Congregational Church, of Augusta.

Reverend BLAND: Let us pray! Over all our busy doings, over all our going out and coming in, over all states and nations of the earth, over even the rising and setting of the sun, proclaim your sovereign Lordship, O'God.

In these hours of statecraft, keep alive in us a full, and not a cheapened, sense of election. For you call forth and raise up leaders from among the human family and place a godly light within them, to discern the common will, and your high intent.

By your felt presence may those whom the community impowers, love and serve your justice, exert your reason and candor, be humble in service and merciful in judgment, and so act, that all about may understand your rule over your world. Amen.

Senate Chamber  
President's Office

May M. Ross  
Secretary of the Senate  
of Maine  
State House  
Augusta, Maine  
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 July 17, 1980, at two o'clock in the afternoon for the purpose of voting upon confirmation of the various appointments made by The Honorable Joseph E. Brennan, Governor of the State of Maine.

Sincerely,

S/JOSEPH SEWALL

Which was Read and Ordered Placed on File.

The Roll being called the following Senators answered to their names:

Ault, Carpenter, Chapman, Clark, Collins, Conley, Cote, Devoe, Emerson, Farley, Gill, Hichens, Huber, Lovell, Martin, McBreaity, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Shute, Sutton, Teague, Trafton, Trotzky, Usher.

27 Senators having answered to the roll, the President Pro-Tem declared that a quorum was present.

Out of Order and Under Suspension of the Rules:

On motion by Senator Conley of Cumberland, ORDERED, that a message be sent to His Excellency, the Governor, informing him that in accordance with Article 5, Part 1, section 8 of the Constitution of Maine, a quorum of Senators is assembled in the Senate Chamber for the consideration of such business as may come before the Senate.

Which was Read and Passed.

The President Pro-Tem appointed Senator Conley of Cumberland to convey the message to his Excellency the Governor.

Subsequently, Senator Conley of Cumber-

land, reported that he had delivered the message with which he was charged.

(Off Record Remarks)

Communications  
Office of the Governor

June 2, 1980

The Honorable Joseph Sewall  
President of the Senate  
Senate Chambers  
State House  
Augusta, ME

Dear Senator Sewall:

This is to inform you that I am nominating James M. Coyne of Caribou for reappointment as a Commissioner of the Workers' Compensation Commission.

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

Thank you for your assistance in this matter.

Sincerely,

S/JOSEPH E. BRENNAN

Governor

Which was Read and Ordered Placed on File.

The Senate of Maine

June 2, 1980

The Honorable Samuel W. Collins, Jr.  
The Honorable Barry J. Hobbins  
Chairmen, Judiciary Committee  
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated James M. Coyne of Caribou for reappointment as a Commissioner of the Workers' Compensation Commission.

Pursuant to Title 39 MRSA Section 91, this nomination will require review by the Committee on Judiciary.

Sincerely,

S/MAY M. ROSS

Secretary of the Senate

Which was Read and Ordered Placed on File.

Committee on Judiciary

June 20, 1980

The Honorable Joseph Sewall  
President of the Senate of Maine  
State House  
Augusta, Maine  
Dear President Sewall:

In accordance with 3 M.R.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of James M. Coyne of Caribou to the position of a Commissioner of the Workers' Compensation Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS:

Senators — 1  
Representatives — 6

NAYS:

Senators — 0  
Representatives — 0

ABSENT:

Senators — 2; Senator Devoe & Trafton  
Representatives 4; Rep. Hughes, Carrier, Sewall & Silsby

7 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of James M. Coyne be confirmed.

Sincerely,

S/SAMUEL W. COLLINS, Jr.

Senate Chairman

S/BARRY J. HOBBS

House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT PRO-TEM: The Joint Standing Committee on Judiciary has recommended that the nomination of James M. Coyne be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Judiciary be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th 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

YEA—None.

NAY—Ault, Carpenter, Chapman, Clark, Collins, Conley, Cote, Devoe, Emerson, Farley, Gill, Hichens, Huber, Lovell, Martin, McBreaity, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Usher.

ABSENT—Danton, Katz, Pray, Redmond, Sewall.

No Senators having voted in the affirmative and 28 Senators in the negative with 5 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of James M. Coyne is confirmed.

The PRESIDENT PRO-TEM: The Chair recognizes the Senator from York, Senator Lovell.

Senator LOVELL: I wonder if one of the kind ladies here would make a motion that the gentlemen may remove their coats.

The PRESIDENT PRO-TEM: The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator CLARK: Mr. President, I move that the members of the Senate be allowed to remove their jackets for the duration of today's session.

The PRESIDENT PRO-TEM: The Senator from Cumberland, Senator Clark now moves that the Senators be allowed to remove their jackets for the duration of today's session.

Is this the pleasure of the Senate?

It is a vote.

Office of the Governor

June 9, 1980

The Honorable Joseph Sewall  
President of the Senate  
Senate Chambers  
State House  
Augusta, ME

Dear Senator Sewall:

This is to inform you that I am today nominating Severin Beliveau of Augusta for appointment to the University of Maine Board of Trustees.

Pursuant to Title 20 MRSA Section 2251, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,

S/JOSEPH E. BRENNAN

Governor

Which was Read and Ordered Placed on File.

The Senate of Maine

June 9, 1980

The Honorable Howard M. Trotzky  
The Honorable Laurence E. Connolly, Jr.  
Chairmen, Education Committee  
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Severin M. Beliveau of Augusta to serve as a member of the University of Maine Board of Trustees.

Pursuant to Title 20 MRSA Section 2251, this nomination will require review by the Joint

Standing Committee on Education.

Sincerely,  
S/MAY M. ROSS  
Secretary of the Senate

Which was Read and Ordered Placed on File.

**Committee on Education**

June 25, 1980

The Honorable Joseph Sewall  
President of the Senate  
State House  
Augusta, Maine  
Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Severin Beliveau to the position of member of the Board of Trustees of the University of Maine.

After public hearing and discussion of this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS:

Senators — 2  
Representatives — 6

NAYS:

Senators — 0  
Representatives — 0

ABSENT: — 5

Senator Gill of Cumberland  
Representative Birt of East Millinocket  
Representative Rolde of York  
Representative Davis of Monmouth  
Representative Locke of Sebec

Eight members of the Committee having voted in the affirmative and none in the negative with five being absent, it was the vote of the Committee that the nomination of Severin Beliveau to the Board of Trustees of the University of Maine be confirmed.

Sincerely,  
S/HOWARD M. TROTZKY  
Senate Chairman  
S/LAURENCE CONNOLLY  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT Pro-Tem: The Joint Standing Committee on Education has recommended that the nomination of Severin Beliveau be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Education be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th 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.

The Chair recognizes the Senator from York, Senator HICHENS.

Senator HICHENS: Mr. President, I reluctantly will vote for Mr. Beliveau today, not because I have anything really against him, but he does have a wonderful and very adoring mother, and I know he will seek his advice from her before he makes any decisions. So I will go along with the appointment.

The PRESIDENT PRO-TEM: Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.  
The Secretary will call the Roll.

**ROLL CALL**

YEA—None.

NAY—Ault, Carpenter, Chapman, Clark, Collins, Conley, Cote, Devoe, Emerson, Farley, Gill, Hichens, Huber, Lovell, Martin, McBrearty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Usher.

ABSENT—Danton, Katz, Pray, Redmond, Sewall.

No Senators having voted in the affirmative and 28 Senators in the negative with 5 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Severin Beliveau is confirmed.

**Office of the Governor**

June 12, 1980

The Honorable Joseph Sewall  
President of the Senate  
Senate Chambers  
State House  
Augusta, ME

Dear Senator Sewall:

This is to inform you that I am today nominating Morton A. Brody of Waterville to be a Superior Court Justice.

Pursuant to Title 4 MRSA Section 152, this nomination will require review by the Joint Standing Committee on the Judiciary and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,  
S/JOSEPH E. BRENNAN  
Governor

Which was Read and Ordered Placed on File.

**The Senate of Maine**

June 12, 1980

The Honorable Samuel W. Collins, Jr.  
The Honorable Barry J. Hobbins  
Chairmen, Judiciary Committee  
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Morton A. Brody of Waterville to serve as a Justice of the Maine Superior Court.

Pursuant to Title 4 MRSA Section 152, this nomination will require review by the Joint Standing Committee on Judiciary.

Sincerely,  
S/MAY M. ROSS  
Secretary of the Senate  
Which was Read and Ordered Placed on File.

**Committee on Judiciary**

June 20, 1980

The Honorable Joseph Sewall  
President of the Senate of Maine  
State House  
Augusta, Maine  
Dear President Sewall:

In accordance with 3 M.R.A., Chapter 6, Section 151 and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Morton A. Brody of Waterville to the position of Superior Court Justice.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS:

Senators — 1  
Representatives — 6

NAYS:

Senators — 0  
Representatives — 0

ABSENT:

Senators — 2; Senators Devoe & Trafton  
Representatives — 4; Representatives  
Hughes, Carrier, Sewall & Silsby

7 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Morton A. Brody be confirmed.

Sincerely,  
S/SAMUEL W. COLLINS, Jr.  
Senate Chairman  
S/BARRY J. HOBBS  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT PRO-TEM: The Joint Standing Committee on Judiciary has recommended that the nomination of Morton A. Brody be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Judiciary be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th 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**

YEA—None.

NAY—Ault, Carpenter, Chapman, Clark, Collins, Conley, Cote, Devoe, Emerson, Farley, Gill, Hichens, Huber, Lovell, Martin, McBrearty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Usher.

ABSENT—Danton, Katz, Pray, Redmond, Sewall.

No Senators having voted in the affirmative and 28 Senators in the negative with 5 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Morton A. Brody is confirmed.

**Office of the Governor**

July 1, 1980

The Honorable Joseph Sewall  
President of the Senate  
Senate Chambers  
State House  
Augusta, ME

Dear Senator Sewall:

This is to inform you that I am nominating David F. Aldrich of Norway for reappointment to the District Court.

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

I appreciate your assistance in this matter.

Sincerely,  
S/JOSEPH E. BRENNAN  
Governor  
Which was Read and Ordered Placed on File.

**The Senate of Maine**

July 1, 1980

The Honorable Samuel W. Collins, Jr.  
The Honorable Barry J. Hobbins  
Chairmen, Judiciary Committee  
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated David F. Aldrich of Norway for reappointment as a Judge of the District Court of Maine.

Pursuant to Title 4 MRSA Section 157, this nomination will require review by the Committee on Judiciary.

Sincerely,  
S/MAY M. ROSS  
Secretary of the Senate  
Which was Read and Ordered Placed on File.

**Office of the Governor**

July 1, 1980

The Honorable Joseph Sewall  
President of the Senate  
Senate Chambers  
State House  
Augusta, ME

Dear Senator Sewall:

This is to inform you that I am nominating Ronald D. Russell of Standish for appointment as a Commissioner of the Workers' Compensation Commission.

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

Thank you for your assistance in this matter.  
Sincerely,  
S/JOSEPH E. BRENNAN  
Governor  
Which was Read and Ordered Placed on File.

#### The Senate of Maine

July 1, 1980

The Honorable Samuel W. Collins, Jr.  
The Honorable Barry J. Hobbins  
Chairmen, Judiciary Committee  
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Ronald D. Russell of Standish for appointment as a Commissioner of the Workers' Compensation Commission.

Pursuant to Title 39 MRSA Section 91, this nomination will require review by the Committee on Judiciary.

Sincerely,  
S/MAY M. ROSS  
Secretary of the Senate

Which was Read and Ordered Placed on File.

#### Office of the Governor

July 3, 1980

The Honorable Joseph Sewall  
President of the Senate  
Senate Chambers  
State House  
Augusta, ME  
Dear Senator Sewall:

This is to inform you that I am nominating Joan M. Kidman of Portland to be a member of the Board of Environmental Protection.

Pursuant to Title 38 MRSA Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,  
S/JOSEPH E. BRENNAN  
Governor

Which was Read and Ordered Placed on File.

#### The Senate of Maine

July 3, 1980

The Honorable James A. McBreairty  
The Honorable William B. Blodgett  
Chairmen, Energy and Natural Resources  
Committee  
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Joan M. Kidman of Portland to serve as a member of the Board of Environmental Protection.

Pursuant to Title 38 MRSA Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources.

Sincerely,  
S/MAY M. ROSS  
Secretary of the Senate  
Which was Read and Ordered Placed on File.

#### Committee on Energy and Natural Resources

July 16, 1980

The Honorable Joseph Sewall  
President of the Senate of Maine  
State House  
Augusta, Maine  
Dear President Sewall:

In Accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Joan M. Kidman to the position on the Board of Environmental Protection.

After public hearing and discussion on the nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomina-

tion be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

YEAS:

Senators — 2

Senator McBreairty of Aroostook  
Senator O'Leary of Oxford

Representatives — 5

Representative Blodgett of Waldoboro  
Representative Hall of Sangerville  
Representative Jacques of Waterville  
Representative Dexter of Kingfield  
Representative Michael of Auburn

NAYS:

Senators — 1

Senator Troitzky of Penobscot

Representatives — 5

Representative Doukas of Portland  
Representative Austin of Bingham  
Representative Huber of Falmouth  
Representative Kiesman of Fryeburg  
Representative Peltier of Houlton

ABSENT: — 0

Seven members of the Committee having voted in the affirmative and six in the negative, it was the vote of the Committee that the nomination of Joan M. Kidman to the position of the Board of Environmental Protection be confirmed.

Sincerely,  
S/JAMES MCBREAIRTY  
Senate Chairman

S/WILLIAM B. BLODGETT  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT PRO-TEM: The Joint Standing Committee on Energy and Natural Resources has recommended that the nomination of Joan M. Kidman be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Energy and Natural Resources be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th 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

YEA—Hichens, Troitzky.

NAY—Ault, Carpenter, Chapman, Clark, Collins, Conley, Cote, Devoe, Emerson, Farley, Gill, Huber, Lovell, Martin, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Shute, Silverman, Sutton, Teague, Trafton, Usher.

ABSENT—Danton, Katz, Pray, Redmond, Sewall.

2 Senators having voted in affirmative and 26 Senators in the negative with 5 Senators being absent, and 2 being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Joan M. Kidman is confirmed.

(Off Record Remarks)

#### Office of the Governor

July 3, 1980

The Honorable Joseph Sewall  
President of the Senate  
Senate Chambers  
State House  
Augusta, ME  
Dear Senator Sewall:

This is to inform you that I am today nominating Joyce M. Roach of Merrill for appointment as a member of the State Board of Education.

Pursuant to Title 20 MRSA Section 51, this nomination will require review by the Joint Standing Committee on Education and confir-

mation by the Senate.

Thank you for your assistance in this matter.

Sincerely,  
S/JOSEPH E. BRENNAN  
Governor

Which was Read and Ordered Placed on File.

#### The Senate of Maine

July 3, 1980

The Honorable Howard M. Troitzky  
The Honorable Laurence E. Connolly, Jr.  
Chairmen, Education Committee  
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Joyce M. Roach of Merrill to serve as a member of the State Board of Education.

Pursuant to Title 12 MRSA Section 6024, this nomination will require review by the Joint Standing Committee on Education.

Sincerely,  
S/MAY M. ROSS  
Secretary of the Senate

Which was Read and Ordered Placed on File.

#### Office of the Governor

July 9, 1980

The Honorable Joseph Sewall  
President of the Senate  
Senate Chambers  
State House  
Augusta, ME  
Dear Senator Sewall:

This is to inform you that I am nominating Earl J. Wahl of Calais to be a member of the Board of Environmental Protection.

Pursuant to Title 38 MRSA Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Thank you for your assistance in this matter.

Sincerely,  
S/JOSEPH E. BRENNAN  
Governor

Which was Read and Ordered Placed on File.

#### The Senate of Maine

July 9, 1980

The Honorable James A. McBreairty  
The Honorable William B. Blodgett  
Chairmen, Energy and Natural Resources  
Committee  
109th Maine Legislature

Please be advised that Governor Joseph E. Brennan has nominated Earl J. Wahl of Calais to serve as a member of the Board of Environmental Protection.

Pursuant to Title 38 MRSA Section 341, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources.

Sincerely,  
S/MAY M. ROSS  
Secretary of the Senate

Which was Read and Ordered Placed on File.

#### Committee on Energy and Natural Resources

July 16, 1980

The Honorable Joseph Sewall  
President of the Senate of Maine  
State House  
Augusta, Maine  
Dear President Sewall:

In Accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Earl J. Wahl to the position on the Board of Environmental Protection.

After public hearing and discussion on the nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Maine Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

## YEAS:

Senators — 2

Senator McBreairty of Aroostook

Senator O'Leary of Oxford

Representatives — 7

Representative Blodgett of Waldoboro

Representative Hall of Sangerville

Representative Doukas of Portland

Representative Jacques of Waterville

Representative Dexter of Kingfield

Representative Michael of Auburn

Representative Peltier of Houlton

## NAYS:

Senators — 1

Senator Trotzky of Penobscot

Representatives — 3

Representative Austin of Bingham

Representative Huber of Falmouth

Representative Kiesman of Fryeburg

## ABSENT: — 0

Nine members of the Committee having voted in the affirmative and four in the negative, it was the vote of the Committee that the nomination of Earl J. Wahl to the position of the Board of Environmental Protection be confirmed.

Sincerely,

S/JAMES McBREAIRTY

Senate Chairman

S/WILLIAM B. BLODGETT

House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT PRO-TEM: The Joint Standing Committee on Energy and Natural Resources has recommended that the nomination of Earl J. Wahl be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Energy and Natural Resources be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th 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

YEA—Hichens, Trotzky.

NAY—Ault, Carpenter, Champan, Clark, Collins, Conley, Cote, Devoe, Emerson, Farley, Gill, Hichens, Lovell, Martin, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Shute, Silverman, Sutton, Teague, Trafton, Usher.

ABSENT—Danton, Katz, Pray, Redmond, Sewall.

2 Senators having voted in the affirmative and 26 Senators in the negative with 5 Senators being absent, and 2 being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Earl J. Wahl is confirmed.

Under Suspension of the Rules, the Senate voted to consider the following:

## Communications

## Committee on Judiciary

July 17, 1980

The Honorable Joseph Sewall  
President of the Senate of Maine  
State House  
Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of David F. Aldrich for reappointment as Judge of the District Court of Maine.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of

the 109th Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

## YEAS:

Senators — 2

Representatives — 7

## NAYS:

Senators — 0

Representatives — 0

## ABSENT:

Senators — 1

Devoe, Penobscot

Representatives — 2

Silsby of Ellsworth &amp; Stetson of Wiscasset

9 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of David F. Aldrich be confirmed.

Sincerely,

S/SAMUEL W. COLLINS, Jr.

Senate Chairman

S/BARRY J. HOBBS

House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT PRO-TEM: The Joint Standing Committee on Judiciary has recommended that the nomination of David F. Aldrich be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Judiciary be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th 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

YEA—None.

NAY—Ault, Carpenter, Champan, Clark, Collins, Conley, Cote, Devoe, Emerson, Farley, Gill, Hichens, Huber, Lovell, Martin, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Shute, Silverman, Sutton, Teague, Trafton, Trotzky, Usher.

ABSENT—Danton, Katz, Pray, Redmond, Sewall.

No Senators having voted in the affirmative and 28 Senators in the negative, with 5 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of David F. Aldrich is confirmed.

(Off Record Remarks)

## Committee on Judiciary

July 17, 1980

The Honorable Joseph Sewall  
President of the Senate of Maine  
State House  
Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Ronald D. Russell to the position of a Commissioner of the Workers' Compensation Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

## YEAS:

Senators — 2

Representatives — 7

## NAYS:

Senators — 0

Representatives — 0

## ABSENT:

Senators — 1; Senator Devoe of Penobscot

Representatives — 2

Representative Silsby of Ellsworth

Representative Stetson of Wiscasset

9 members of the Committee having voted in the affirmative and 0 in the negative, it was the vote of the Committee that the nomination of Ronald D. Russell be confirmed.

Sincerely,

S/SAMUEL W. COLLINS, Jr.

Senate Chairman

S/BARRY J. HOBBS

House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT PRO-TEM: The Joint Standing Committee on Judiciary has recommended that the nomination of Ronald D. Russell be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Judiciary be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th 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

YEA—None.

NAY—Ault, Carpenter, Champan, Clark, Collins, Conley, Cote, Devoe, Emerson, Gill, Hichens, Huber, Lovell, Martin, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Shute, Silverman, Teague, Trafton, Trotzky, Usher.

ABSENT—Danton, Farley, Katz, Pray, Redmond, Sutton, Sewall.

No Senators having voted in the affirmative and 26 Senators in the negative, with 7 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Ronald D. Russell is confirmed.

(Off Record Remarks)

## Committee on Education

July 17, 1980

The Honorable Joseph Sewall  
President of the Senate  
State House  
Augusta, Maine

Dear President Sewall:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 109th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Joyce M. Roach to the position of member of the State Board of Education.

After public hearing and discussion of this nomination, the Committee proceeded to vote on the motion to recommend to the Senate of the 109th Legislature that this nomination be confirmed. The vote was taken by the yeas and nays. The Committee Clerk called the roll with the following result:

## YEAS:

Senators — 1

Representatives — 7

## NAYS:

Senators — 0

Representatives — 0

## ABSENT: — 5

Senator Gill of Cumberland

Senator Minkowsky of Androscoggin

Representative Birt of East Millinocket

Representative Beaulieu of Portland

Representative Lewis of Auburn

Eight members of the Committee having voted in the affirmative and none in the negative with five being absent, it was the vote of the Committee that the nomination of Joyce M. Roach to the position of member of the State Board of Education be confirmed.

Sincerely,  
S/HOWARD M. TROTZKY  
Senate Chairman  
S/LAURENCE E. CONNOLLY, Jr.  
House Chairman

Which was Read and Ordered Placed on File.

The PRESIDENT PRO-TEM: The Joint Standing Committee on Education has recommended that the nomination of Joyce M. Roach be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on Education be overridden? In accordance with 3 M.R.S.A., Chapter 6, section 151, and with Joint Rule 38 of the 109th 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

YEA—None.

NAY—Ault, Carpenter, Chapman, Clark, Collins, Conley, Cote, Devoe, Emerson, Farley, Gill, Hichens, Huber, Lovell, Martin, McBreairty, Minkowsky, Najarian, O'Leary, Perkins, Pierce, Shute, Silverman, Teague, Trafton, Trotzky, Usher.

ABSENT—Danton, Katz, Pray, Redmond, Sutton, Sewall.

No Senators having voted in the affirmative and 27 Senators in the negative, with 6 Senators being absent, and none being less than two-thirds of the membership present, it is the vote of the Senate that the Committee's recommendation be accepted. The nomination of Joyce M. Roach is confirmed.

Out of Order and Under Suspension of the Rules:

On motion by Senator GILL of Cumberland,

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

Which was Read and Passed.

The President Pro-Tem appointed Senator Gill of Cumberland, to convey the message to His Excellency, the Governor.

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

The PRESIDENT PRO-TEM: The Chair recognizes the Senator from York, Senator Lovell.

Senator LOVELL: Mr. President, as the oldest Senator, it's my privilege to adjourn the Senate. First, I would like to congratulate Senator Pierce on doing a very fine job, and I'm sure one of these days he will be President of the Senate.

I also want to congratulate so many on being here. Personally I kind of hated to leave the beach to come up here on such a hot day. It was 86 when I left and I enjoy the water. I'm surprised and pleased to see such a very fine turnout. It shows the interest that you people have taken in the Senate. Even though we are missing two Republicans, who are out electing a new President, I still feel that we had a wonderful attendance. So I would like to adjourn the Senate Sine Die.

On motion by Senator Lovell of York, at 2:47 p.m., on Thursday, July 17, 1980, the Honorable Richard H. Pierce President Pro-Tem, declared the Senate of the 109th Legislature Adjourned Sine Die.