

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fifteenth Legislature

OF THE

State Of Maine

VOLUME VII

SECOND REGULAR SESSION

Senate

March 10, 1992 to March 31, 1992

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HOUSE AND SENATE LEGISLATIVE SENTIMENTS

December 5, 1990 to December 1, 1992

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

In Senate Chamber
Wednesday
May 20, 1992

Pursuant to the provisions of Article 5, Part 1, Section 8 of the Constitution and the laws of the State of Maine, the Senate will convene at 3:30 in the afternoon.

Senate called to Order by the President.

Prayer by Reverend Robert Canfield of the Free Methodist Church in Gardiner.

REVEREND ROBERT CANFIELD: Dear Father, we thank you that on another occasion we can seek for your guidance and direction. We know you hear us when we pray according to the promise of your word and how needful we are before you. We ask, Father, for your guidance, direction, and leadership that every decision, deliberation, and consideration will be acceptable in your sight. Bless the work that is being taken care of this afternoon. Help us to feel that when its over that what has been said and done has been appropriate. In the name of your son, Christ, we pray. Amen.

Senator **CLARK** of Cumberland requested and received permission for the members and staff to remove their jackets for the remainder of the Legislative Session.

COMMUNICATIONS

The Following Communication:

STATE OF MAINE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE 04333

May 8, 1992
Honorable Joy J. O'Brien
Secretary of the Senate
State House
Augusta, ME 04333
Dear Secretary O'Brien:
Please be advised that in accordance with Article 5, Part 1, Section 8 of the Constitution of Maine, the Senate of Maine will convene on Wednesday, May 20, 1992, at 3:30 in the afternoon for the purpose of voting upon confirmation of the various appointments made by the Honorable John R. McKernan, Jr., Governor of the State of Maine.
Sincerely,
S/Charles P. Pray
President of the Senate
Which was **READ** and **ORDERED PLACED ON FILE**.

ROLL CALL

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

Senators **BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MCCORMICK, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY**

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

Off Record Remarks

Out of Order and under Suspension of the Rules, on motion by Senator **CLARK** of Cumberland the following Senate Order:

ORDERED, that a message be sent to Governor John R. McKernan, Jr., informing him that in accordance with Article 5, Part 1, Section 8 of the Constitution of Maine, a quorum of Senators is assembled for consideration of such business as may come before the Senate.

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

The President appointed the Senator from Cumberland, Senator **CLARK** to deliver the message to the Governor.

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

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 10, 1992

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

This is to inform you that I am today nominating Clement H. Smith of Monmouth, Lincoln O. Orff of Jefferson and Gail Goodwin of Danville for appointments as members of the new Animal Welfare Board.

Pursuant to Public Law 1992, Chapter 779, these nominations will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 10, 1992

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

This is to inform you that I am today nominating Katherine O. Musgrave of Orono for reappointment to the Maine Milk Commission.

Pursuant to Title 7, MRSA Section 2952, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:
SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

April 10, 1992

Senator R. Donald Twitchell
Rep. Robert J. Tardy
Chairpersons
Joint Standing Committee on Agriculture
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated the following:
Animal Welfare Board, pursuant to Public Law 1992, Chapter 779:

Clement H. Smith of Monmouth for appointment
Lincoln O. Orff of Jefferson for appointment
Gail Goodwin of Danville for appointment
Maine Milk Commission, pursuant to Title 7, MRSA Section 2952:

Katherine O. Musgrave of Orono for reappointment
These nominations will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

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

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

The Following Communication:
ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE

May 7, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Gail Goodwin of Danville, for appointment to the Animal Welfare Board.

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

YEAS: Senators 2
Representatives 9
NAYS: 0
ABSENT: 2 Sen. Titcomb of Cumberland, Rep. Mahany of Easton

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 Gail Goodwin of Danville, for appointment to the Animal Welfare Board be confirmed.

Sincerely,
S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
Senate Chair House Chair
Which was **READ** and **ORDERED PLACED ON FILE**.

Off Record Remarks

Senate at Ease
Senate called to order by the President.

The Chair noted the presence of the Senator from Oxford, Senator **MILLS** and the Senator from Kennebec, Senator **MATTHEWS**.

THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Gail Goodwin of Danville be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Gail Goodwin, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
 COMMITTEE ON AGRICULTURE**

May 7, 1992

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Katherine Musgrave of Orono, for reappointment to the Maine Milk Commission.

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

YEAS: Senators 3
 Representatives 9

NAYS: 0

ABSENT: 1 Rep. Mahany of Easton

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 Katherine Musgrave of Orono, for reappointment to the Maine Milk Commission be confirmed.

Sincerely,

S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
 Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Katherine O. Musgrave of Orono be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Katherine O. Musgrave, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
 COMMITTEE ON AGRICULTURE**

May 7, 1992

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Lincoln Orff of Jefferson, for appointment to the Animal Welfare Board.

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

YEAS: Senators 2
 Representatives 8

NAYS: 0

ABSENT: 3 Sen. Titcomb of Cumberland, Rep. Nutting of Leeds, Rep. Mahany of Easton

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Lincoln Orff of Jefferson, for appointment to the Animal Welfare Board be confirmed.

Sincerely,

S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
 Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Lincoln O. Orff of Jefferson be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Lincoln O. Orff, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE**
May 6, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Clement H. Smith of Monmouth, for appointment to the Animal Welfare Board.

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

YEAS: Senators 1
Representatives 8
NAYS: 0

ABSENT: 4 Sen. Titcomb of Cumberland, Sen. Theriault of Aroostook, Rep. Mahany of Easton, Rep. Nutting of Leeds

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 Clement H. Smith of Monmouth, for appointment to the Animal Welfare Board be confirmed.

Sincerely,
S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Clement H. Smith of Monmouth be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None
No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Clement H. Smith, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

April 10, 1992

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

This is to inform you that I am today nominating Philip M. Tarr of North Bridgton for appointment as Chair of the Maine Harness Racing Commission.

Pursuant to Title 8, MRSA Section 261-A, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:
**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

April 10, 1992

Senator R. Donald Twitchell
Rep. Robert J. Tardy
Chairpersons
Joint Standing Committee on Agriculture
115th Legislature
Augusta, Maine 04333

Dear Chairs:
Please be advised that Governor John R. McKernan, Jr. has nominated Philip M. Tarr of North Bridgton for appointment as Chair of the Maine Harness Racing Commission.

Pursuant to Title 8, MRSA Section 261-A, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

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

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

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE**
May 7, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Philip M. Tarr of North Bridgton, for appointment as Chair of the Maine Harness Racing Commission.

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

YEAS: Senators 2
Representatives 8

NAYS: 0

ABSENT: 3 Sen. Titcomb of Cumberland, Rep. Mahany of Easton, Rep. Parent of Benton

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Philip M. Tarr of North Bridgton, for appointment as Chair of the Maine Harness Racing Commission be confirmed.

Sincerely,

S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Philip M. Tarr of North Bridgton be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BROWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Philip M. Tarr, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

April 15, 1992

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

This is to inform you that I am today nominating Arthur Verow of Brewer, Laura Pruett of Augusta, Paul Murphy of Windham, Joseph Pio of Westbrook and Elizabeth Sylvester of Bath as members of the new Animal Welfare Advisory Committee.

Pursuant to Public Law 1992, Chapter 779, these nominations will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:
**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

April 15, 1992

Senator R. Donald Twitchell
Rep. Robert J. Tardy
Chairpersons
Joint Standing Committee on Agriculture
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Joseph Pio of Westbrook, Paul Murphy of Windham, Laura Pruett of Augusta, Arthur Verow of Brewer and Elizabeth Sylvester of Bath for appointments to the Animal Welfare Advisory Committee.

Pursuant to Public Law 1992, Chapter 779, these nominations will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

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

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

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE**
May 6, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Paul Murphy of Windham, for appointment to the Animal Welfare Advisory Committee.

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

YEAS: Senators 3
 Representatives 8
 NAYS: 0
 ABSENT: 2 Rep. Mahany of Easton, Rep. Nutting of Leeds

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 Paul Murphy of Windham, for appointment to the Animal Welfare Advisory Committee be confirmed.

Sincerely,

S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Paul Murphy of Windham be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Paul Murphy, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
 COMMITTEE ON AGRICULTURE**
 May 6, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Joseph Pio of Westbrook, for appointment to the Animal Welfare Advisory Committee.

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

YEAS: Senators 2
 Representatives 8
 NAYS: 0
 ABSENT: 3 Sen. Titcomb of Cumberland, Rep. Mahany of Easton, Rep. Nutting of Leeds

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Joseph Pio of Westbrook, for appointment to the Animal Welfare Advisory Committee be confirmed.

Sincerely,

S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Joseph Pio of Westbrook be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No Senators being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Joseph Pio, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE
 May 6, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Laura Pruett of Augusta, for appointment to the Animal Welfare Advisory Committee.

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

YEAS: Senators 3
 Representatives 7
 NAYS: 0
 ABSENT: 3 Rep. Mahany of Easton, Rep.
 Pines of Limestone, Rep. Parent of
 Benton

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Laura Pruett of Augusta, for appointment to the Animal Welfare Advisory Committee be confirmed.

Sincerely,

S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Laura Pruett of Augusta be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST,
 BRANNIGAN, BRAWN, BUSTIN, CAHILL,
 CARPENTER, CLARK, CLEVELAND, COLLINS,
 CONLEY, DUTREMBLE, EMERSON, ESTES,
 ESTY, FOSTER, GAUVREAU, GILL, GOULD,
 HOLLOWAY, KANY, LUDWIG, MATTHEWS,
 MCCORMICK, MILLS, PEARSON, RICH,
 SUMMERS, THERIAULT, TITCOMB, TWITCHELL,
 VOSE, WEBSTER, THE PRESIDENT - CHARLES
 P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Laura Pruett, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE
 May 6, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Elizabeth Sylvester of Bath, for appointment to the Animal Welfare Advisory Committee.

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

YEAS: Senators 3
 Representatives 8
 NAYS: 0
 ABSENT: 2 Rep. Mahany of Easton, Rep.
 Pines of Limestone

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 Elizabeth Sylvester of Bath, for appointment to the Animal Welfare Advisory Committee be confirmed.

Sincerely,

S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Elizabeth Sylvester of Bath be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Elizabeth Sylvester, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE**
May 6, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Arthur Verow of Brewer, for appointment to the Animal Welfare Advisory Committee.

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

YEAS: Senators 3
Representatives 5
NAYS: 3
ABSENT: 2 Rep. Mahany of Easton, Rep. Pines of Limestone

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 Arthur Verow of Brewer, for appointment to the Animal Welfare Advisory Committee be confirmed.

Sincerely,
S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
Senate Chair House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.
THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Arthur Verow of Brewer be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators MATTHEWS

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Arthur Verow, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333**
April 17, 1992

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

This is to inform you that I am today nominating Perry Hopkins of Kennebunk for appointment as a member of the new Animal Welfare Advisory Committee.

Pursuant to Public Law 1992, Chapter 779, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:
**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**
April 17, 1992

Senator R. Donald Twitchell
Rep. Robert J. Tardy
Chairpersons
Joint Standing Committee on Agriculture
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Perry Hopkins of Kennebunk for appointment to the Animal Welfare Advisory Committee.

Pursuant to Public Law 1992, Chapter 779, this nomination will require review by the Joint Standing Committee on Agriculture and confirmation by the Senate.

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

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

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON AGRICULTURE**
May 6, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of Perry Hopkins of Kennebunk, for appointment to the Animal Welfare Advisory Committee.

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

YEAS: Senators 3
Representatives 8
NAYS: 0

ABSENT: 2 Rep. Mahany of Easton, Rep.
Pines of Limestone

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 Perry Hopkins of Kennebunk, for appointment to the Animal Welfare Advisory Committee be confirmed.

Sincerely,

S/Senator R. Donald Twitchell S/Rep. Robert J. Tardy
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Agriculture has recommended the nomination of Perry Hopkins of Kennebunk be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None
No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Hopkins, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333**
April 10, 1992

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

This is to inform you that I am today nominating Brian K. Atchinson of Cumberland for appointment as Superintendent of the Bureau of Insurance.

Pursuant to Title 24A, MRSA Section 201, this nomination will require review by the Joint Standing Committee on Banking and Insurance and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:
**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**
April 10, 1992

Senator Judy C. Kany
Rep. Elizabeth H. Mitchell
Chairpersons
Joint Standing Committee on Banking and Insurance
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Brian K. Atchinson of Cumberland for appointment as the Superintendent of Insurance.

Pursuant to Title 24A, MRSA Section 201, this nomination will require review by the Joint Standing Committee on Banking and Insurance and confirmation by the Senate.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON BANKING AND INSURANCE**
April 27, 1992

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Banking and Insurance has had under consideration the nomination of Brian K. Atchinson of Cumberland, for appointment as the Superintendent of Insurance.

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

YEAS: Senators 3
Representatives 6

NAYS: 0

ABSENT: 4 Rep. Ketover of Portland, Rep. Hastings of Fryeburg, Rep. Rand of Portland, Rep. Garland of Bangor

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Brian K. Atchinson of Cumberland, for appointment as the Superintendent of Insurance be confirmed.

Sincerely,

S/Senator Judy C. Kany S/Rep. Elizabeth H. Mitchell
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Banking and Insurance has recommended the nomination of Brian K. Atchinson of Cumberland 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 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Brian K. Atchinson, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

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

April 23, 1992

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

This is to inform you that I am today nominating Jane E. Titcomb of Holden, Massachusetts as Commissioner of the Department of Professional & Financial Regulation.

Pursuant to Title 10, MRSA Section 8002, this nomination will require review by the Joint Standing Committee on Business Legislation and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

April 23, 1992

Senator John E. Baldacci
Rep. Carl F. Sheltra
Chairpersons
Joint Standing Committee on Business Legislation
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Jane E. Titcomb of Holden, Massachusetts for appointment as Commissioner of the Department of Professional & Financial Regulation.

Pursuant to Title 10, MRSA Section 8002, this nomination will require review by the Joint Standing Committee on Business Legislation and confirmation by the Senate.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON BUSINESS LEGISLATION**
May 18, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Business Legislation has had under consideration the nomination of Jane E. Titcomb of Holden, Massachusetts, for appointment as Commissioner of the Department of Professional and Financial 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: Senators 3
 Representatives 9

NAYS: 0

ABSENT: 1 Rep. Graham of Houlton

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 Jane E. Titcomb of Holden, Massachusetts, for appointment as Commissioner of the Department of Professional and Financial Regulation be confirmed.

Sincerely,

S/Senator John E. Baldacci S/Rep. Carl F. Sheltra
 Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Business Legislation has recommended the nomination of Jane E. Titcomb of Holden, MA be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCII, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Jane E. Titcomb, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

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

April 8, 1992

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

This is to inform you that I am withdrawing my nomination of Patricia Collins of Caribou for reappointment and Frederic A. Reynolds of Machias and John R. DiMatteo of Falmouth for appointment to the University of Maine Board of Trustees.

Pursuant to Title 26, MRSA Section 1022, these nominations are currently pending before the Joint Standing Committee on Education.

Sincerely,
 S/John R. McKernan, Jr.
 GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

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

April 8, 1992

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

This is to inform you that I am withdrawing my nomination of Peter Crockett of Gardiner for appointment as the student member of the University of Maine Board of Trustees.

Pursuant to Title 26, MRSA Section 1022, this nomination is currently pending before the Joint Standing Committee on Education.

Sincerely,
 S/John R. McKernan, Jr.
 GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

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

April 8, 1992

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

This is to inform you that I am withdrawing my nomination of Margaret Duncan of Presque Isle and Kathie Leonard of Mechanic Falls for appointment as members of the Maine Technical College System Board of Trustees.

Pursuant to Title 20-A, MRSA Section 12705, these nominations are currently pending before the Joint Standing Committee on Education.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

April 8, 1992

Senator Stephen C. Estes
Rep. Nathaniel J. Crowley, Sr.
Chairpersons
Joint Standing Committee on Education
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of the following, which are currently pending before the Joint Standing Committee on Education:

University of Maine Board of Trustees, pursuant to Title 26, MRSA Section 1022:

Patricia Collins of Caribou for reappointment
Frederic A. Reynolds of Machias for appointment
John R. DiMatteo of Falmouth for appointment
Peter Crockett of Gardiner for appointment as the Student Member

Maine Technical College System Board of Trustees, pursuant to Title 20-A, MRSA Section 12705:

Margaret C. Duncan of Presque Isle for appointment
Kathie Leonard of Mechanic Falls for appointment

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

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

The Following Communication:

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

April 10, 1992

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

This is to inform you that I am today nominating Lucia W. Smyth of Waterville for reappointment to the Maine Education Assistance Board.

Pursuant to Title 10, MRSA Section 1016, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

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

April 10, 1992

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

This is to inform you that I am today nominating Peter Crockett of Gardiner for appointment as student member of the University of Maine Board of Trustees.

Pursuant to Title 26, MRSA Section 1022, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

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

April 10, 1992

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

This is to inform you that I am today nominating Patricia Collins of Caribou for reappointment and Frederic A. Reynolds of Machias and John R. DiMatteo of Falmouth for appointments to the University of Maine Board of Trustees.

Pursuant to Title 26, MRSA Section 1022, these nominations will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

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

April 10, 1992

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

This is to inform you that I am today nominating Margaret C. Duncan of Presque Isle and Kathie Leonard of Mechanic Falls for appointment as members of the Maine Technical College System Board of Trustees.

Pursuant to Title 20-A, MRSA Section 12705, these nominations will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

April 10, 1992

Senator Stephen C. Estes
Rep. Nathaniel J. Crowley, Sr.
Chairpersons
Joint Standing Committee on Education
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated the following:
Maine Education Assistance Board, pursuant to Title 10, MRSA Section 1016:

Lucia W. Smyth of Waterville for reappointment
Maine Technical College System Board of Trustees, pursuant to Title 20-A, MRSA Section 12705:
Kathie Leonard of Mechanic Falls for appointment
Margaret C. Duncan of Presque Isle for appointment
University of Maine Board of Trustees, pursuant to Title 26, MRSA Section 1022:

Peter Crockett of Gardiner for appointment as the Student Member
Patricia Collins of Caribou for reappointment
Frederic A. Reynolds of Machias for appointment
John R. DiMatteo of Falmouth for appointment
These nominations will require review by the Joint Standing Committee on Education and confirmation by the Senate.

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

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

The Following Communication:

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

May 1, 1992

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

This is to inform you that I am withdrawing my nomination of Kathie Leonard of Mechanic Falls for appointment as a member of the Maine Technical College System Board of Trustees.

Pursuant to Title 20-A, MRSA Section 12705, this nomination is currently pending before the Joint Standing Committee on Education.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

May 1, 1992

Senator Stephen C. Estes
Rep. Nathaniel J. Crowley, Sr.
Chairpersons
Joint Standing Committee on Education
115th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of Kathie Leonard of Mechanic Falls for appointment to the Maine Technical College System Board of Trustees.

Pursuant to Title 20-A, MRSA Section 12705 this nomination is currently pending before the Joint Standing Committee on Education.

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

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

The Following Communication:

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON EDUCATION**

May 5, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Patricia Collins of Caribou, 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: Senators 2
Representatives 9
NAYS: 0
ABSENT: 2 Sen. McCormick of Kennebec, Rep. Cahill of Mattawamkeag

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 Patricia Collins of Caribou, for reappointment to the University of Maine Board of Trustees be confirmed.

Sincerely,
S/Sen Stephen C. Estes Rep. Nathaniel J. Crowley, Sr.
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Education has recommended the nomination of Patricia Collins of Caribou 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Patricia Collins, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
 COMMITTEE ON EDUCATION**
 May 5, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Peter Crockett of Gardiner, for appointment as Student Member of 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: Senators 2
 Representatives 9
 NAYS: 0
 ABSENT: 2 Sen. McCormick of Kennebec, Rep. Cahill of Mattawamkeag

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 Peter Crockett of Gardiner, for appointment as Student Member of the University of Maine Board of Trustees be confirmed.

Sincerely,

S/Sen Stephen C. Estes Rep. Nathaniel J. Crowley, Sr.
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Education has recommended the nomination of Peter Crockett of Gardiner 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Crockett, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
 COMMITTEE ON EDUCATION**
 May 5, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of John R. DiMatteo of Falmouth, 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: Senators 2
 Representatives 7
 NAYS: 2
 ABSENT: 2 Sen. McCormick of Kennebec, Rep. Cahill of Mattawamkeag

Nine members of the Committee having voted in the affirmative and two in the negative, it was the vote of the Committee that the nomination of John R. DiMatteo of Falmouth, for appointment to the University of Maine Board of Trustees be confirmed.

Sincerely,

S/Sen Stephen C. Estes Rep. Nathaniel J. Crowley, Sr.
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Education has recommended the nomination of John R. DiMatteo of Falmouth 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 115th 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 CONLEY, MCCORMICK
NAYS: Senators BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

2 Senators having voted in the affirmative and 33 Senators having voted in the negative, with No Senators being absent, and 2 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 R. DiMatteo, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON EDUCATION**

May 11, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Margaret Duncan of Presque Isle, for appointment to the Maine Technical College System Board of Trustees.

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

YEAS: Senators 2
Representatives 10

NAYS: 0

ABSENT: 1 Sen. Brawn of Knox

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 Margaret Duncan of Presque Isle, for appointment to the Maine Technical College System Board of Trustees be confirmed.

Sincerely,

Sen Stephen C. Estes Rep. Nathaniel J. Crowley, Sr.
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Education has recommended the nomination of Margaret C. Duncan of Presque Isle 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Margaret C. Duncan, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON EDUCATION**

May 5, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Frederic A. Reynolds of Machias, 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: Senators 2
Representatives 9

NAYS: 0

ABSENT: 2 Sen. McCormick of Kennebec, Rep. Cahill of Mattawamkeag

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 Frederic A. Reynolds of Machias, for appointment to the University of Maine Board of Trustees be confirmed.

Sincerely,

S/Sen Stephen C. Estes Rep. Nathaniel J. Crowley, Sr.
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Education has recommended the nomination of Frederic A. Reynolds of Machias 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Frederic A. Reynolds, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON EDUCATION**

May 11, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Education has had under consideration the nomination of Lucia Smyth of Waterville, for reappointment to the Maine Education Assistance Board.

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

YEAS: Senators 2
Representatives 10

NAYS: 0

ABSENT: 1 Sen. Brawn of Knox

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 Lucia Smyth of Waterville, for reappointment to the Maine Education Assistance Board be confirmed.

Sincerely,

S/Sen Stephen C. Estes Rep. Nathaniel J. Crowley, Sr.
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Education has recommended the nomination of Lucia W. Smyth of Waterville 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Lucia W. Smyth, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

April 10, 1992

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

This is to inform you that I am today nominating Darold Wooley of Lincoln and Paula M. Clark of Readfield for reappointments and Denise Lord of Belgrade for appointment as members of the Sludge & Residuals Utilization Research Foundation Board of Trustees.

Pursuant to Title 38, MRSA Section 1382, these nominations will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 10, 1992

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

This is to inform you that I am today nominating Scott W. Seabury of Fort Fairfield for appointment as a member of the Facility Siting Board.

Pursuant to Title 38, MRSA Section 2152, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

April 10, 1992

Senator Bonnie L. Titcomb
Rep. Paul F. Jacques
Chairpersons
Joint Standing Committee on Energy and Natural Resources
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated the following:
Sludge & Residuals Utilization Research Foundation
Board of Trustees, pursuant to Title 38, MRSA Section 1382:

Denise Lord of Belgrade for appointment
Darold Wooley of Lincoln for reappointment
Paula M. Clark of Readfield for reappointment
Facility Siting Board, pursuant to Title 38, MRSA Section 2152:

Scott W. Seabury of Fort Fairfield for appointment
These nominations will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
April 29, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Paula M. Clark of Readfield, for reappointment to the Sludge & Residuals Utilization Research Foundation.

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

YEAS: Senators 1
Representatives 6
NAYS: 0
ABSENT: 6 Sen. Titcomb of Cumberland, Sen. Baldacci of Penobscot, Rep. Hoglund of Portland, Rep. Simpson of Casco, Rep. Coles of Harpswell, Rep. Lord of Waterboro

Seven 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 Paula M. Clark of Readfield, for reappointment to the Sludge & Residuals Utilization Research Foundation be confirmed.

Sincerely,
S/Senator Bonnie L. Titcomb S/Rep. Paul F. Jacques
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Paula M. Clark of Readfield 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY
ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Paula M. Clark, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

Off Record Remarks

The Following Communication:
ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
 April 29, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Denise V. Lord of Belgrade, for appointment to the Sludge & Residuals Utilization Research Foundation.

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

YEAS: Senators 1
 Representatives 6
 NAYS: 0
 ABSENT: 6 Sen. Titcomb of Cumberland, Sen. Baldacci of Penobscot, Rep. Hoglund of Portland, Rep. Simpson of Casco, Rep. Coles of Harpswell, Rep. Lord of Waterboro

Seven 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 Denise V. Lord of Belgrade, for appointment to the Sludge & Residuals Utilization Research Foundation be confirmed.

Sincerely,

S/Senator Bonnie L. Titcomb S/Rep. Paul F. Jacques
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Denise Lord of Belgrade 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 115th 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 WEBSTER
 NAYS: Senators BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None
 1 Senator having voted in the affirmative and 34 Senators having voted in the negative, with No 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 Denise Lord, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
 April 29, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Scott W. Seabury of Fort Fairfield, for appointment to the Facility Siting Board.

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

YEAS: Senators 1
 Representatives 6
 NAYS: 0
 ABSENT: 6 Sen. Titcomb of Cumberland, Sen. Baldacci of Penobscot, Rep. Hoglund of Portland, Rep. Simpson of Casco, Rep. Coles of Harpswell, Rep. Lord of Waterboro

Seven 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 Scott W. Seabury of Fort Fairfield, for appointment to the Facility Siting Board be confirmed.

Sincerely,

S/Senator Bonnie L. Titcomb S/Rep. Paul F. Jacques
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Scott W. Seabury of Fort Fairfield 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Scott W. Seabury, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
April 29, 1992**

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Energy and Natural Resources has had under consideration the nomination of Darold Wooley of Lincoln, for reappointment to the Sludge & Residuals Utilization Research Foundation.

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

YEAS: Senators 2
Representatives 6
NAYS: 0

ABSENT: 5 Sen. Titcomb of Cumberland, Rep. Hogle of Portland, Rep. Simpson of Casco, Rep. Coles of Harpswell, Rep. Lord of Waterboro

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Darold Wooley of Lincoln, for reappointment to the Sludge & Residuals Utilization Research Foundation be confirmed.

Sincerely,

S/Senator Bonnie L. Titcomb S/Rep. Paul F. Jacques
Senate Chair House Chair
Which was **READ** and **ORDERED PLACED ON FILE**.

THE PRESIDENT: The Joint Standing Committee on Energy and Natural Resources has recommended the nomination of Darold Wooley of Lincoln 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None

No Senators having voted in the affirmative and 35 Senators having voted in the negative, with No 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 Darold Wooley, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

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

April 24, 1992

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

This is to inform you that I am today nominating Michael W. Aube of Bangor as Commissioner of the Department of Economic and Community Development.

Pursuant to Title 5, MRSA Section 13057, this nomination will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

April 24, 1992

Senator Zachary E. Matthews
 Rep. Rita B. Melendy
 Chairpersons
 Joint Standing Committee on Housing and Economic
 Development
 115th Legislature
 Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Michael W. Aube of Bangor for appointment as Commissioner of the Department of Economic and Community Development.

Pursuant to Title 5, MRSA Section 13057, this nomination will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

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

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

The Following Communication:
ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT
 May 12, 1992

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Housing and Economic Development has had under consideration the nomination of Michael W. Aube of Bangor, for appointment as Commissioner of the Department of Economic and Community Development.

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

YEAS:	Senators	3
	Representatives	8
NAYS:		0
ABSENT:	2 Rep. Graham of Houlton, Rep. Kilkelly of Wiscasset	

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 Michael W. Aube of Bangor, for appointment as Commissioner of the Department of Economic and Community Development be confirmed.

Sincerely,
 S/Senator Zachary E. Matthews S/Rep. Rita B. Melendy
 Senate Chair House Chair

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

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

Senator **MATTHEWS:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I will be very brief. The Committee on Housing & Economic Development held two days of hearings on Mr. Aube and I am pleased to say that the process worked. Mr. Aube was very candid with the committee. We had questions and I am very pleased that my two colleagues in this body participated very strongly in that process. Mr. Aube answered those questions. I am sure, given his credentials and the strong support

that he has from those with expertise within the Economic Development side that he will do a good job. I would hope that Mr. Aube will be vigilant in listening to the concerns of this Senate Body in the next year as the Legislature, the Governor, and others try to get Maine on the right course towards economic good health. That is going to take teamwork and a burying of political hatchets and working together. I hope that would happen for all of you that would be here next year. I am sure that Mr. Aube will participate in that process. Thank you Mr. President.

THE PRESIDENT: The Joint Standing Committee on Housing and Economic Development has recommended the nomination of Michael W. Aube of Bangor be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Housing and Economic Development be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BUSTIN, CONLEY
 Senators BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators None
 2 Senators having voted in the affirmative and 33 Senators having voted in the negative, with No Senators being absent, and 2 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 Michael W. Aube, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

April 10, 1992

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

Dear President Pray:

This is to inform you that I am today nominating Sandra V. Bliss of Falmouth as a member of the Adaptive Equipment Loan Program Fund Board.

Pursuant to Title 10, MRSA Section 373, this nomination will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

April 10, 1992

Senator Zachary E. Matthews
Rep. Rita B. Melendy
Chairpersons
Joint Standing Committee on Housing and Economic
Development
115th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Sandra V. Bliss of Falmouth for appointment to the Adaptive Equipment Loan Program Fund Board.

Pursuant to Title 10, MRSA Section 373, this nomination will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT

April 23, 1992

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Housing and Economic Development has had under consideration the nomination of Sandra V. Bliss of Falmouth, for appointment to the Adaptive Equipment Loan Program Fund Board.

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

YEAS: Senators 1
Representatives 8

NAYS: 0

ABSENT: 4 Sen. Dutremble of York, Sen. Cahill of Sagadahoc, Rep. Kilkelly of Wiscasset, Rep. Salisbury of Ellsworth

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 Sandra V. Bliss of Falmouth, for appointment to the Adaptive Equipment Loan Program Fund Board be confirmed.

Sincerely,

S/Senator Zachary E. Matthews S/Rep. Rita B. Melendy
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Housing and Economic Development has recommended the nomination of Sandra V. Bliss of Falmouth be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Housing and Economic Development be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ESTES

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Sandra V. Bliss, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 10, 1992

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

This is to inform you that I am today nominating Toby Hammond of Naples for reappointment as a member of the Natural Resources Financing and Marketing Board.

Pursuant to Title 10, MRSA Section 985, this nomination will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

April 10, 1992

Senator Zachary E. Matthews
Rep. Rita B. Melendy
Chairpersons
Joint Standing Committee on Housing and Economic
Development
115th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Toby Hammond of Naples for reappointment to the Natural Resources Financing and Marketing Board.

Pursuant to Title 10, M.R.S.A. Section 985, this nomination will require review by the Joint Standing Committee on Housing and Economic Development and confirmation by the Senate.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON HOUSING AND ECONOMIC DEVELOPMENT**
April 23, 1992

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Housing and Economic Development has had under consideration the nomination of Toby B. Hammond of Naples, for reappointment to the Natural Resources Financing and Marketing Board.

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

YEAS: Senators 1
Representatives 8

NAYS: 0

ABSENT: 4 Sen. Dutremble of York, Sen. Cahill of Sagadahoc, Rep. Kilkelly of Wiscasset, Rep. Salisbury of Ellsworth

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 Toby B. Hammond of Naples, for reappointment to the Natural Resources Financing and Marketing Board be confirmed.

Sincerely,

S/Senator Zachary E. Matthews S/Rep. Rita B. Melendy
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Housing and Economic Development has recommended the nomination of Toby Hammond of Naples be confirmed.

The pending question before the Senate is: "Shall the recommendation of the Committee on Housing and Economic Development be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ESTES

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be ACCEPTED and the nomination of Toby Hammond, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

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

April 8, 1992

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

This is to inform you that I am withdrawing my nomination of Paul L. Rudman of Bangor for appointment as Justice of the Maine Supreme Judicial Court.

Pursuant to the Constitution, Article V, Part I, Section 8, this nomination is currently pending before the Joint Standing Committee on Judiciary.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:
**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

April 8, 1992

Senator N. Paul Gauvreau
Rep. Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn his nomination of Paul L. Rudman of Bangor for appointment as Justice of the Maine Supreme Judicial Court.

Pursuant to the Constitution, Article V, Part I, Section 8, this nomination is currently pending before the Joint Standing Committee on Judiciary.

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

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

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 10, 1992

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

This is to inform you that I am today nominating Dennise D. Whitley of Farmington for appointment as a member of the Maine Human Rights Commission.

Pursuant to Title 5, MRSA Section 4561, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 10, 1992

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

This is to inform you that I am today nominating Elizabeth P. Levenson of Portland for appointment as a member of the Maine Human Rights Commission.

Pursuant to Title 5, MRSA Section 4561, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

April 10, 1992

Senator N. Paul Gauvreau
Rep. Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Elizabeth P. Levenson of Portland and Dennise D. Whitley of Farmington for appointment to the Maine Human Rights Commission.

Pursuant to Title 5, MRSA Section 4561, these nominations will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

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

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

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 10, 1992

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

This is to inform you that I am today nominating Dawn M. Pelletier of Winterport and Paul A. Cote of Auburn for reappointments as Commissioners of the Workers' Compensation Commission.

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

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 10, 1992

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

This is to inform you that I am today nominating Paul L. Rudman of Bangor for appointment as Justice of the Maine Supreme Judicial Court.

Pursuant to the Constitution, Article V, Part I, Section 8 this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 10, 1992

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

This is to inform you that I am today nominating the Honorable Robert L. Browne of Bangor for reappointment as Active Retired Justice of the Maine Superior Court.

Pursuant to Title 4, MRSA Section 104, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 10, 1992

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

This is to inform you that I am today nominating Kermit V. Lipez of South Portland for reappointment and Andrew M. Mead of Bangor for appointment as Justices of the Maine Superior Court.

Pursuant to the Constitution, Article V, Part 1, Section 8, these nominations will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

April 10, 1992

Senator N. Paul Gauvreau
Rep. Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
115th Legislature
Augusta, Maine 04333
Dear Chairs:

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

Justice of the Maine Superior Court, pursuant to the Constitution, Article V, Part 1, Section 8:

Andrew M. Mead of Bangor for appointment
the Honorable Kermit V. Lipez of South Portland
for reappointment

Justice of the Maine Supreme Judicial Court, pursuant to the Constitution, Article V, Part I, Section 8:

Paul L. Rudman of Bangor for appointment
Workers' Compensation Commission, pursuant to Title 39, MRSA Section 91:
Paul A. Cote, Jr. of Auburn for reappointment
Dawn M. Pelletier of Winterport for reappointment
Active Retired Justice of the Superior Court,
pursuant to Title 4, MRSA Section 104:
The Honorable Robert Browne of Bangor for
reappointment

These nominations will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 22, 1992

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

At the request of the Judiciary Chairs, I am withdrawing my nomination and renominating Paul L. Rudman of Bangor as Justice, Maine Supreme Judicial Court.

Pursuant to the Constitution, Article V, Part I, Section 8, this nomination is currently pending before the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 22, 1992

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

At the request of the Judiciary Chairs, I am today withdrawing my nomination and renominating Elizabeth P. Levenson of Portland and Dennise Whitley of Farmington for appointments as members of the Maine Human Rights Commission.

Pursuant to Title 5, MRSA Section 4561, these nominations are currently pending before the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 22, 1992

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

At the request of the Judiciary Chairs, I am withdrawing my nomination and renominating Dawn M. Pelletier of Winterport and Paul A. Cote of Auburn as Commissioners of the Workers' Compensation Commission. Pursuant to Title 39, MRSA Section 91, these nominations are currently pending before the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 22, 1992

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

At the request of the Judiciary Chairs, I am withdrawing my nomination and renominating the Honorable Robert Browne of Bangor as Active Retired Justice, Superior Court.

Pursuant to Title 4, MRSA Section 104, this nomination is currently pending before the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 22, 1992

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

At the request of the Judiciary Chairs, I am withdrawing my nomination and renominating Kermit V. Lipez of South Portland and Andrew M. Mead of Bangor as Justices of the Superior Court.

Pursuant to the Constitution, Article V, Part 1, Section 8, these nominations are currently pending before the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

April 22, 1992

Senator N. Paul Gauvreau
Rep. Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
115th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has withdrawn and nominated the following: Justice of the Maine Superior Court, pursuant to the Constitution, Article V, Part 1, Section 8: Andrew M. Mead of Bangor for appointment Kermit V. Lipez of South Portland for reappointment

Justice of the Maine Supreme Judicial Court, pursuant to the Constitution, Article V, Part I, Section 8: Paul L. Rudman of Bangor for appointment Workers' Compensation Commission, pursuant to Title 39, MRSA Section 91:

Dawn M. Pelletier of Winterport for reappointment Paul A. Cote, Jr. of Auburn for reappointment Active Retired Justice of the Superior Court, pursuant to Title 4, MRSA Section 104:

The Honorable Robert Browne of Bangor for reappointment Maine Human Rights Commission, pursuant to Title 5, MRSA Section 4561:

Elizabeth P. Levenson of Portland for appointment Dennise D. Whitley of Farmington for appointment These nominations are currently pending before the Joint Standing Committee on Judiciary.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON JUDICIARY

May 11, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Robert L. Browne of Bangor, for reappointment as Active Retired Justice of the Superior Court.

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

YEAS: Senators 3
Representatives 8

NAYS: 0

ABSENT: 2 Rep. Farnsworth of Hallowell,
Rep. Hanley of Paris

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 L. Browne of Bangor, for reappointment as Active Retired Justice of the Superior Court be confirmed.

Sincerely,
S/Senator N. Paul Gauvreau S/Rep. Patrick E. Paradis
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of the Honorable Robert Browne of Bangor 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ESTES

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable Robert Browne, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON JUDICIARY**

May 12, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Paul A. Cote, Jr. of Auburn, for reappointment to the Workers' Compensation Commission.

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

YEAS: Senators 3
Representatives 8
NAYS: 0
ABSENT: 2 Rep. Farnsworth of Hallowell,
Rep. Ott of York

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 Paul A. Cote, Jr. of Auburn, for reappointment to the Workers' Compensation Commission be confirmed.

Sincerely,

S/Senator N. Paul Gauvreau S/Rep. Patrick E. Paradis
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of Paul A. Cote, Jr. of Auburn 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ESTES

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Paul A. Cote, Jr., was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

COMMUNICATIONS

The Following Communication:

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

May 20, 1992

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

This is to inform you, pursuant to Title 3, Section 151, that I am withdrawing my nomination of Elizabeth P. Levenson of Portland for appointment as a member of the Maine Human Rights Commission.

This nomination is currently pending before the Maine State Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

May 20, 1992

Senator N. Paul Gauvreau
Rep. Patrick E. Paradis
Chairpersons
Joint Standing Committee on Judiciary
115th Legislature
Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has, pursuant to Title 3, Section 151, withdrawn his nomination of Elizabeth P. Levenson of Portland for appointment to the Maine Human Rights Commission.

This nomination is currently pending before the Senate.

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

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

The Following Communication:

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

May 11, 1992

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Kermit V. Lipez of South Portland, for reappointment as Justice of the Maine Superior Court.

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

YEAS: Senators 3
Representatives 9

NAYS: 0

ABSENT: 1 Rep. Farnsworth of Hallowell

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Kermit V. Lipez of South Portland, for reappointment as Justice of the Maine Superior Court be confirmed.

Sincerely,

S/Senator N. Paul Gauvreau S/Rep. Patrick E. Paradis
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of Kermit V. Lipez of South Portland 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BRAWN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senator ESTES

No Senators having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Kermit V. Lipez, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

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

May 11, 1992

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Andrew M. Mead of Bangor, for appointment as Justice of the Maine Superior Court.

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

YEAS: Senators 3
Representatives 9

NAYS: 0

ABSENT: 1 Rep. Farnsworth of Hallowell

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Andrew M. Mead of Bangor, for appointment as Justice of the Maine Superior Court be confirmed.

Sincerely,

S/Senator N. Paul Gauvreau S/Rep. Patrick E. Paradis
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of Andrew M. Mead of Bangor 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRAWN, ESTES

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Andrew M. Mead, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
 COMMITTEE ON JUDICIARY**

May 12, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House

Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Dawn M. Pelletier of Winterport, for reappointment to the Workers' Compensation Commission.

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

YEAS: Senators 3
 Representatives 8
 NAYS: 0
 ABSENT: 2 Rep. Farnsworth of Hallowell,
 Rep. Cathcart of Orono

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 Dawn M. Pelletier of Winterport, for reappointment to the Workers' Compensation Commission be confirmed.

Sincerely,

S/Senator N. Paul Gauvreau S/Rep. Patrick E. Paradis
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of Dawn M. Pelletier of Winterport 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRAWN, ESTES

No Senators having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being absent, and none being less than two-thirds of the Membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of Dawn M. Pelletier, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
 COMMITTEE ON JUDICIARY**

May 13, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House

Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Paul L. Rudman of Bangor, for appointment as Justice of the Maine Supreme Judicial Court.

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

YEAS: Senators 3
 Representatives 9
 NAYS: 0
 ABSENT: 1 Rep. Farnsworth of Hallowell

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Paul L. Rudman of Bangor, for appointment as Justice of the Maine Supreme Judicial Court be confirmed.

Sincerely,

S/Senator N. Paul Gauvreau S/Rep. Patrick E. Paradis
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of Paul L. Rudman of Bangor 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 115th 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 BALDACCI, BERUBE, BOST,
BRANNIGAN, BUSTIN, CAHILL, CARPENTER,
CLARK, CLEVELAND, COLLINS, CONLEY,
DUTREMBLE, EMERSON, ESTY, FOSTER,
GAUVREAU, GILL, GOULD, HOLLOWAY, KANY,
LUDWIG, MATTHEWS, MCCORMICK, MILLS,
PEARSON, RICH, SUMMERS, THERIAULT,
TITCOMB, TWITCHELL, VOSE, WEBSTER, THE
PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRAWN, ESTES

No Senators having voted in the affirmative and
33 Senators having voted in the negative, with 2
Senators being absent, and none being less than
two-thirds of the Membership present, it was the vote
of the Senate that the Committee's recommendation be
ACCEPTED and the nomination of Paul L. Rudman, was
CONFIRMED.

The Secretary has so informed the Speaker of the
House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON JUDICIARY**

May 12, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section
151, and with Joint Rule 38 of the 115th Maine
Legislature, the Joint Standing Committee on
Judiciary has had under consideration the nomination
of Dennise D. Whitley of Farmington, for appointment
to the Maine Human Rights Commission.

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

YEAS: Senators 3
Representatives 7

NAYS: 0

ABSENT: 3 Rep. Farnsworth of Hallowell,
Rep. Cathcart of Orono, Rep. Ott of
York

Ten members of the Committee having voted in the
affirmative and none in the negative, it was the vote
of the Committee that the nomination of Dennise D.
Whitley of Farmington, for appointment to the Maine
Human Rights Commission be confirmed.

Sincerely,

S/Senator N. Paul Gauvreau S/Rep. Patrick E. Paradis
Senate Chair House Chair

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

Off Record Remarks

THE PRESIDENT: The Joint Standing Committee on
Judiciary has recommended the nomination of Dennise
D. Whitley of Farmington 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 115th 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 BALDACCI, BERUBE, BOST,
BRANNIGAN, BUSTIN, CAHILL, CARPENTER,
CLARK, CLEVELAND, COLLINS, CONLEY,
DUTREMBLE, EMERSON, ESTY, FOSTER,
GAUVREAU, GILL, GOULD, HOLLOWAY, KANY,
LUDWIG, MATTHEWS, MCCORMICK, MILLS,
PEARSON, RICH, SUMMERS, THERIAULT,
TITCOMB, TWITCHELL, VOSE, WEBSTER, THE
PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRAWN, ESTES

No Senators having voted in the affirmative and
33 Senators having voted in the negative, with 2
Senators being absent, and none being less than
two-thirds of the Membership present, it was the vote
of the Senate that the Committee's recommendation be
ACCEPTED and the nomination of Dennise D. Whitley,
was **CONFIRMED**.

The Secretary has so informed the Speaker of the
House.

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

April 23, 1992

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

This is to inform you that I am today nominating
Jeffrey L. Hjelm of Winterport as Judge of the Maine
District Court, District 3.

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

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 23, 1992

Honorable Charles P. Pray
President of the Senate
Senate Chambers
State House

Augusta, Maine 04333

Dear President Pray:

This is to inform you that I am today nominating John V. Romei of Machias as Judge of the Maine District Court, District 4.

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

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 23, 1992

Honorable Charles P. Pray
President of the Senate
Senate Chambers
State House

Augusta, Maine 04333

Dear President Pray:

This is to inform you that I am today nominating James Cox for reappointment to the Maine 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.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

April 23, 1992

Senator N. Paul Gauvreau
Rep. Patrick E. Paradis
Chairpersons

Joint Standing Committee on Judiciary
115th Legislature

Augusta, Maine 04333

Dear Chairs:

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

Workers' Compensation Commission, pursuant to Title 39, MRSA Section 91:

James Cox of Bangor for reappointment
Judge, Maine District Court, pursuant to Title 4,
MRSA Section 157:

Jeffrey L. Hjelm of Winterport for appointment,
District 3

John V. Romei of Machias for appointment,
District 4

These nominations will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,

S/Joy J. O'Brien

Secretary of the Senate

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON JUDICIARY

May 19, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House

Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Jeffrey L. Hjelm of Winterport, for appointment as Judge, Maine District Court.

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

YEAS: Senators 2
Representatives 7

NAYS: 0

ABSENT: 4 Sen. Berube of Androscoggin,
Rep. Anthony of South Portland, Rep.
Farnsworth of Hallowell, Rep.
Cathcart of Orono

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 Jeffrey L. Hjelm of Winterport, for appointment as Judge, Maine District Court be confirmed.

Sincerely,

S/Senator N. Paul Gauvreau S/Rep. Patrick E. Paradis
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of Jeffrey L. Hjelm of Winterport 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 115th 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 BALDACCI, BERUBE, BRANNIGAN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, WEBSTER, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BOST, BRAWN, ESTES

No Senators 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 Jeffrey L. Hjelms, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
 COMMITTEE ON JUDICIARY**
 May 19, 1992

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of John V. Romei of Machias, for appointment as Judge of the Maine District Court.

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

YEAS: Senators 3
 Representatives 7
 NAYS: 0
 ABSENT: 3 Rep. Farnsworth of Hallowell,
 Rep. Ott of York, Rep. Cathcart of
 Orono

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of John V. Romei of Machias, for appointment as Judge of the Maine District Court be confirmed.

Sincerely,

S/Senator N. Paul Gauvreau S/Rep. Patrick E. Paradis
 Senate Chair House Chair

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

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

Senator **GAUVREAU:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I rise today to put on the record a few comments regarding the nomination by Governor McKernan of John V. Romei for the District Court position in Machias. As you may know there has been a vacancy for many months which greatly inconvenienced the residents of Washington County. There was concern as far as finding a suitable nominee to fill the District Court position. Along with other members of the committee,

I was truly delighted and commend Governor McKernan for the nomination of John V. Romei to fill this position.

John V. Romei is known as an attorney, consummate professional, meticulous, thorough, and he is an attorney's attorney. He has a reputation for clearness, fairness, and honor. He has given a great deal to his community. He has given thousands of hours to Washington County through legal services, as a court appointed attorney, and a tribal court judge to the Passamaquoddy Tribe. He is truly an outstanding appointment. I think in this day and age we don't take enough time to commend attorneys for their work for the people of the State of Maine. This is an excellent appointment. I congratulate Governor McKernan for the appointment. My heartfelt congratulations to John V. Romei for this well deserved honor. Thank you Mr. President.

THE PRESIDENT: The Joint Standing Committee on Judiciary has recommended the nomination of John V. Romei of Machias 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 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRAWN, ESTES, WEBSTER

No Senators 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 V. Romei, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

April 17, 1992

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

This is to inform you that I am today nominating the Honorable Linwood Higgins of Scarborough for appointment as a member of the Maine Lottery Commission.

Pursuant to Title 8, MRSA Section 373, this nomination will require review by the Joint Standing Committee on Legal Affairs and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333

April 17, 1992

Senator Jeffery N. Mills
Rep. Mark W. Lawrence
Chairpersons
Joint Standing Committee on Legal Affairs
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Linwood M. Higgins of Scarborough for appointment to the Maine State Lottery Commission. Pursuant to Title 8, MRSA Section 373, this nomination will require review by the Joint Standing Committee on Legal Affairs and confirmation by the Senate.

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

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON LEGAL AFFAIRS

May 7, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Legal Affairs has had under consideration the nomination of Linwood Higgins of Scarborough, for appointment to the Maine State 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: Senators 3
Representatives 9

NAYS: 0

ABSENT: 1 Rep. Tupper of Orrington

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 Linwood Higgins of Scarborough, for appointment to the Maine State Lottery Commission be confirmed.

Sincerely,

S/Senator Jeffery N. Mills S/Rep. Mark W. Lawrence
Senate Chair House Chair

Which was READ and ORDERED PLACED ON FILE.

THE PRESIDENT: The Joint Standing Committee on Legal Affairs has recommended the nomination of Linwood M. Higgins of Scarborough be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRAWN, ESTES, WEBSTER

No Senators 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 Linwood M. Higgins, was CONFIRMED.

The Secretary has so informed the Speaker of the House.

The Following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE 04333

April 14, 1992

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

This is to inform you that I am today nominating Elisabeth Kelly of Yarmouth and Robert F. Cosgrove of Waterville for appointments and Edwin W. Bowden of Camden for reappointment as members of the Maine State Liquor Commission.

Pursuant to Title 28A, MRSA Section 61, this nomination will require review by the Joint Standing Committee on Legal Affairs and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

Which was READ and ORDERED PLACED ON FILE.

The Following Communication:

**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

April 14, 1992

Senator Jeffery N. Mills
Rep. Mark W. Lawrence
Chairpersons
Joint Standing Committee on Legal Affairs
115th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Elisabeth Kelly of Yarmouth and Robert F. Cosgrove of Waterville for appointments and Edwin W. Bowden of Camden for reappointment to the Maine State Liquor Commission.

Pursuant to Title 28A, MRSA Section 61, these nominations will require review by the Joint Standing Committee on Legal Affairs and confirmation by the Senate.

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

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

The Following Communication:

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON LEGAL AFFAIRS**

May 7, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Legal Affairs has had under consideration the nomination of Edwin W. Bowden of Camden, for reappointment to the Maine State Liquor Commission.

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

YEAS: Senators 3
Representatives 7

NAYS: 2

ABSENT: 1 Rep. Tupper of Orrington

Ten members of the Committee having voted in the affirmative and Two in the negative, it was the vote of the Committee that the nomination of Edwin W. Bowden of Camden, for reappointment to the Maine State Liquor Commission be confirmed.

Sincerely,

S/Senator Jeffery N. Mills S/Rep. Mark W. Lawrence
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Legal Affairs has recommended the nomination of Edwin W. Bowden of Camden be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRAWN, ESTES, WEBSTER

No Senators 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 Edwin W. Bowden, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON LEGAL AFFAIRS**

May 7, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Legal Affairs has had under consideration the nomination of Robert F. Cosgrove of Waterville, for appointment to the Maine State Liquor Commission.

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

YEAS: Senators 3
Representatives 4

NAYS: 5

ABSENT: 1 Rep. Tupper of Orrington

Seven members of the Committee having voted in the affirmative and Five in the negative, it was the vote of the Committee that the nomination of Robert F. Cosgrove of Waterville, for appointment to the Maine State Liquor Commission be confirmed.

Sincerely,

S/Senator Jeffery N. Mills S/Rep. Mark W. Lawrence
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Legal Affairs has recommended the nomination of Robert F. Cosgrove of Waterville be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRAWN, ESTES, WEBSTER

No Senators 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 Robert F. Cosgrove, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
COMMITTEE ON LEGAL AFFAIRS**
May 7, 1992

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333
Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on Legal Affairs has had under consideration the nomination of Elisabeth Kelly of Yarmouth, for appointment to the Maine State Liquor Commission.

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

YEAS: Senators 3
Representatives 9

NAYS: 0

ABSENT: 1 Rep. Tupper of Orrington

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 Elisabeth Kelly of Yarmouth, for appointment to the Maine State Liquor Commission be confirmed.

Sincerely,

S/Senator Jeffery N. Mills S/Rep. Mark W. Lawrence
Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on Legal Affairs has recommended the nomination of Elisabeth Kelly of Yarmouth be confirmed.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, BUSTIN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, LUDWIG, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRAWN, KANY, MATTHEWS, WEBSTER

No Senators 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 Elisabeth Kelly, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

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

April 10, 1992

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

This is to inform you that I am today nominating Annalee Z. Rosenblatt of Scarborough for reappointment as a member of the State Civil Service Appeals Board.

Pursuant to Title 5, MRSA Section 7081, this nomination will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

Sincerely,
S/John R. McKernan, Jr.
GOVERNOR

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

The Following Communication:
**SENATE OF MAINE
OFFICE OF THE SECRETARY
AUGUSTA, MAINE 04333**

April 10, 1992

Senator Georgette B. Berube
 Representative Ruth Joseph
 Chairpersons
 Joint Standing Committee on State & Local Government
 115th Legislature
 Augusta, Maine 04333
 Dear Chairs:

Please be advised that Governor John R. McKernan, Jr. has nominated Annalee Z. Rosenblatt of Scarborough for reappointment to the Civil Service Appeals Board.

Pursuant to Title 5, MRSA Section 7081, this nomination will require review by the Joint Standing Committee on State & Local Government and confirmation by the Senate.

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

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

The Following Communication:
**ONE HUNDRED AND FIFTEENTH LEGISLATURE
 COMMITTEE ON STATE & LOCAL GOVERNMENT**
 May 11, 1992

The Honorable Charles P. Pray
 President of the Senate of Maine
 State House
 Augusta, Maine 04333
 Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 115th Maine Legislature, the Joint Standing Committee on State & Local Government has had under consideration the nomination of Annalee Z. Rosenblatt of Scarborough, for reappointment to the Civil Service Appeals Board.

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

YEAS:	Senators	2
	Representatives	8
NAYS:		0
ABSENT:	3 Sen. Bustin of Kennebec, Rep. Kilkelly of Wiscasset, Rep. Kerr of Old Orchard Beach	

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Annalee Z. Rosenblatt of Scarborough, for reappointment to the Civil Service Appeals Board be confirmed.

Sincerely,
 S/Sen Georgette B. Berube S/Rep Ruth Joseph
 Senate Chair House Chair

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

THE PRESIDENT: The Joint Standing Committee on State & Local Government has recommended the nomination of Annalee Z. Rosenblatt of Scarborough be confirmed.

The pending question before the Senate is:
 "Shall the recommendation of the Committee on State & Local Government be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 115th 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 BALDACCI, BERUBE, BOST, BRANNIGAN, CAHILL, CARPENTER, CLARK, CLEVELAND, COLLINS, CONLEY, DUTREMBLE, EMERSON, ESTES, ESTY, FOSTER, GAUVREAU, GILL, GOULD, HOLLOWAY, KANY, LUDWIG, MATTHEWS, MCCORMICK, MILLS, PEARSON, RICH, SUMMERS, THERIAULT, TITCOMB, TWITCHELL, VOSE, THE PRESIDENT - CHARLES P. PRAY

ABSENT: Senators BRAWN, BUSTIN, WEBSTER
 No Senators 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 Annalee Z. Rosenblatt, was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

Senator **GAUVREAU** of Androscoggin was granted unanimous consent to address the Senate on the Record.

Senator **GAUVREAU:** Thank you Mr. President. Ladies and Gentlemen of the Senate. Over the weekend Paul Couture died. Mr. Couture was an establishment in Lewiston politics having served for literally decades in the City Council. He also served many terms in the State House of Representatives and also in this Body with dignity. Paul will be remembered as a very colorful, feisty, democratic politician. He could either be a foe who could frustrate one into submission or he could be a strong and powerful ally depending upon this cause which one espoused. Of Paul, it can be said that at all times he acted with the best interest of the people of his district of Lewiston. He was a strong pro labor advocate. He also was a strong and powerful voice for the working men and women of the City of Lewiston.

There are many stories that can be told of Paul. He served twenty terms on the Lewiston City Council. I can recall, as a young boy, the City Council debates that Paul was foremost involved in. When I went into public service Paul was still on the City Council in Lewiston. Late in his public life someone ran against him in Ward 6 for the Councilor position. By that time Paul was such an institution that the voting place was named for him, the Paul Couture Recreation Center. We had great debate, in the City of Lewiston, on how we could assure fairness, after all the voting place was named after the Alderman. It was finally decided that the Public Works Department would come in and put a blanket over the name of the Paul Couture Recreation Center. As you may know Paul won that election. I suspect if the election were held in Ward 1 totally across the city, he still would have won.

Paul helped me a great deal when I first came into public life. We didn't agree on many issues. He was very conservative and I am more liberal on some issues. He always took the time to offer help no matter how busy he was. It was very genuine and sincere. Paul's phone was always busy. He was always receiving phone calls from people around the city who needed help, housing, or nutrition. Paul

Couture was truly loved by the people of Lewiston and he is truly an institution to the people in our city. We will sorely miss him. Thank you Mr. President.

ORDERS

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

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

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

The President appointed the Senator from Cumberland, Senator **CLARK** to deliver the message to the Governor.

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

Senator **PEARSON** of Penobscot was granted unanimous consent to address the Senate off the Record.

Senator **CAHILL** of Sagadahoc was granted unanimous consent to address the Senate off the Record.

Senator **GAUVREAU** of Androscoggin was granted unanimous consent to address the Senate on the Record.

Senator **GAUVREAU**: Thank you Mr. President. Ladies and Gentlemen of the Senate. I appreciate your indulgence. I truly had not intended to rise again. I was handed a note a moment ago which summarizes comments which our Governor has made on Maine Public Broadcasting this evening regarding the action taken by the Committee on Judiciary. Although we would like to end this session on a positive note, I feel an obligation to put into record some remarks. I had asked the reporter the courtesy of speaking to me prior to running the story. I understand the story was broadcast at 5:30 p.m., therefore, he had to run his story without having the chance to receive commentary from a committee member who was on the Judiciary.

As you perhaps have noticed there was one controversial nomination in front of the Joint Standing Committee on Judiciary and that was the nominee to the Maine Human Rights Commission, Betsy Levenson. The Committee divided on that vote, I believe the vote was 6 to reject the nomination and 5 to confirm. As you will also note the Governor has withdrawn the name of the nominee, therefore, I will not make any comments regarding the nomination itself.

I understand the Governor was quoted as saying, "the nomination was decided not on the merits as is the case with most nomination hearings." Further the Governor stated the nominee was "treated shabbily by the committee." I have served almost ten years in the Maine Legislature. For those of you who know me, I have a deep and abiding love for the law in our State. I have found that all members I have the privilege of serving on the Committee on Judiciary with share those feelings. We may not always agree on philosophy or on the fitness of a particular nominee. When we take the oath of office we have an obligation to consider the nominations for any judicial positions based upon their merits and our

understanding of what the requirements are and what they should be for a person who discharges quasi judicial responsibility. I don't know how to say this any more plainly. As a member of the Bar of the State of Maine, I take that responsibility very seriously. I fully understand and can distinguish between matters of philosophy, partisanship, and matters of scrutinizing the fitness of a particular person for a quasi judicial position.

Last week as I was on my way to umpire my first Little League Softball game and the Governor was on the radio saying that the Judiciary Committee tabled the nomination. That tabeling nomination was made out of respect for me. I asked the members of my committee for time to think about the nomination before I decided how I would cast my vote. Even the tabeling motion was characterized as partisan and political. I certainly understand and respect that reasonable people may view differently the qualifications of any nominee. The fact remains that I very carefully assessed this nominee. I spent a great deal of time considering the testimony of the nominee. I received a number of telephone calls. I reviewed the testimony for the committee and I spent literally hours walking and trying to sort out how I would cast my vote.

I am not sure how we have evolved to this state in Maine politics where the mutual distrust has entered the Judiciary hearings in terms of fitness of nominees for a particular position. It is a sad day indeed. It is not my responsibility or goal to cast fingers or to place blame. If we are to have a society where we have ultimate faith in people who serve in our courts or quasi judicial positions then we have to have a process to which we can all buy into. A process which we believe is fair and does carefully scrutinize the ability of persons to hold judicial positions. There is tremendous power in the Judicial Branch of Government. I have practiced law for seventeen years and during those seventeen years I have, in fact, formed some insights into judicial temperament. I understand reasonable minds can differ in that area. I do not appreciate the characterization of my behavior or the conduct or voting of the people who voted with me against the nominee as pure politics. I must tell you in all candor, that it is my belief there are people who would use these types of situations only to advance their political career. I am first and foremost a Maine citizen. I love the law and I love this State as do you. That is why we choose public service. At some point in time we have to declare certain types of political shenanigans off limits. In my capacity as the Senate Chair on the Committee on Judiciary these types of comments are off limits. Those who love and revere the law, I say enough is enough. Our Governor has an unfortunate tendency to cast as partisan Legislative activities with which he does not agree. It is a tendency which does not serve him well nor the people of Maine well. I respect the powers of the Governor and the authority of the Governor. I respect the Governor's prerogative in nominating persons for judicial and quasi judicial services. I also respect and revere the authority that this Legislative Body has to cast its own independent judgements. If people want to question the wisdom of our behavior that is not only their right but is their responsibility in a democratic society. With that right there is responsibility, the debate and commentary has to be fair, reasonable and

has to be based upon principles of mutual respect. Today, unfortunately, the comments of our Governor transcended those parameters. I deeply regret that. I do not wish at all to extend the unfortunate discussion which has gone on about this nomination. I felt it important to put these remarks on the record. I certainly hope that those who come after me and will have the unique privilege to serve on the Committee on Judiciary will take their responsibilities very seriously.

As I approach retirement I have thought back to those very few cases when I cast votes against nominees of Governor Brennan and Governor McKernan. My one regret and it is a regret, that on some occasions I was too willing to give the benefit of the doubt to a certain nominee when my intellect and my experience and my perceptive capacity told me that the person would not be fit for service. It is a humbling process for those of us to sit in judgement of other people. Who are we to sit in judgement of others? The reality is that our Legislature has established a process whereby Legislators sit in on confirmation proceedings and cast their judgements based upon their own individual sense of what is right. To the extent that any member of this Legislature, regardless of what his or her party affiliation might be, to the extent that anyone tries to shill the independent exercise of that Legislator in reviewing nomination for judicial service, I think that is a great concern I would have. I trust that those who come after me will use their independent judgement with a sense of honor and commitment to do what they personally believe is right. They will not be intimidated by the actions of others outside this Body who try to influence their behavior. I take this very seriously and I am truly disappointed by the comments of our Chief Executive Officer this evening. Thank you Mr. President.

On motion by Senator **EMERSON** of Penobscot at 5:57 p.m. on Wednesday, May 20, 1992, the Honorable **CHARLES P. PRAY**, President of the Senate, declared the Second Confirmation Session of the 115th Legislature, **ADJOURNED SINE DIE**.