

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
FIRST CONFIRMATION SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Thursday
September 6, 2012

Pursuant to the provisions of Article 5, Part 1, Section 8 of the Constitution and the laws of the State of Maine, the Senate convened in the Senate Chamber at ten o'clock in the morning and was called to order by President **KEVIN L. RAYE** of Washington County.

Prayer by Senator Debra Plowman of Penobscot County.

SENATOR PLOWMAN: Good morning. Let us be in a spirit of prayer this morning. Thank You, Lord, for bringing us all together in one place again. Thank You for allowing us to be Your voice here as we work together on this one last job that we have been given as a member of the 125th Legislature. In keeping with a work in progress, which is what I tend to call myself, I'm going to read from The Book of James, Chapter 1, verse 19. "Wherefore my beloved brethren, let every man be swift to hear, slow to speak, and slow to wrath." Lord, we ask Your blessings upon ourselves and our families and this great state of Maine. We ask these things in the name of Your son, Jesus Christ. We ask that You be with us. Amen.

Pledge of Allegiance led by Senator Troy D. Jackson of Aroostook County.

The Chair noted the absence of the Senator from Cumberland, Senator **GERZOFSKY**, and the Senator from Cumberland, Senator **BARTLETT** and further excused the same Senators from today's Roll Call votes.

Off Record Remarks

The Following Communication: S.C. 955

**STATE OF MAINE
125TH LEGISLATURE
OFFICE OF THE PRESIDENT**

May 31, 2012

The Honorable Joseph G. Carleton, Jr.
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Carleton:

Please be advised that in accordance with Article 5, Part 1, Section 8 of the Constitution of Maine, the Senate of Maine will convene on Thursday, September 6th at 10:00 in the morning for the purpose of voting upon confirmation of various appointments made by the Honorable Paul R. LePage, Governor of the State of Maine.

Sincerely,

S/Kevin L. Raye
President of the Senate

READ and ORDERED PLACED ON FILE.

The Chair noted the absence of the Senator from Somerset, Senator **WHITTEMORE** and further excused the same Senator from today's Roll Call votes.

QUORUM CALL

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#511)

PRESENT: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFSKY, WHITTEMORE

32 Senators having answered the Roll with 3 Senators being excused, the Chair declared a quorum present.

Out of order and under suspension of the Rules, on motion by Senator **COURTNEY** of York, the following Senate Order:
S.O. 30

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

READ and PASSED.

The Chair appointed the Senator from York, Senator **COURTNEY** to deliver the message to the Governor. The Senator was escorted to the Governor's Office.

Senate at Ease.

Senate called to order by the President.

Subsequently, the Senator from York, Senator **COURTNEY** reported that he had delivered the message with which he was charged.

Senate at Ease.

Senate called to order by the President.

Under suspension of the Rules, on motion by Senator **FLOWMAN** of Penobscot, the Senate considered the following:

COMMUNICATIONS

The Following Communication: S.C. 930

STATE OF MAINE OFFICE OF THE GOVERNOR

August 10, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for appointment as Commissioners to the Maine Land Use Planning Commission:

William K. Gilmore of Kingfield
Michael J. Theriault of Greenville

Pursuant to Title 12, MRSA §683, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 932

STATE OF MAINE OFFICE OF THE GOVERNOR

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following as Commissioners to the State Harness Racing Commission:

Dirk A. Duncan of Mapleton, appointment
Barbara J. Dresser of Saco, reappointment

Pursuant to Title 8, MRSA §261-A, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 934

STATE OF MAINE OFFICE OF THE GOVERNOR

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following as Commissioners to the Board of Pesticides Control:

Deven M. Morrill of Gorham, appointment
Curtis C. Bohlen of Pownal, reappointment

Pursuant to Title 22, MRSA §1471-B, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 866

**STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER**

August 10, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Joseph E. Thomas of Vassalboro for appointment as the State Fire Marshal.

Pursuant to Title 25, MRSA §2396, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Criminal Justice and Public Safety.

S/Sincerely,

John Morris
Commissioner

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 916

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 8, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following to the Maine Maritime Academy, Board of Trustees:

J. Douglas Wellington of Castine, appointment
Anne Marie Samway of Hampton Falls, NH, reappointment

Pursuant to P&SL 1975, Chapter 771 §428, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 918

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 13, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following to the Maine School of Science and Mathematics:

Sylvia Lowry of Monroe, appointment
Dale Gordon of Caribou, reappointment
Craig Kesselheim of Southwest Harbor, reappointment
Christine Voyer of Portland, reappointment

Pursuant to Title 20-A, MRSA §8204, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 920

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 14, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following to the University of Maine System, Board of Trustees:

Norman Fournier of Wallagrass, reappointment
Mark Gardner of Kittery, appointment
James Erwin of Yarmouth, appointment

Pursuant to P&SL 1967, Chapter 229, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 922

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 15, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for appointment to the Maine Community College System, Board of Trustees:

Laurence Grondin of Scarborough
David MacMahon of Poland

Pursuant to Title 20-A, MRSA §12705, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 924

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 17, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for reappointment to the School Board of the Governor Baxter School for the Deaf:

Frances R. Frost of Peaks Island
Roxanne Baker of Cape Elizabeth
Terri L. Thompson of Gorham
Frances A. Jacques of Berwick

Pursuant to Title 20-A, MRSA §7406, these reappointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 927

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for appointment to the State Board of Education:

Ande A. Smith of North Yarmouth
William H. Beardsley of Ellsworth
Peter E. Geiger of Lewiston

Pursuant to Title 20-A, MRSA §401, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 868

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Brent M. Boyles of Presque Isle for appointment to the Efficiency Maine Trust Board.

Pursuant to Title 35-A, MRSA §10103, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 896

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 10, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for appointment as Commissioners to the Inland Fisheries and Wildlife Advisory Council:

Harold H. Brown of Bangor
Sheridan R. Oldham of Dallas Plantation

Pursuant to Title 12, MRSA §10151, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Inland Fisheries and Wildlife.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 894

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Deborah L. Hamblen-Wood of Castine for appointment to the Dirigo Health, Board of Trustees.

Pursuant to Title 24-A, MRSA §6904, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Insurance and Financial Services.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 938

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 8, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Steven M. Carey of Cumberland for appointment as a Commissioner to the Maine Commission on Indigent Legal Services.

Pursuant to Title 4, MRSA §1803, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 940

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 8, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Deborah L. Whitworth of Portland for reappointment as a Commissioner to the Maine Human Rights Commission.

Pursuant to Title 5, MRSA §4561, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 942

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for reappointment as Justices to the Supreme Judicial Court:

Associate Justice Donald G. Alexander of Winthrop
Associate Justice Warren M. Silver of Dedham

Pursuant to Article V, Part First §8 of the Maine Constitution, these reappointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 944

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for reappointment as Justices to the Maine Superior Court:

Justice Joyce A. Wheeler of South Portland
Justice Thomas D. Warren of Brunswick
Justice Thomas E. Humphrey of Sanford
Justice Jeffrey L. Hjelm of Camden

Pursuant to Article V, Part First §8 of the Maine Constitution, these reappointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 931

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nominations of William K. Gilmore of Kingfield and Michael J. Theriault of Greenville for appointments to the Maine Land Use Planning Commission.

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

YEAS	Senators	2	Sherman of Aroostook, Thibodeau of Waldo
	Representatives	7	Black of Wilton, Cray of Palmyra, Dill of Old Town, Foster of Augusta, Gifford of Lincoln, McCabe of Skowhegan, Timberlake of Turner
NAYS		0	
ABSENT		4	Rep. Edgecomb of Caribou, Rep. Kent of Woolwich, Rep. O'Brien of Lincolnville, Sen. Schneider of Penobscot

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of William K. Gilmore of Kingfield and Michael J. Theriault of Greenville, for appointments to the Maine Land Use Planning Commission be confirmed.

Signed,

S/Roger L. Sherman
Senate Chair

S/Peter E. Edgecomb
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#512)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **William K. Gilmore** of Kingfield and **Michael J. Theriault** of Greenville for appointment to the Maine Land Use Planning Commission were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 933

STATE OF MAINE ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nominations of Dirk A. Duncan of Mapleton for appointment and Barbara J. Dresser of Saco, for reappointment to the State Harness Racing Commission.

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

YEAS	Senators	2	Sherman of Aroostook, Thibodeau of Waldo
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Representatives 7 Black of Wilton, Cray of Palmyra, Dill of Old Town, Foster of Augusta, Gifford of Lincoln, McCabe of Skowhegan, Timberlake of Turner

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Dirk A. Duncan** of Mapleton for appointment and **Barbara J. Dresser** of Saco for reappointment to the State Harness Racing Commission were **CONFIRMED**.

NAYS 0

ABSENT 4 Rep. Edgecomb of Caribou, Rep. Kent of Woolwich, Rep. O'Brien of Lincolnville, Sen. Schneider of Penobscot

The Secretary has so informed the Speaker of the House of Representatives.

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Dirk A. Duncan of Mapleton, for appointment and Barbara J. Dresser of Saco, for reappointment to the State Harness Racing Commission be confirmed.

The Following Communication: S.C. 935

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

Signed,

September 5, 2012

S/Roger L. Sherman
Senate Chair

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

S/Peter E. Edgecomb
House Chair

READ and ORDERED PLACED ON FILE.

Dear Mr. President:

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nominations of Deven M. Morrill of Gorham, for appointment and Curtis C. Bohlen of Pownal for reappointment to the Board of Pesticides Control.

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#513)

YEAS: Senators: None

YEAS Senators 2 Sherman of Aroostook, Thibodeau of Waldo

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

Representatives 7 Black of Wilton, Cray of Palmyra, Dill of Old Town, Foster of Augusta, Gifford of Lincoln, McCabe of Skowhegan, Timberlake of Turner

NAYS 0

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITTEMORE

ABSENT 4 Rep. Edgecomb of Caribou, Rep. Kent of Woolwich, Rep. O'Brien of Lincolnville, Sen. Schneider of Penobscot

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Deven M. Morrill of Gorham, for appointment and Curtis C. Bohlen of Pownal for reappointment to the Board of Pesticides Control be confirmed.

Signed,

S/Roger L. Sherman
Senate Chair

S/Peter E. Edgecomb
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#514)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITTEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Deven M. Morrill** of Gorham for appointment and **Curtis C. Bohlen** of Pownal for reappointment to the Board of Pesticides Control were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 867

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Criminal Justice & Public Safety has had under consideration the nomination of Joseph E. Thomas of Vassalboro, for appointment as the State Fire Marshall.

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	Mason of Androscoggin
	Representatives	9	Plummer of Windham, Blodgett of Augusta, Burns of Whiting, Hanley of Gardiner, Haskell of Portland, Lajoie of Lewiston, Long of Sherman, Morissette of Winslow, Sanderson of Chelsea
NAYS		0	
ABSENT		3	Rep. Clarke of Bath, Sen. Gerzofsky of Cumberland, Sen. Whittemore of Somerset

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 E. Thomas of Vassalboro, for appointment as the State Fire Marshall be confirmed.

Signed,

S/Garrett P. Mason
Senate Chair

S/Gary E. Plummer
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#515)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITTEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Joseph E. Thomas** of Vassalboro for appointment as the State Fire Marshall was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Joseph E. Thomas of Vassalboro. Will he please rise and accept the congratulations of the Maine Senate.

The Following Communication: S.C. 917

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nominations of Anne Marie Samway of Hampton Falls, NH, for

reappointment and J. Douglas Wellington of Castine for appointment to the Maine Maritime Academy Board of Trustees.

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

YEAS	Senators	3	Langley of Hancock, Alfond of Cumberland, Mason of Androscoggin
	Representatives	8	Richardson of Carmel, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Nelson of Falmouth, Rankin of Hiram, Wagner of Lewiston
NAYS		0	
ABSENT		2	Rep. Edgecomb of Caribou, Rep. Lovejoy of Portland

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Anne Marie Samway of Hampton Falls, NH, for reappointment and J. Douglas Wellington of Castine for appointment to the Maine Maritime Academy Board of Trustees be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#516)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

Representatives 8 Richardson of Carmel, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Nelson of Falmouth, Rankin of Hiram, Wagner of Lewiston

NAYS 0

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITTEMORE

ABSENT 3 Rep. Edgecomb of Caribou, Rep. Lovejoy of Portland, Sen. Mason of Androscoggin

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Anne Marie Samway** of Hampton Falls, NH, for reappointment and **J. Douglas Wellington** of Castine for appointment to the Maine Maritime Academy Board of Trustees were **CONFIRMED**.

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Dale J. Gordon of Caribou, Dr. Craig Kesselheim of Southwest Harbor and Christine Voyer of Portland, for reappointments and Sylvia B. Lowry of Monroe, for appointment to the Maine School of Science and Mathematics, Board of Trustees be confirmed.

The Secretary has so informed the Speaker of the House of Representatives.

Signed,

S/Brian D. Langley
Senate Chair

The Following Communication: S.C. 919

S/David E. Richardson
House Chair

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

READ and ORDERED PLACED ON FILE.

September 5, 2012

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

Dear Mr. President:

The Doorkeepers secured the Chamber.

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the following nominations to the Maine School of Science and Mathematics, Board of Trustees:

The Secretary opened the vote.

ROLL CALL (#517)

Dale J. Gordon of Caribou, reappointment
Dr. Craig Kesselheim of Southwest Harbor, reappointment
Christine Voyer of Portland, reappointment
Sylvia B. Lowry of Monroe, appointment

YEAS: Senators: None

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

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

YEAS Senators 2 Langley of Hancock, Alfond of Cumberland

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITTEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Dale J. Gordon** of Caribou, **Dr. Craig Kesselheim** of Southwest Harbor and **Christine Voyer** of Portland for reappointment and **Sylvia B. Lowry** of Monroe for appointment to the Maine School of Science and Mathematics, Board of Trustees were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 921

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the following nominations to the University of Maine System, Board of Trustees:

Norman L. Fournier of Wallagrass, reappointment
James R. Erwin of Yarmouth, appointment
Mark R. Gardner of Kittery, appointment

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

YEAS	Senators	3	Langley of Hancock, Alfond of Cumberland, Mason of Androscoggin
	Representatives	8	Richardson of Carmel, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Nelson of Falmouth, Rankin of Hiram, Wagner of Lewiston

NAYS 0

ABSENT 2 Rep. Edgecomb of Caribou,
Rep. Lovejoy of Portland

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Norman L. Fournier of Wallagrass, for reappointment, James R. Erwin of Yarmouth for appointment and Mark R. Gardner of Kittery for appointment to the University of Maine System, Board of Trustees be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#518)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Norman L. Fournier** of Wallagrass for reappointment, **James R. Erwin** of Yarmouth for appointment and **Mark R. Gardner** of Kittery for appointment to the University of Maine System, Board of Trustees were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 923

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nominations of Laurence R. Grondin of Scarborough and David M. MacMahon of Poland, for appointments to the Maine Community College System, Board of Trustees.

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

YEAS	Senators	3	Langley of Hancock, Alfond of Cumberland, Mason of Androscoggin
	Representatives	8	Richardson of Carmel, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Nelson of Falmouth, Rankin of Hiram, Wagner of Lewiston

NAYS 0

ABSENT 2 Rep. Edgecomb of Caribou,
Rep. Lovejoy of Portland

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Laurence R. Grondin of Scarborough, and David M. MacMahon of Poland, for appointments to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#519)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Laurence R. Grondin** of Scarborough and **David M. MacMahon** of Poland for appointment to the Maine Community College System, Board of Trustees were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 925

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the following nominations for reappointments to the School Board of the Governor Baxter School for the Deaf:

Terri L. Thompson of Gorham
Roxanne Baker of Cape Elizabeth
Frances R. Frost of Peaks Island

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

YEAS	Senators	3	Langley of Hancock, Alfond of Cumberland, Mason of Androscoggin
	Representatives	8	Richardson of Carmel, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Nelson of Falmouth, Rankin of Hiram, Wagner of Lewiston
NAYS		0	
ABSENT		2	Rep. Edgecomb of Caribou, Rep. Lovejoy of Portland

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Terri L. Thompson of Gorham, Roxanne Baker of Cape Elizabeth and Frances R. Frost of Peaks Island for reappointments to the School Board of the Governor Baxter School for the Deaf be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#520)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Terri L. Thompson** of Gorham, **Roxanne Baker** of Cape Elizabeth and **Frances R. Frost** of Peaks Island for reappointment to the School Board of the Governor Baxter School for the Deaf were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 926

STATE OF MAINE ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Frances A. Jacques of Berwick, for reappointment to the School Board of the Governor Baxter School for the Deaf.

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	Alfond of Cumberland, Mason of Androscoggin
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Representatives 8 Richardson of Carmel,
Johnson of Greenville, Maker
of Calais, McClellan of
Raymond, McFadden of
Dennysville, Nelson of
Falmouth, Rankin of Hiram,
Wagner of Lewiston

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Frances A. Jacques** of Berwick for reappointment to the School Board of the Governor Baxter School for the Deaf was **CONFIRMED**.

NAYS 0

The Secretary has so informed the Speaker of the House of Representatives.

ABSENT 3 Sen. Langley of Hancock,
Rep. Edgecomb of Caribou,
Rep. Lovejoy of Portland

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 Frances A. Jacques of Berwick, for reappointment to the School Board of the Governor Baxter School for the Deaf be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#521)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

The Following Communication: S.C. 928

STATE OF MAINE ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of William H. Beardsley of Ellsworth, for appointment to the State Board of Education.

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

YEAS	Senators	1	Langley of Hancock
	Representatives	5	Richardson of Carmel, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville
NAYS	Senators	1	Alfond of Cumberland
	Representatives	3	Nelson of Falmouth, Rankin of Hiram, Wagner of Lewiston
ABSENT		3	Rep. Edgecomb of Caribou, Rep. Lovejoy of Portland, Sen. Mason of Androscoggin

Six members of the Committee having voted in the affirmative and four in the negative, it was the vote of the Committee that the nomination of William H. Beardsley of Ellsworth, for appointment to the State Board of Education be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

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

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I ask this simple question; how many bills are proposed and passed into law every session to protect students from predators or child molesters? The revelations of Reverend Carlson's behavior were tragic, especially for the students he molested, the families, and communities all over the state of Maine. Yet in every situation like this there were always people who knew, people who could have spoken up, and people who could have asked questions to these horrific events and protected those affected. Looking at this appointment, I cannot ignore Dr. Beardsley's connection to Reverend Carlson. If you just look at Dr. Beardsley's resume, he is an excellent, let me say it again, an excellent candidate for the Board of Education. His resume is chock full of great experience and credentials in Maine's education and business world. However, in a position such as this on the Board of Education, one must look at more than just a resume. We must also look at how he used his position at Husson, where he was a leader and a role model in higher education. For me, I cannot support Dr. Beardsley's nomination for a couple of reasons. First, there are so many questions unanswered in this case. Two, the case is still open. It seems incredibly premature to be considering Dr. Beardsley's nomination today. There is still such a cloud of doubt on this case and we should not be here today with this nomination. Today there are families all over the state of Maine watching and listening to how we vote on this nomination. What must they be feeling as we potentially vote in Dr. Beardsley into Maine's premier education board? I ask; how can we turn a blind eye towards them? With so many questions unanswered, with so many individuals affected, I simply cannot vote for Dr. Beardsley. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you Mr. President. Men and women of the Senate, this, indeed, is a tragic case, as the good Senator from Portland just discussed. People are hurt and feel duped that a trusted person in the community could have done such heinous acts for so long without being caught or reported. I'm not a lawyer, but it's my understanding that this case is, indeed, closed or the police reports wouldn't have been released. It is my understanding that police reports are not released to the public in open cases and that this case is closed and there will probably never be good closure for those folks who were affected. We have questioned the nominee at the hearing and questioned his involvement. He spoke to that. He denied the hearsay and, from his position, he had no knowledge. His record, as the good

Senator said, is impeccable. This is something that will be a cloud hanging over for years and year for more than just the good Dr. Beardsley, if this is the standard that we are going to keep, but for hundreds of folks who came much more in contact on a daily basis and who may also be running for positions like the school board, town council, and etcetera. Without due process and without the ability to really close this, I don't think it is justice to do that to those folks. What I do know some facts that came from the people who came to support Dr. Beardsley and spoke in front of us. I have just a few quotes from some of the remarks yesterday. "Bill's a champion of Maine students and will no doubt be a strong addition to the State Board of Education. I have witnessed Bill's strong and effective leadership when he was President of Husson College." That is from Elizabeth Bordowitz. "In our state, whose motto *Dirigo* celebrates leadership, I am honored to offer my highest recommendation for Dr. William Beardsley, a proven educational leader, as a candidate for the State Board of Education," from President Wilson G. Hess of the University of Maine at Fort Kent. "Bill has a deep commitment to the state of Maine and understands the role of educational institutions in K-16. I'm very supportive of Bill's nomination," Anne Pooler, former Dean of College of Education, Human Development, at the University of Maine. "The seal of Husson University highlights the words character and humility. Dr. Beardsley served Husson with character and built confidence and spirits," Lynne Coy-Ogan, Vice President and Provost of Husson University. "Under his leadership, Husson College University became the most fiscally sound higher learning institution in the state. I admire, respect, and trust Bill Beardsley," Harry Ozgood, former Dean of St. Joe's College and Hiring Specialist, Department of Education. It is with those facts, and those people that have come forward that have worked the closest with him, that I believe we should support this nomination. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hastings.

Senator **HASTINGS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'm a bit disturbed by the direction that this debate has taken. When we all have sought positions in government and placed ourselves in the political arena, whether as legislators or as people seeking government appointments, we've exposed ourselves to the rough and tumble of the political partisan arena. Rough and tumble attacks often we feel are unfair, but that is part of the political process. This is different. This is not an attack, or this is not a question, on Dr. Beardsley's views or his positions on policy. Rather it's a direct attack on his integrity, honesty, and character. That is what this question is all about; a suggestion, apparently, that Dr. Beardsley has lied. It's not that he has committed any of this criminal conduct that is underlying it all. Nobody suggests that. The only person accused of that is dead. Dr. Beardsley, in a very straightforward manner, has stood before the press and the Education Committee and, in unequivocal terms, has stated that he had no knowledge of the alleged criminal misconduct. All he can do is make that statement based on his reputation for integrity and honesty earned over a lifetime of work, a lifetime of being a person respected for their trustworthiness, honesty, and integrity. What are the unanswered questions? The open investigation; there is no open investigation. The police report, all of these unanswered questions apparently are based upon the police report. It is standard practice. The police do not release reports in open

cases. In fact, our statutes, our Right to Know statutes, clearly state that the police will and are entitled to keep their ongoing investigative reports confidential. That's not the case here. The report is public. There is no investigation. Let's go to the report itself. These unanswered questions are based upon an unidentified person stating in the police report that he heard that Dr. Beardsley was aware of this. In a court of law they have the foundation, probably one of the basic foundations, of due process in our legal system, which is the concept of hearsay. One cannot be convicted, and should not even be accused, based upon hearsay by somebody, hearsay being somebody who was not there. "I heard so and so say something." That's hearsay. That's somebody who cannot even be confronted. That's what we have here. We have hearsay by an unidentified person. Dr. Beardsley has no way of confronting that. Nevertheless, are we going to challenge Dr. Beardsley's integrity, honesty, and character based on that. That is what we're being asked to do today. We're being asked to erase a lifetime of accomplishments and a reputation for honesty and integrity based upon innuendo and hearsay. This goes beyond politics. This is not the way we should be conducting ourselves. I only ask you to think of yourself, or one of your family members, put into the same position; attacked and accused, their character attacked and accused, based on unknown accusers, hearsay evidence, and left with nothing to do but say, "I didn't do it." I urge you to set this whole debate aside. Let's look at Dr. Beardsley for his accomplishments. As has been indicated, he is highly qualified for this position. Let's try not to besmirch his reputation for character, integrity, and honesty based on these innuendoes and newspaper accounts. I urge your support of Dr. Beardsley. Thank you very much.

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

Senator **DIAMOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, this is not the way I planned on spending my last day in the Senate, that's for sure. I do want to concur with the previous speaker, Dr. Beardsley's resume is without question. I had a chance this morning, for the first time, to talk to Dr. Beardsley. I think it was the first time. His sincerity is also, to me, unquestioned. This issue, I think, does deserve some closer examination. We've heard reference to the report, the State Police report, that was released in late July of this year. It talked about multiple victims, child victims of Bob Carlson. The report, though redacted heavily, did clearly show that there were still some questions unanswered and, because of the suicide of Mr. Carlson, probably some of those answers wouldn't be found. What I immediately go to, and I know some of you have, is you go to the Penn State situation, where you had a \$75 million football program which took precedence over their first instinct, which is helping, saving, or rescuing young child victims of sexual assault. The President, the Vice President, and the Athletic Director are all being prosecuted now for their involvement. The only comparison between that and this situation, for me, is the reminder that we need to take from that about how kids come first. Often times the institutional instinct is to huddle around the institution. We heard that in this 104 page report that was released, the State Police investigation. Some of the more prominent players, the first thing they said, as quoted in the Bangor Daily News, "I was concerned. I wanted to protect my institution. I wanted to protect my office. I wanted to protect me." Not once was there concern about the children who were being victims, or had been victims. I attended

yesterday's confirmation hearing. There was not a probing hearing. In fact, I was surprised to hear the vote, 6 - 4, when there was only one person that even brought this up. Senator Alfond brought up the question and he asked Dr. Beardsley if he saw himself as a mandated reporter. Dr. Beardsley gave a very good answer. It was not a probing hearing. There was no reference to the 104 page report or some of the questions that we're talking about today. I thought for sure there would be because I thought that might clear some things up. I asked some of those questions this morning when I had a chance to talk to Dr. Beardsley. His answer was as it was in the report, but there was still no answer to some of those missing pieces. For me, this isn't about politics because I can tell you one thing, if we've learned nothing at all, we've learned that eventually someone is going to come forward. Eventually some victims are going to come forward and they are going to talk. It won't be the person who jumped off the bridge, but somebody else will. I don't think, until those questions are answered, we want to jump ahead and put Dr. Beardsley on this Board of Education, the State Board of Education. I don't think we want to look back, as the Board of Trustees have now at Penn State, and say, "We should have known." I'm not suggesting Dr. Beardsley knew. I'm suggesting the question that often follows an Administration; what should they have known? The Board of Trustees at Penn State say, "We should have known," now that these victims have come forward. Do we want, with our vote, a stamp of approval on a situation that is yet to be finalized? Institutional instinct is very strong. I think we shook it by the ears, and it was shaken by the ears, in the Penn State situation. We can look around the country and it's happened again and again in much smaller levels. It's almost part of our societal bringing up. We want to take care and protect if we can. We've got to change that and think about the kids first. That's what was missing in the Penn State case and that's what we need to learn about with this. This story is not done. More information could come out as a result of today's confirmation vote. It might come out a week from now or a month from now. I think we ought to just wait. I don't think we're doing Dr. Beardsley any favors by voting for this today. I think we ought to wait. Let's find out what's going to happen, hear the information that always does and will come out, and then move forward. Thank you, Mr. President.

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

Senator **SULLIVAN:** Thank you Mr. President. Men and women of the Senate, like my seatmate, I did not expect one of my last acts as a member of this institution to be to stand up and speak about a man whom I have great respect for. A majority of my professional life was spent in the classrooms. Education 101 is that even a suspicion of any child abuse must be reported. In a public school it's to the one person that is designated and that person must carry it through. I'm protected by law if I make a report and that report turns out to be false. A suspicion. We know that the Reverend was asked to resign, or came to his decision to resign. We used to do that in public schools. We would ask for a resignation from someone and send them off to another school system. The Superintendents did not want to acknowledge that they had hired someone like that on their watch. I am also drawn to say two words to you, Penn State. A man is dead. He became larger than the institution. They pulled down his statues. There was an article in the paper that, in the

community in which this particular campus of Penn State is, the people there don't know how they are going to survive. They survived on the football program, with all the tourist coming in. Seventeen million dollars has been spent in fees so far for lawyers for that case, and it's rising. Obviously, the State Police were involved to do some work on this case. From accounts, when the Reverend jumped from the bridge, it was after State Troopers said he was in trouble and they were investigating. It caught us all by surprise; every single one of us by surprise. Congressman Michaud, Senator Snowe, Senator Collins; everyone talked about what this man had done for the community. Then the stories came out and it was difficult. We are putting somebody into a position to protect every single child. I wish this nomination had not come forward at this particular time. You can't close your eyes. I made an honest vow to do everything I could to protect children and every decision I made was for the rights of children. I reported people. I reported the alcoholic parent that I thought was being abusive to their child. I've had to report and I was a lowly little classroom teacher. When people come forward we have to believe the child, the young adult. We know it in the case of rape. We know it in the case of molestation. Many times it is for a member they trust, be it clergy or family members. You do have an obligation to report anything. When somebody has resigned, whether it was his decision or it was suggested or a forced resignation, I don't know, it's not important, that man should not be on campus. How does that feel to those people who have reported, to see the person on campus? It would be like saying to the rape victim, "We really don't have proof yet, so we're going to let this person attend classes with you." I'm sorry, Senators, if you can't understand where I'm at. I've seen too many cases in the classroom and I understand my commitment to the law. Mandatory reporter. End of case. It's not just public schools. Penn State is an example. Yes, college kids need to be protected also. I'd like to think that in my 14 years in these two ends of the hall I have made decisions honestly, based on what I honestly believe, my convictions. My party will tell you that I am not their favorite person. They may not even like me. I have always had to stand and vote my conscience because I'm the only one who lives with that. This is just too close, personally, for me to support this nomination at this time. How many people are hurting because of this man? We don't know. When I say this man I'm talking about the Reverend. I'm certainly not talking about Dr. Beardsley. There is an obligation to report. To close our eyes, turn our heads, and pretend these things don't exist is not right. We are putting this person onto the highest board to protect our children. I, in good conscience and in my faith and my belief in what I did for a majority of my professional life, cannot vote for this man. His resume, I agree with the good Senator, is full of good things, but there is a cloud and that cloud will always be there until it is finally settled one way or the other. That means that cloud follows him onto the State Board of Education. We tell our students in middle school that when they put on a uniform for a school team that they carry that school's reputation. If they act like a jerk, and I know this will surprise you but occasionally middle school students do, they truly are tearing down and putting a cloud on the school. That's what is going to happen until it is cleared. Every single person in education, from day one when they walk into a classroom or they walk into an office, knows they are a mandatory reporter. It's not up to us to be the judge, or anybody else. I am sorry to have to stand and do this. I know I've upset many people, but that seems to have followed me for

14 years. I will be voting in this case yes, to overturn. I'm sorry I have to do that, Mr. President. Thank you.

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

Senator **KATZ:** Thank you Mr. President. Men and women of the Senate, I'm happy to say that this is not Penn State. I hope that it is not Salem, Massachusetts either. Crimes against children, Mr. President, are abhorrent to all of us as a society. I think each of us in this Body, everyone, shares that and we have all voted to strengthen those laws, to raise the visibility of the issue in order to make sure that no child has to go through things like that again. In our zeal, Mr. President, our appropriate zeal to protect our most precious gifts, our children, we should never ever discard the fundamental tendency that makes us unique as Americans. Among those are the fundamental principles of fairness and justice. At one end of the spectrum, Mr. President, is the concept of due process, the idea that people are presumed to be innocent until they are proven to be guilty, and that people that are accused of anything have a right to confront those who are their accusers. We don't rely on hearsay, let alone double hearsay, which is what we have here. When we abandon those principles we run the risk of engaging in a witch hunt. What do we know, Mr. President? First, the only person who is actually accused of any criminal wrong-doing is dead. The case is over. No one will be indicted. As the good Senator from Oxford pointed out, that's the reason we have the police report. You don't get police reports in cases which are ongoing. They are confidential by law. You don't indict the departed and there will be no indictments here. Secondly, what we do know from the report is that apparently someone, we don't even know who it is, claims that they told Dr. Beardsley that they had been told by other people that Reverend Carlson had done something wrong. Mr. President, we don't allow hearsay for good reason. There is no opportunity to confront the person who is claiming something and have the opportunity to probe the truth of that. It's called cross examination and it's a good thing. Cross examination is not a bad thing. It's a good thing. It allows you to probe the foundation of the person's knowledge, the opportunity to actually hear what they said, and the rest. We don't allow hearsay. As I said before, this isn't even hearsay that Dr. Beardsley is confronted with, it's double hearsay. Somebody said that somebody else said something. Dr. Beardsley says he doesn't have any idea of who his accuser is and that this conversation that this unknown person is claiming took place never happened. That's what Dr. Beardsley told the police. That's what Dr. Beardsley told the press. That's what he told us this morning in our caucus. I presume that is what he told the other side of the aisle in their caucus this morning. This man, who has otherwise led an ethical, productive, and incredibly significant life, is now being torn down on the basis of double hearsay. We should reject that. It's not a Republican principle. It's not a Democratic principle. It's in the Constitution; the State Constitution and our Federal Constitution. Who is it that claims they spoke with Dr. Beardsley? We don't know. Who is that person claiming told them something? We don't know. Who appeared yesterday in his confirmation hearing to testify against him? Nobody. What happened at the hand of Reverend Carlson is tragic, but if we allow the reputation of this fine Maine person to be collateral damage of that sad string of events we disrespect the concept of fairness and we disrespect the concept of due process. We do more than that because we

set the bar, Mr. President, of how people will be judged in the future. Back before I moved back to Maine I was a clerk in a court in Maryland, a clerk for a judge who did a lot of jury work. The jury would sit there against the wall. In the back row the jury could lean their heads against the wall. Over the years, by all those people leaning their heads back there, a little oil had developed. When you looked at the wall it was almost like you could see the ghosts of former juries there. I always remember that because the standards that those juries set in each case helped guide future juries in what they were going to do. Today it is Dr. Beardsley. Tomorrow it might be your neighbor or your friend or maybe you. We're better than that, Mr. President. I urge us to uphold the nomination. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Goodall.

Senator **GOODALL:** Thank you Mr. President. Men and women of the Senate, I rise today to remind us what we are here to do. We are here to protect the institution, the State Board of Education. The institution that sets policy for our most cherished individuals in this state, our children who are the future of this state. There are great questions. A cloud has developed around what should have been known, what could have been done, and whether the actions that were taken were appropriate as it relates to Mr. Beardsley and Husson College. What we are here to do today is not act as judge and jury on Mr. Beardsley, but make a decision whether this appointment is in the best interest of the Board of Education. In my opinion, the cloud that has risen, that will inevitably hang, is too large and will impact the Board of Education and will cast doubt in the policies that they enact and the actions that they take. We should oppose this confirmation today because that alone is not in the best interest of the state of Maine and the children of our great state. As the good Senator from Cumberland said, there will be more to this story as it relates to the tragic events that occurred with Reverend Carlson. What we are here to do today is to put forth the question and vote on whether or not we think Dr. Beardsley, and having him put on the State Board of Education at this time, is in the best interest of our state and in the best interest, most importantly, of our children. At this time I answer that question in the negative. As a result, I think all of us should vote in opposition to Dr. Beardsley's confirmation today. Thank you, Mr. President.

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

Senator **SCHNEIDER:** Thank you Mr. President. Men and women of the Senate, I really hadn't thought a lot about this particular nomination because I have worked with Dr. Beardsley on Agriculture, Conservation and Forestry and I've had a very good experience. His resume is outstanding. This is not about Dr. Beardsley's qualifications. I was motivated to stand. When anybody talks about a case being over, this is not over for the victims. I think it's very, very mistaken to say this case is over. Some people have personal experiences with these kinds of things. I will tell you this case is far from over. The timing of this nomination was an immense error. People have said on the floor today, "Well, it could be you or a family member." I'm the kind of person who jumps into the person's shoes to try to understand. What would I have done if I had been Mr. Beardsley? First of all, in his position as President of a college, if somebody resigned

based on something that they had discussed, I would immediately have huge suspicions and I have reported this, even if it was just a smidge of a suspicion. That didn't happen. As a result, many years went past with this person having access to children. Many of us were duped by this person, who probably isn't even a Reverend. We're not even sure about that. I jump in his shoes, and as the President of an institution, I ask what would I have done. If, based on a conversation, a resignation came forward, I would be alarmed. That's number one. Number two, if I was nominated for the State Board of Education, given the timing, I would have said no, not right now, thank you. It's not the right time. Unfortunately, anybody who suggests that this is political and that I am standing here based on politics, that is outrageous and I take offense. What this is about is a matter of timing and about a matter of clarity on an issue of huge importance. We, as a society, have for far too long turned a blind eye to child predators. That's a really serious problem and we've got to stop that. I tried to jump into Dr. Beardsley's shoes on this. I just wouldn't have accepted the nomination. Not right now. Maybe down the road, when things are a little bit clearer, it would be okay. Maybe when the fog has lifted, but this is just the wrong time. There are a lot more discoveries ahead, unfortunately. This case is far from being over. It probably will never be over for those victims. I'm standing to be their voice right now. Thank you very much, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Johnson.

Senator **JOHNSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'd like to bring this debate back to the here and now for the moment and set this talk about politics and hearsay aside. I'd like to mention a question that I asked of Dr. Beardsley this morning. I said, "Hypothetically, if it is found at some point down the road that someone in Husson's administration or staff could have done more and should have, what do you think about that?" He answered that he had no knowledge of violations or failures within the administration. That was it. What concerns me most about this is that we're talking about an appointment to a board which is in a leadership role. It sets the goals, it sets the expectations, for our school systems. What he didn't say is what bothered me most. He didn't say that he had set an expectation of no tolerance for abuse and made clear the responsibility of people in the school to report any suspicious behavior in relation to abuse. He didn't assure me that whatever may or may not come out, that he had done all he could to ensure that the college dealt with it appropriately and protected children as best they could. That's what, as a leader on the Board of Education, I would want to hear from someone when asked that question. That forms my decision and has nothing to do with hearsay and it has nothing to do with politics. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Rosen.

Senator **ROSEN:** Thank you Mr. President. Men and women of the Senate, I'm impressed that apparently, from the comments on the floor, the Democratic caucus has come to a common mind regarding the depth and breadth of the situation that has occurred in a community that I consider my community, communities that I represent. I'm hearing a mischaracterization of what we have been living through since the revelation of Bob Carlson. First of

all, the frame up of this discussion seems to be Penn State and Husson. We've talked about an institution and responsibilities that one institution and one former President had. We've got it wrong. This Bob Carlson situation was not Husson. This is a community that has been dealing with this. The church that Bob Carlson headed is in my district. I've represented that community for 14 years. Devastation. It's unbelievable what's going on in that community after what has been revealed and learned. All those families. All those years. The weddings, the funerals, the hospital visits, and the comforting and realizing now the truth and the reality. Where is that church in this discussion, as an employer? Bob Carlson was active in the local health clinics, the expansion and the growth of community health centers throughout the district; board President and leader. The sheriff, he worked for years for the county sheriff, for years. What I'm hearing, this conversation, this characterization, that there is one institution, one employer, one former Chief Executive of that institution, Husson College, and to try to make that the Penn State situation is not the reality that we have been confronting in our community. This has been absolutely devastating in every one of those arenas. The health centers, the sheriff's department, and the church. On Wednesday night, before Bob Carlson jumped off the bridge, he received the highest honor and award from the Boy Scouts at their annual banquet Wednesday night. Okay, the Scouts. Are they part of this discussion? Are we supposed to assume? The Senator from Cumberland suggests that until everything comes forward and all this has been exercised and we've gone through this whole process that nothing should go forward. What you are saying is that this applies to all those other elements of our community, all those other institutions. Are you telling us that we cannot work through this and move forward with every other aspect of our community that Bob Carlson touched and had an impact on and deceived? The weekly radio show, every Friday, the God Squad. They were deceived. This effort to narrow the scope and the devastation and the harm caused by what these communities have gone through and place it all on one institution and one individual is extremely unfair. You are telling us that we can't move forward. This has been a horrendous situation that many families will be working through for a long time. I don't know how this became a caucus position. I don't know how, based on what I'm hearing in terms of information or the lack thereof at the public hearing, folks that live in other parts of the state have become experts in what we've been going through in our local communities with the Bob Carlson case. I would ask you to consider that and understand that it is unfair to place this burden on one institution and on one individual. Thank you.

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

Senator **SCHNEIDER:** Thank you Mr. President. Men and women of the Senate, I'll be very brief. There are a couple of things I wanted to mention. I don't know if they were questions through the Chair, but I think that they deserve an answer. Mr. Carlson was from my area too. He worked in Old Town and Bangor. I understand. That is exactly what I said. I guess this case really isn't over for our community and for the victims. I think what's important is that the rest of those institutions and the rest of those people are not up for nomination to the State Board of Education. Dr. Beardsley is the one. That's why there is the focus. I just thought that that was pretty clear. We aren't trying to

put this entire thing, at least I'm not, on Dr. Beardsley. I also want to talk about this caucus position. I spoke with Senator Courtney the other day. He called to ask me what I had heard. I said I hadn't heard a thing. This is not about a caucus position or politics. It really is disturbing to me that people act like that is it, because it shoves, once again, the importance of childhood predator issues under the rug. That's what this is about. That's what we need to clarify. This is not all put on Dr. Beardsley, but he was in charge of a major institution where Mr. Carlson was very involved. They had a discussion and after that discussion he resigned. That has to raise alarms. If it doesn't there is a problem there. We, as a society, need to start paying attention. That's what this is about. This is very bad timing. If you want to blame somebody you can blame the second floor. I don't really care. The fact of the matter is that this is not the right time for this nominee to come forward. That's what this is about. It's not at all a caucus position. I didn't even go to caucus. I did not even speak with any of my caucus colleagues. Please, please do not make this about politics or caucusing because it belittles the real issue. Thank you, Mr. President.

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

Senator **SULLIVAN:** Thank you Mr. President. Very quickly. I didn't go to caucus either, as usual somebody just said and that is right. Quite frankly, I make my own mind up. Always have and always will. It's gotten me in a lot of trouble. The only person that has probably learned that is my husband. I'm not making any promises to be quiet to my husband. I just want you to know that mine comes from a conviction. This is a job interview. That is what a nomination is. It's not a court of law. No one's proving anybody guilty. It is a job nomination. I believe that in this job nomination for the organization that this Senate represents, the Maine Board of Education, that at this time this is the right person for the job. I'm not condemning him, but I will tell you from experience that a child or a young adult never gets over these things. It's an insult if we turn our heads and say, "Well maybe." How many children are embarrassed? How many rape victims don't go to court, don't go to the police, because they are embarrassed? To have it be said, if they go, "You are just making it up and we don't believe you." This is for education. It's a job interview, people. It's a job for the board. This simply is a job interview. I resent being told that I follow what I'm told to do. I really resent it. I follow what I believe and what I learned in my profession. Pure and simple. Thank you.

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

Senator **PLOWMAN:** Thank you Mr. President. Men and women of the Senate, I know Dr. Beardsley a great deal better than I knew Bob Carlson. I asked Dr. Beardsley this morning what brought about the resignation of Bob Carlson. He said it was a phone call that told him that Bob Carlson, I will not call him Reverend, had had an inappropriate relationship. To most of us that means an extramarital affair. When he asked the caller if it involved something illegal or a minor, the answer was no, but that they had seen Bob Carlson's picture on a website connected with the university and that it might be better for Bob Carlson to not hang out at the university any more because they were going to share this indiscretion with the public. That was the extent. I only

interacted with Bob Carlson about ten times. Two of those times should have been something that told me there was something wrong. One was when he said, "I want to show you what I've done. Let's ride in my car." I said, "I'm perfectly capable of driving." I didn't want to offend him because he was looking like that was the way it was going to go. The second was later in the day when he unlocked a building to show me and I found out we were the only two people in the building. At that point I decided to go with my better instincts, which I have developed, unfortunately, from personal experience. I said, "No, I think probably I've seen enough for today. I need to go back to my car." I didn't report him, but he gave me the creeps those two points during that day. That's because, one, I know that the better and smoother you act the more you want something from someone. I can point out to you people that I now know are child molesters and say that that is how smooth they are. When you talk to someone who works with predators every single day, and I have, that officer will tell you that when they closed that file and the guy across from them wishes them a good day and asks them to go to lunch they want to do it. They know everything in that file. They know every bad thing that person did. That person is so good that there is a reason they go 20, 30, and 40 years without being caught. It's not necessarily because someone didn't report them. It's because they are necessarily that good. Bob Carlson, come to find out, wasn't that good. There are a whole bunch of people in this report who saw him with small children; hairs standing on the back of their necks because they saw interactions with small children. Dr. Beardsley got a phone call in his office saying, "He's not who you think he is and he's had an inappropriate sexual relationship." Because of the training, the Dr. said, "Should I know if it's a minor? Should I know if it's a student? Should I know if it's illegal? If it is immoral it is that guy and his wife's problem." Those are the steps he went through to make sure. When I read the report, there is a conversation between an attorney and the investigator which is in there. No word said by the Dr. There is a redacted version of someone who said he called. That could have been an anonymous letter sent to this committee yesterday. That anonymous letter could have arrived the same way that the one at the Boy Scouts did, or as the family that showed up that we still don't know who the victim's name is. It could have been reported in any other manner. I am not the person who is going to stand and defend a child molester. I am not the person who is going to stand and defend someone who should have known to report. I am the person who is going to stand and say that if we are going to be convicted in public by innuendo, supposition, and how we interpret a report, than every one of us can be found guilty of something in the court of public opinion. While this has gone on the police have had every opportunity to bring any person in front of a grand jury, to ask for subpoenas, and to interview people. They have not done that to Mr. Beardsley. I don't think that it's our job to convict someone. When he asked the questions and the answers he got mentioned that it was an indiscretion that might embarrass the Reverend and that maybe somebody should just give him the hint that it was time to not be so public. That's what happened. Everything else that I'm reading in this report, none of it says that Dr. didn't report anything. None of it says that he knew anything more than that an indiscretion had happened. When I look in Dr. Beardsley's eyes and ask a question, I can trust that answer. That is not the feeling I got from Reverend Carlson after the day I spent with him. Did I turn him in? No, because it was a creepy feeling I got. I guess there are people who got more feelings than I did and they

didn't do anything. They are in our community and our community is hurting. As little as I liked Bob Carlson, I thought he was doing great things. Thank you.

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

Senator **DILL:** Thank you Mr. President. Men and women of the Senate, I, too, did not go to the caucus, for the record. I haven't read the report. I am a lawyer. I know what hearsay is. When I cast my green light to indicate my vote to override the committee vote, it's not to convict anyone. It's as a mother making a statement that, in this particular set of circumstances and applying a cost benefit analysis, the interests of Maine's children and students override the continuation of Mr. Beardsley's wildly successful life. He's going to be okay if he's not made a member of the Board of Education. He has had a long and successful career. He's going to be just fine. When I cast my vote it's not to convict him, it's to do my job as a Senator and taking the best interest of the children and weighing the debate and the information that is presented. All this drama about what we're doing as personal attacks is just over the top. We, as a society, have to not just assume that someone on the path going forward is entitled to continue in every single position without question. I just wanted the record to be clear that my vote is not at all to convict Mr. Beardsley, but rather to allow a reasonable amount of time to let the facts unfold and to give the benefit of the doubt to the students of this state. Thank you, Mr. President.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#522)

YEAS: Senators: ALFOND, BRANNIGAN, CRAVEN, DIAMOND, DILL, GOODALL, HILL, HOBBS, JACKSON, JOHNSON, PATRICK, SCHNEIDER, SULLIVAN

NAYS: Senators: COLLINS, COURTNEY, FARNHAM, HASTINGS, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SHERMAN, SNOWE-MELLO, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

13 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 3 Senators being excused, and 13 being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **William H. Beardsley** of Ellsworth for appointment to the State Board of Education was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber the Honorable William H. Beardsley of Ellsworth. Would he please rise and accept the congratulations of the Maine Senate.

The Following Communication: S.C. 929

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nominations of Peter E. Geiger of Lewiston and Ande A. Smith of North Yarmouth, for appointments to the State Board of Education.

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

YEAS	Senators	2	Langley of Hancock, Alfond of Cumberland
	Representatives	8	Richardson of Carmel, Johnson of Greenville, Maker of Calais, McClellan of Raymond, McFadden of Dennysville, Nelson of Falmouth, Rankin of Hiram, Wagner of Lewiston
NAYS		0	
ABSENT		3	Rep. Edgecomb of Caribou, Rep. Lovejoy of Portland, Sen. Mason of Androscoggin

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Peter E. Geiger of Lewiston and Ande A. Smith of North Yarmouth for appointments to the State Board of Education be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/David E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#523)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Peter E. Geiger** of Lewiston and **Ande A. Smith** of North Yarmouth for appointment to the State Board of Education were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 869

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Energy, Utilities & Technology has had under consideration the nomination of Brent M. Boyles of Presque Isle, for appointment to the Efficiency Maine Trust 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	Thibodeau of Waldo, Rector of Knox
	Representatives	6	Beavers of South Berwick, Cray of Palmyra, Dunphy of Embden, Hamper of Oxford, Hinck of Portland, Luchini of Ellsworth
NAYS		0	
ABSENT		5	Rep. Fitts of Pittsfield, Sen. Bartlett of Cumberland, Rep. Cornel du Houx of Brunswick, Rep. Dion of Portland, Rep. Libby 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 Brent M. Boyles of Presque Isle, for appointment to the Efficiency Maine Trust Board be confirmed.

Signed,

S/Michael D. Thibodeau
Senate Chair

S/Stacey A. Fitts
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#524)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Brent M. Boyles** of Presque Isle for appointment to the Efficiency Maine Trust Board was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 897

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nominations of Dr. Harold H. Brown of Bangor and Sheridan R. Oldham, M.D. of Dallas Plantation, for appointments to the Inland Fisheries and Wildlife Advisory Council.

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

YEAS	Senators	2	Martin of Kennebec, Saviello of Franklin
	Representatives	7	Davis of Sangerville, Clark of Millinocket, Crafts of Lisbon, Eberle of South Portland, Espling of New Gloucester, Guerin of Glenburn, Wood of Sabattus
NAYS		0	
ABSENT		4	Rep. Briggs of Mexico, Sen. Patrick of Oxford, Rep. Sarty of Denmark, Rep. Shaw of Standish

Nine members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Dr. Harold H. Brown of Bangor and Sheridan R. Oldham, M.D. of Dallas Plantation, for appointments to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Thomas H. Martin Jr.
Senate Chair

S/Paul T. Davis Sr.
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#525)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Dr. Harold H. Brown** of Bangor and **Sheridan R. Oldham, M.D.** of Dallas Plantation for appointment to the Inland Fisheries and Wildlife Advisory Council were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 895

STATE OF MAINE ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE COMMITTEE ON INSURANCE AND FINANCIAL SERVICES

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Insurance & Financial Services has had under consideration the nomination of Deborah L. Hamblen-Wood of Castine, for appointment to the Dirigo Health 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	Brannigan of Cumberland, Snowe-Mello of Androscoggin
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Representatives 9 Richardson of Warren,
Beaudoin of Biddeford,
Fitzpatrick of Houlton, Goode
of Bangor, McKane of
Newcastle, Morissette of
Winslow, Morrison of South
Portland, Picchiotti of
Fairfield, Treat of Hallowell

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Deborah L. Hamblen-Wood** of Castine for appointment to the Dirigo Health Board of Trustees was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

NAYS 0

ABSENT 2 Sen. Whittemore of
Somerset, Rep. Beck of
Waterville

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 Deborah L. Hamblen-Wood of Castine, for appointment to the Dirigo Health Board of Trustees be confirmed.

Signed,

S/Rodney L. Whittemore
Senate Chair

S/Wesley E. Richardson
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INSURANCE AND FINANCIAL SERVICES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#526)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS,
COURTNEY, CRAVEN, DIAMOND, DILL,
FARNHAM, GOODALL, HASTINGS, HILL,
HOBBINS, JACKSON, JOHNSON, KATZ,
LANGLEY, MARTIN, MASON, MCCORMICK,
PATRICK, PLOWMAN, RECTOR, ROSEN,
SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-
MELLO, SULLIVAN, THIBODEAU, THOMAS,
WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY,
WHITTEMORE

The Following Communication: S.C. 939

STATE OF MAINE ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE COMMITTEE ON JUDICIARY

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Steven M. Carey of Cumberland, for appointment to the Maine Commission on Indigent Legal Services.

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	Hastings of Oxford, Dill of Cumberland
	Representatives	9	Nass of Acton, Beaulieu of Auburn, Fossel of Alna, Maloney of Augusta, Monaghan-Derrig of Cape Elizabeth, Moulton of York, Rochelo of Biddeford, Sarty of Denmark, Waterhouse of Bridgton
NAYS		0	
ABSENT		2	Rep. Priest of Brunswick, Sen. Woodbury of Cumberland

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 Steven M. Carey of Cumberland, for appointment to the Maine Commission on Indigent Legal Services be confirmed.

Signed,

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#527)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFISKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Steven M. Carey** of Cumberland for appointment to the Maine Commission on Indigent Legal Services was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 941

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON JUDICIARY**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Deborah L. Whitworth of Portland, for reappointment 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	1	Hastings of Oxford
	Representatives	9	Nass of Acton, Beaulieu of Auburn, Fossel of Alna, Maloney of Augusta, Monaghan-Derrig of Cape Elizabeth, Moulton of York, Rochelo of Biddeford, Sarty of Denmark, Waterhouse of Bridgton
NAYS		0	
ABSENT		3	Sen. Dill of Cumberland, Rep. Priest of Brunswick, Sen. Woodbury of Cumberland

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 Deborah L. Whitworth of Portland, for reappointment to the Maine Human Rights Commission be confirmed.

Signed,

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#528)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Deborah L. Whitworth** of Portland for reappointment to the Maine Human Rights Commission was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 943

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON JUDICIARY**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nominations of Honorable Donald G. Alexander of Winthrop and Honorable Warren M. Silver of Dedham for reappointments as a Supreme Judicial Court Justice.

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

YEAS	Senators	2	Hastings of Oxford, Dill of Cumberland
	Representatives	9	Nass of Acton, Beaulieu of Auburn, Fossel of Alna, Monaghan-Derrig of Cape Elizabeth, Moulton of York, Priest of Brunswick, Rochelo of Biddeford, Sarty of Denmark, Waterhouse of Bridgton
NAYS		0	
ABSENT		2	Rep. Maloney of Augusta, Sen. Woodbury of Cumberland

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Honorable Donald G. Alexander of Winthrop and Honorable Warren M. Silver of Dedham for reappointment as a Supreme Judicial Court Justice be confirmed.

Signed,

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#529)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

ABSENT: Senator: PLOWMAN

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 1 Senator being absent and with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of the Honorable **Donald G. Alexander** of Winthrop and the Honorable **Warren M. Silver** of Dedham for reappointment as a Supreme Judicial Court Justice were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 945

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON JUDICIARY**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Thomas E. Humphrey of Sanford, for reappointment as a Superior Court Justice.

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	Hastings of Oxford, Dill of Cumberland
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Representatives	9	Nass of Acton, Beaulieu of Auburn, Fossel of Alna, Maloney of Augusta, Monaghan-Derrig of Cape Elizabeth, Moulton of York, Rochelo of Biddeford, Sarty of Denmark, Waterhouse of Bridgton
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NAYS 0

ABSENT	2	Rep. Priest of Brunswick, Sen. Woodbury of Cumberland
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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 Honorable Thomas E. Humphrey of Sanford, for reappointment as a Superior Court Justice be confirmed.

Signed,

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#530)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Thomas E. Humphrey** of Sanford for reappointment as a Superior Court Justice was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 946

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON JUDICIARY**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the following nominations for reappointments as Superior Court Justices:

Honorable Jeffrey L. Hjelm of Camden
Honorable Thomas D. Warren of Brunswick
Honorable Joyce A. Wheeler of South Portland

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

YEAS	Senators	3	Hastings of Oxford, Dill of Cumberland, Woodbury of Cumberland
	Representatives	9	Nass of Acton, Beaulieu of Auburn, Fossel of Alna, Maloney of Augusta, Monaghan-Derrig of Cape Elizabeth, Moulton of York, Rochelo of Biddeford, Sarty of Denmark, Waterhouse of Bridgton
NAYS		0	
ABSENT		1	Rep. Priest of Brunswick

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Honorable Jeffrey L. Hjelm of Camden, Honorable Thomas D. Warren of Brunswick and Honorable Joyce A. Wheeler of South Portland for reappointments as Superior Court Justices be confirmed.

Signed,

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#531)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of the Honorable **Jeffrey L. Hjelm** of Camden, the Honorable **Thomas D. Warren** of Brunswick and the Honorable **Joyce A. Wheeler** of South Portland for reappointment as Superior Court Justices were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

Under suspension of the Rules, on motion by Senator
PLOWMAN of Penobscot, the Senate considered the following:

The Following Communication: S.C. 947

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following as
Judges to the Maine District Court:

Daniel I. Billings of Bowdoinham, appointment
John B. Lucy of Orono, appointment
Judge Keith A. Powers of Cape Elizabeth, reappointment
Judge Kevin L. Stitham of Dover-Foxcroft, reappointment

Pursuant to Title 4, MRSA §157 these appointments and
reappointments are contingent on the Maine Senate confirmation
after review by the Joint Standing Committee on Judiciary.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 951

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Justice Carl O.
Bradford of Yarmouth for reappointment to Active Retired Status
in the Maine Superior Court.

Pursuant to Title 4, MRSA §104, this reappointment is contingent
on the Maine Senate confirmation after review by the Joint
Standing Committee on Judiciary.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 870

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 13, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Elizabeth Mead
of Yarmouth for appointment to the Maine Educational Loan
Authority:

Pursuant to Title 20-A, MRSA §11415, this appointment is
contingent on the Maine Senate confirmation after review by the
Joint Standing Committee on Labor, Commerce, Research and
Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 871

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

September 4, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that, pursuant to Title 3, MRSA §154, I am
withdrawing my nomination of Elizabeth Mead for appointment to
the Maine Educational Loan Authority.

This nomination is currently pending before the Joint Standing
Committee on Labor, Commerce, Research and Economic
Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 872

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 13, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following to the Maine Educational Loan Authority:

John Atkinson of Topsham, reappointment
Besty Libby of New Gloucester, reappointment
Anthony Payne of Falmouth, reappointment

Pursuant to Title 20-A, MRSA §11415, this appointment and these reappointment are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 875

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 8, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Jeanne Paquette of North Yarmouth for appointment as the Commissioner of Labor.

Pursuant to Title 26, MRSA §1401-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 877

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for appointment to the Loring Development Authority:

Mark L. Wilcox of Mapleton
D. Gregg Collins of Caribou

Pursuant to Title 5, MRSA §13080-B, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 879

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Richard J. McGoldrick of Cape Elizabeth for appointment to the Midcoast Regional Redevelopment Authority.

Pursuant to Title 5, MRSA §13083-I, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

This is to inform you that I am today nominating Andy Charles of South Portland for appointment to the Workers' Compensation Board.

Pursuant to Title 39-A, MRSA §151, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 880

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 23, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that, pursuant to Title 3, MRSA §154, I am withdrawing my nomination of Richard J. McGoldrick for appointment to the Midcoast Regional Redevelopment Authority. This nomination is currently pending before the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 882

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 23, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that, pursuant to Title 3, MRSA §154, I am withdrawing my nomination of Andy Charles of South Portland for appointment to the Workers' Compensation Board.

This nomination is currently pending before the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 881

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

The Following Communication: S.C. 883

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for appointment to the Maine State Housing Authority:

John G. Gallagher of Bath, as the Director
Adam E. Bradstreet of Albion

Pursuant to Title 30-A, MRSA §4723, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 886

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Christopher J. Logan of Durham for appointment to the Finance Authority of Maine:

Pursuant to Title 10, MRSA §965, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 887

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

September 4, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that, pursuant to Title 3, MRSA §154, I am withdrawing my nomination of Christopher J. Logan for appointment to the Finance Authority of Maine.

This nomination is currently pending before the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 888

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Christopher A. Pierce of Cumberland for appointment to the Finance Authority of Maine.

Pursuant to Title 10, MRSA §965, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 890

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Robert A. Martin of Newcastle for appointment as Director to the Maine Technology Institute.

Pursuant to Title 5, MRSA §15310, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 892

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 21, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for appointment to the Washington County Development Authority:

Lewis M. Pinkham of Steuben
Robert R. Hammond of Harrington

Pursuant to Title 5, MRSA §13083-C, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development..

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 898

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following as Commissioners to the Marine Resources Advisory Council:

Thomas W. Casamassa of Saco, appointment
Arnold A. Nickerson IV of Arundel, appointment
Michael E. Murphy II of Machiasport, appointment
Michael E. Love of North Yarmouth, appointment
James L. Markos, Jr. of Blue Hill, reappointment

Pursuant to Title 12, MRSA §6024, this reappointment and these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Marine Resources.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 900

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Daniel Deveau of Cyr Plantation for appointment to the Maine-Canada Trade Ombudsman.

Pursuant to Title 5, MRSA §262, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on State and Local Government.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 902

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating the following for appointment to the Maine Board of Tax Appeals:

William J. Kelleher of Rome
Edwin A. Heisler of Falmouth
Richard A. Nass of Acton

Pursuant to Title 36, MRSA §151-D, these appointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Taxation.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 904

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 9, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Dana Connors of Gray for reappointment to the Northern New England Passenger Rail Authority.

Pursuant to Title 23, MRSA §8112, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Transportation.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 906

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 9, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Daniel Wathen of Augusta for reappointment to the Maine Turnpike Authority Board of Directors.

Pursuant to Title 23, MRSA §1964-A, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Transportation.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 908

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 8, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Col. James D. Campbell of Old Town for appointment as the Commissioner of the Department of Defense, Veterans and Emergency Management.

Pursuant to Title 37-B, MRSA §3, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 910

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 8, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Andre G. Duchette of Brunswick for reappointment as a Commissioner to the Commission on Governmental Ethics and Election Practices.

Pursuant to Title 1, MRSA §1002, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 912

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 8, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating for reappointment as Commissioners to the Gambling Control Board:

Matthew F. Dyer of Augusta
Harry J. Stickney of Augusta

Pursuant to Title 8, MRSA §1002, these reappointments are contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 914

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

August 20, 2012

The Honorable Kevin Raye
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear President Raye,

This is to inform you that I am today nominating Anne M. Vallee-Lachance of Manchester for appointment to as a Commissioner to the State Liquor and Lottery Commission.

Pursuant to Title 5, MRSA §283-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

S/Sincerely,

Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 948

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON JUDICIARY**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Daniel I. Billings of Bowdoinham, for appointment as a District Court Judge.

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	Hastings of Oxford, Dill of Cumberland, Woodbury of Cumberland
	Representatives	7	Nass of Acton, Beaulieu of Auburn, Fossel of Alna, Priest of Brunswick, Rochelo of Biddeford, Sarty of Denmark, Waterhouse of Bridgton
NAYS	Senators	0	
	Representatives	2	Monaghan-Derrig of Cape Elizabeth, Moulton of York
ABSENT		1	Rep. Maloney of Augusta

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 Daniel I. Billings of Bowdoinham, for appointment as a District Court Judge be confirmed.

Signed,

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

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

Senator **HOBBINS:** Thank you Mr. President. Men and women of the Senate, it's an honor for me to rise today in support of the nomination by Governor LePage of Daniel I. Billings for appointment to the Maine District Court. In my opinion, Dan Billings is a very smart and talented nominee whose life experiences will make him an excellent District Court Judge. Dan has an extensive background and had an extensive statewide general law practice before he became the Chief Legal Counsel for Governor LePage. He possesses a unique blend of public policy and legal expertise, as well as objectivity, that will make him an excellent choice for this position. As the Democratic floor leader, I have found him to be open, transparent, forthright, and respectful. We may have our differences with respect to politics, but those differences have never interfered with our common goal, to do what is right for the people of Maine. As I am coming

upon my 34th year on September 20th, I have had an opportunity to be involved in many, many different areas of the law. I can tell you that I am extremely impressed with Dan's legal skills and his attention to details. He is a problem solver who really does work diligently to seek solutions. I admire his drive to reach consensus on many issues and have worked with him with those intentions involved. Dan has never abused his authority as Counsel to the Governor. He has given good and objective legal advice to the Governor. This ability is, in part, the result of the expertise he acquired while practicing law and his life experiences in the private sector before he became an attorney. I believe that Dan Billings has the qualities to be an excellent Judge. He has good commonsense, tolerance, and compassion. He will be objective and he will ensure a fair trial for all those who come before him when he presides over his court. It is without reservation that I support the Governor's nomination of Dan Billings for Judge to the District Court. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hastings.

Senator **HASTINGS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I wish to echo the thoughts of the Senator from York, Senator Hobbins. At the hearing Mr. Billings was the first to admit that he has a passion for engaging in partisan politics, especially at the election level. I think I spoke earlier about the rough and tumble of partisan politics. Mr. Billings is the first to admit that he's had a passion for that and he has engaged in it with the best of them. He also pointed out very clearly to the committee that the bulk of the work he has done as an attorney for the last nine years has not been representing the Republican Party or participating in elections, but as representing the people of Maine, primarily in the District Courts of Maine. That is his other passion in life. He certainly showed the depth and breadth of experience that we require of our judicial nominees. He also, after fully acknowledging his partisan past, recognized that he must and that he would set that aside. In fact, he made an interesting comment. I never really thought of this before, but we ask of all of our judicial nominees, we require of them, that they set their First Amendment rights aside when they go on the bench. Their job is not to play a role in policy. Their job is to fairly decide issues, the private issues, of our citizens of Maine. I think it was interesting, so many of those who testified in favor of Mr. Billings were people from the political arena. They all recognized, and I think they all acknowledged, that he would have the ability to set that partisanship aside and treat all people before him in court with fairness, respect, honesty, and to, basically, give everybody the time and the fair decision they deserve. I fully support, and I hope you all will support, the nomination of Mr. Billings.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#532)

YEAS	Senators	3	Hastings of Oxford, Dill of Cumberland, Woodbury of Cumberland
	Representatives	10	Nass of Acton, Beaulieu of Auburn, Fossel of Alna, Maloney of Augusta, Monaghan-Derrig of Cape Elizabeth, Moulton of York, Priest of Brunswick, Rochelo of Biddeford, Sarty of Denmark, Waterhouse of Bridgton
NAYS		0	
ABSENT		0	

YEAS: Senators: ALFOND, JACKSON

NAYS: Senators: BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

2 Senators having voted in the affirmative and 30 Senators having voted in the negative, with 3 Senators being excused, and 2 being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Daniel I. Billings** of Bowdoinham for appointment as a District Court Judge was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Daniel I. Billings. Would he please rise and accept the congratulations of the Maine Senate.

The Following Communication: S.C. 949

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON JUDICIARY**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Kevin L. Stitham of Dover-Foxcroft, for appointment as a District Court Judge.

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:

Thirteen members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of Honorable Kevin L. Stitham of Dover-Foxcroft, for appointment as a District Court Judge be confirmed.

Signed,

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#533)

YEAS:	Senators: None
NAYS:	Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE
EXCUSED:	Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Kevin L. Stitham** of Dover-Foxcroft for appointment as a District Court Judge was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 950

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON JUDICIARY**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of John B. Lucy of Orono, for appointment as a District Court Judge.

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	Hastings of Oxford, Dill of Cumberland, Woodbury of Cumberland
	Representatives	9	Nass of Acton, Beaulieu of Auburn, Fossel of Alna, Maloney of Augusta, Monaghan-Derrig of Cape Elizabeth, Rep. Moulton of York, Rochelo of Biddeford, Sarty of Denmark, Waterhouse of Bridgton
NAYS		0	
ABSENT		1	Priest of Brunswick

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 John B. Lucy of Orono, for appointment as a District Court Judge be confirmed.

Signed,

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#534)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITTEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **John B. Lucy** of Orono for appointment as a District Court Judge was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber John Lucy, accompanied by his wife, Allison. Would they please rise and accept the congratulations of the Maine Senate.

The Following Communication: S.C. 956

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON JUDICIARY**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Keith A. Powers of Cape Elizabeth, for reappointment as a District Court Judge.

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	Hastings of Oxford, Dill of Cumberland, Woodbury of Cumberland
	Representatives	9	Nass of Acton, Beaulieu of Auburn, Fossel of Alna, Maloney of Augusta, Monaghan-Derrig of Cape Elizabeth, Priest of Brunswick, Rochelo of Biddeford, Sarty of Denmark, Waterhouse of Bridgton
NAYS		0	
ABSENT		1	Rep. Moulton of York

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 Honorable Keith A. Powers of Cape Elizabeth, for reappointment as a District Court Judge be confirmed.

Signed,

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#535)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Keith A. Powers** of Cape Elizabeth for reappointment as a District Court Judge was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 952

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON JUDICIARY**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Carl O. Bradford of Yarmouth, for reappointment as an Active Retired Justice 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:

LEGISLATIVE RECORD - SENATE, THURSDAY, SEPTEMBER 6, 2012

YEAS	Senators	3	Hastings of Oxford, Dill of Cumberland, Woodbury of Cumberland
	Representatives	9	Nass of Acton, Beaulieu of Auburn, Fossil of Alna, Maloney of Augusta, Monaghan-Derrig of Cape Elizabeth, Moulton of York, Rochelo of Biddeford, Sarty of Denmark, Waterhouse of Bridgton

NAYS	0
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ABSENT	1	Rep. Priest of Brunswick
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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 Honorable Carl O. Bradford of Yarmouth, for reappointment as an Active Retired Justice Superior Court be confirmed.

Signed,

S/David R. Hastings III
Senate Chair

S/Joan M. Nass
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#536)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY. THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY,
WHITTEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Carl O. Bradford** of Yarmouth for reappointment as an Active Retired Justice Superior Court was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 873

STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Anthony M. Payne of Falmouth, for reappointment to the Maine Educational Loan Authority.

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

YEAS	Senators	2	Rector of Knox, Martin of Kennebec
	Representatives	5	Dow of Waldoboro, Gilbert of Jay, Newendyke of Litchfield, Volk of Scarborough, Wallace of Dexter
NAYS	Senators	1	Jackson of Aroostook
	Representatives	0	
ABSENT		4	Rep. Prescott of Topsham, Rep. Driscoll of Westbrook, Rep. Herbig of Belfast, Rep. Tuttle of Sanford

Seven members of the Committee having voted in the affirmative and one in the negative, it was the vote of the Committee that the nomination of Anthony M. Payne of Falmouth, for reappointment to the Maine Educational Loan Authority be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#537)

YEAS: Senators: ALFOND, JACKSON

NAYS: Senators: BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

2 Senator having voted in the affirmative and 30 Senators having voted in the negative, with 3 Senators being excused, and 2 being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Anthony M. Payne** of Falmouth for reappointment to the Maine Educational Loan Authority was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 874

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nominations of Betsy H. Libby of New Gloucester and John C. Atkinson of Topsham, for reappointments to the Maine Educational Loan Authority.

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

YEAS	Senators	3	Rector of Knox, Jackson of Aroostook, Martin of Kennebec
	Representatives	5	Dow of Waldoboro, Gilbert of Jay, Newendyke of Litchfield, Volk of Scarborough, Wallace of Dexter
NAYS		0	
ABSENT		4	Rep. Prescott of Topsham, Rep. Driscoll of Westbrook, Rep. Herbig of Belfast, Rep. Tuttle of Sanford

Eight members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Betsy H. Libby of New Gloucester and John C. Atkinson of Topsham, for reappointments to the Maine Educational Loan Authority be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#538)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Betsy H. Libby** of New Gloucester and **John C. Atkinson** of Topsham for reappointment to the Maine Educational Loan Authority were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 876

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Jeanne S. Paquette of North Yarmouth, for appointment as the Commissioner of the Department of Labor.

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	Rector of Knox, Jackson of Aroostook, Martin of Kennebec
	Representatives	7	Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Volk of Scarborough, Wallace of Dexter

NAYS 0

ABSENT 2 Rep. Herbig of Belfast, Rep. Tuttle of Sanford

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 Jeanne S. Paquette of North Yarmouth, for appointment as the Commissioner of the Department of Labor be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#539)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

Representatives 7 Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Volk of Scarborough, Wallace of Dexter

NAYS 0

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

ABSENT 2 Rep. Herbig of Belfast, Rep. Tuttle of Sanford

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Jeanne S. Paquette** of North Yarmouth for appointment as the Commissioner of the Department of Labor was **CONFIRMED**.

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Mark L. Wilcox of Mapleton and D. Gregg Collins of Caribou for appointments to the Loring Development Authority of Maine be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#540)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

The Following Communication: S.C. 878

STATE OF MAINE ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE COMMITTEE ON LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nominations of Mark L. Wilcox of Mapleton and D. Gregg Collins of Caribou, for appointments to the Loring Development Authority of Maine.

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

YEAS Senators 3 Rector of Knox, Jackson of Aroostook, Martin of Kennebec

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Mark L. Wilcox** of Mapleton and **D. Gregg Collins** of Caribou for appointment to the Loring Development Authority of Maine were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 884

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of John G. Gallagher of Bath, for appointment as the Director of the Maine State Housing Authority.

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

YEAS	Senators	3	Rector of Knox, Jackson of Aroostook, Martin of Kennebec
	Representatives	6	Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Volk of Scarborough, Wallace of Dexter
NAYS		0	
ABSENT		3	Rep. Prescott of Topsham, Rep. Herbig of Belfast, Rep. Tuttle of Sanford

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 John G. Gallagher of Bath, for appointment as the Director of the Maine State Housing Authority be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#541)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **John G. Gallagher** of Bath for appointment as the Director of the Maine State Housing Authority was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber John G. Gallagher of Bath. Would he please rise and accept the congratulations of the Maine Senate.

The Following Communication: S.C. 885

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Adam E. Bradstreet of Albion, for appointment to the Maine State Housing Authority.

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

YEAS	Senators	3	Rector of Knox, Jackson of Aroostook, Martin of Kennebec
	Representatives	7	Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Volk of Scarborough, Wallace of Dexter
NAYS		0	
ABSENT		2	Rep. Herbig of Belfast, Rep. Tuttle of Sanford

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 Adam E. Bradstreet of Albion, for appointment to the Maine State Housing Authority be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#542)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Adam E. Bradstreet** of Albion for appointment to the Maine State Housing Authority was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 889

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND
ECONOMIC DEVELOPMENT**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Christopher A. Pierce of Cumberland, for appointment to the Finance Authority of Maine.

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	Rector of Knox, Martin of Kennebec
	Representatives	5	Prescott of Topsham, Dow of Waldoboro, Newendyke of Litchfield, Volk of Scarborough, Wallace of Dexter
NAYS	Senators	1	Jackson of Aroostook
	Representatives	2	Driscoll of Westbrook, Gilbert of Jay
ABSENT		2	Rep. Herbig of Belfast, Rep. Tuttle of Sanford

Seven 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 Christopher A. Pierce of Cumberland, for appointment to the Finance Authority of Maine be confirmed. Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

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

Senator **JACKSON:** Thank you Mr. President. Ladies and gentlemen of the Senate, very quickly. In anticipation of what I expect, I just want to say that anyone that puts on a uniform of his country, I definitely would consider a veteran. That is not why I did not support this nomination. There were other things that came up in the hearing that I didn't agree with. That's the reason why I chose not to support Mr. Pierce.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.
YEAS

ROLL CALL (#543)

YEAS: Senators: BRANNIGAN, JACKSON

NAYS: Senators: ALFOND, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

2 Senator having voted in the affirmative and 30 Senators having voted in the negative, with 3 Senators being excused, and 2 being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Christopher A. Pierce** of Cumberland for appointment to the Finance Authority of Maine was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 891

STATE OF MAINE ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE COMMITTEE ON LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nomination of Robert A. Martin of Newcastle, for appointment as the Maine Technology Institute Director.

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:

Senators 3 Rector of Knox, Jackson of Aroostook,
Martin of Kennebec

Representatives 6 Dow of Waldoboro, Driscoll
of Westbrook, Gilbert of Jay,
Newendyke of Litchfield, Volk
of Scarborough, Wallace of
Dexter

NAYS 0

ABSENT 3 Rep. Prescott of Topsham,
Rep. Herbig of Belfast, Rep.
Tuttle of Sanford

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 Robert A. Martin of Newcastle, for appointment as the Maine Technology Institute Director be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#544)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS,
COURTNEY, CRAVEN, DIAMOND, DILL,
FARNHAM, GOODALL, HASTINGS, HILL,
HOBBINS, JACKSON, JOHNSON, KATZ,
LANGLEY, MARTIN, MASON, MCCORMICK,
PATRICK, PLOWMAN, RECTOR, ROSEN,
SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-
MELLO, SULLIVAN, THIBODEAU, THOMAS,
WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY,
WHITTEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Robert A. Martin** of Newcastle for appointment as the Maine Technology Institute Director was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 893

STATE OF MAINE ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE COMMITTEE ON LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Labor, Commerce, Research & Economic Development has had under consideration the nominations of Lewis M. Pinkham of Steuben and Robert R. Hammond of Harrington, for appointments to the Washington County Development Authority.

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

YEAS	Senators	3	Rector of Knox, Jackson of Aroostook, Martin of Kennebec
	Representatives	7	Prescott of Topsham, Dow of Waldoboro, Driscoll of Westbrook, Gilbert of Jay, Newendyke of Litchfield, Volk of Scarborough, Wallace of Dexter
NAYS		0	
ABSENT		2	Rep. Herbig of Belfast, Rep. Tuttle of Sanford

Ten members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Lewis M. Pinkham of Steuben and Robert R. Hammond of Harrington, for appointments to the Washington County Development Authority be confirmed.

Signed,

S/Christopher W. Rector
Senate Chair

S/Kerri L. Prescott
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#545)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Lewis M. Pinkham** of Steuben and **Robert R. Hammond** of Harrington for appointment to the Washington County Development Authority were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 899

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON MARINE RESOURCES**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Marine Resources has had under consideration the following nominations to the Marine Resources Advisory Council:

James L. Markos, Jr. of Blue Hill, reappointment
Michael E. Love of North Yarmouth, appointment
Michael E. Murphy II of Machiasport, appointment
Thomas W. Casamassa of Saco, appointment
Arnold A. Nickerson IV of Arundel, appointment

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

YEAS	Senators	3	Snowe-Mello of Androscoggin, Johnson of Lincoln, Langley of Hancock
	Representatives	8	Weaver of York, Knapp of Gorham, Kruger of Thomaston, Kumiega of Deer Isle, MacDonald of Boothbay, Olsen of Phippsburg, Parry of Arundel, Tilton of Harrington
NAYS		0	
ABSENT		2	Rep. Beliveau of Kittery, Rep. Chapman of Brooksville

Eleven members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of James L. Markos, Jr. of Blue Hill, for reappointment and the nominations of Michael E. Love of North Yarmouth, Michael E. Murphy II of Machiasport, Thomas W. Casamassa of Saco and Arnold A. Nickerson IV of Arundel for appointments to the Marine Resources Advisory Council be confirmed.

Signed,

S/Lois A. Snowe-Mello
Senate Chair

S/Windol C. Weaver
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **MARINE RESOURCES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#546)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITTEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Michael E. Love** of North Yarmouth, **Michael E. Murphy II** of Machiasport, **Thomas W. Casamassa** of Saco and **Arnold A. Nickerson IV** of Arundel for appointment to the Marine Resources Advisory Council were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 901

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on State and Local Government has had under consideration the nomination of Daniel V. Deveau of Cyr Plantation, for appointment as the Maine-Canada Trade Ombudsman.

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	Thomas of Somerset, Collins of York, Sullivan of York
	Representatives	6	Cotta of China, Bolduc of Auburn, Casavant of Biddeford, Cebra of Naples, Moulton of York, Turner of Burlington
NAYS	Senators	0	
	Representatives	2	Boland of Sanford, Kaenrath of South Portland
ABSENT		2	Rep. Graham of North Yarmouth, Rep. Harvell of Farmington

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 Daniel V. Deveau of Cyr Plantation, for appointment as the Maine-Canada Trade Ombudsman be confirmed.

Signed,

S/Douglas A. Thomas
Senate Chair

S/H. David Cotta
House Chair

READ and ORDERED PLACED ON FILE.

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

Senator **SULLIVAN:** Thank you Mr. President. I want to explain some confusion, perhaps. I questioned this candidate at length. I have absolutely no problem with his qualifications. I will be supporting not to overturn. My question is concerning the fact that this has been an open vacancy. It was introduced in 2001, 11 years ago. It has never been filled. The position is going to pay over \$60,000 for the first year. I just know, as a teacher, I made \$52,000 my last year of teaching. That was 30 years into it. I just question the timing of it. My job in that committee was to decide if this man was qualified. From what I heard and what I saw, every single person spoke in favor of the man. Every single person talked about the need for the rural caucus. Senator Sherman came and talked a little bit about the history. It may

very well be a needed thing. I do question the timing and the money. No doubt about it. No one came forward. If there were problems, they needed to come forward. That's why we spend the time at the public hearing, listening. No one did. As you can see some members voted not to confirm him. I did not join those. I joined my fellow Senators in voting to endorse him. Had we been talking about a budget, I would not have voted the way I did. That was not my job yesterday. My job was to say if this man was qualified for the position. The Chief Executive has that right to put forth anyone. I, therefore, voted for him. I would ask that you vote not to overturn the recommendation of the committee. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Thomas.

Senator **THOMAS:** Thank you Mr. President. Ladies and gentlemen of the Senate, Maine is not the end of the line. There are millions and millions of consumers just north, just east, and just west of Maine. These consumers have more money than almost any population of their size in the world. We can't continue to ignore these buyers of Maine products if we're going to grow our economy and provide the jobs our children and grandchildren are going to need. For more than a decade we've missed the opportunity to have a person represent Maine to these potential customers. We can't afford to continue to miss these opportunities. This position needs to be filled. Danny Deveau is the right person to fill this position. He speaks both English and French fluently. He's an American citizen born in Canada. He'll enjoy the respect of those on both sides of the border. He's a long-time farmer and small business owner and is well qualified for this position. No one spoke against his nomination. Daniel V. Deveau needs to be confirmed as the Maine-Canada Trade Ombudsman. Thank you.

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

Senator **SHERMAN:** Thank you Mr. President. It is a dangerous time here. Earl's coming down. There are seven left to go. Rural caucus was mentioned. When I first came here 10 or 11 years ago we had a strong rural caucus. We were having trouble across the border; New Brunswick, Quebec, among other things. We still do. We came up with the idea of a Maine-Canada Ombudsman. It was put in during Governor Baldacci's office. Governor Baldacci, frankly, bless his heart, decided he could go to Quebec and talk to people; that he could go to New Brunswick to talk to people; he could go to Newfoundland and talk to people and get something done. Unfortunately, I don't believe that happened. We have almost 15 million; there are 8 million or 9 million people in Quebec. We share about 100 miles of border. You start at Calais and go up around. There is almost 160 miles to Edmundston. Two hundred miles to the oil fields over in New Brunswick. There is a deep water port over there in Halifax. You are going to have all sorts of stuff coming in there. It is a vibrant area. Frankly, the Webster-Ashburton Treaty cuts someone off, on whether Maine should be involved with New Brunswick and vice versa. I guess we didn't want to fight over that. The issue is this has been there. It was non-partisan. Hannah Pingree was on Appropriations in those days. She put money in the budget for the Governor to use. There was a gentleman by the name of Bob Crosthwaite down in Ellsworth, born in Canada. He was

Representative here. Some of you may remember. He was willing to take the job but he really couldn't because he was a sitting legislator. This is something that has taken 10 years. As Senator Thomas said, they have a vibrant economy over there. We have people talking back and forth. Most of us have relatives along that border. My brother-in-law is a potato farmer and knows the Premier of New Brunswick. He has dinner on occasions with the Premier of PEI, of mid-coast folks. They are at the point now, because of where their dollar is, that they want to do some cross-border stuff. I got a call from the Premier of PEI, he's not Premier any more, he's actually the marine resource guy. We were talking about the lobster. Wondering when we were going to get this thing done. There is a little lobster issue along the coast. He was a little bit upset at his own people protesting because their lobster is one of the issues. Their lobster time quits in November and New Brunswick buys Maine lobster to fill up their canneries. There are some cross-border issues. I appreciate the good Senator from Saco, York County, for her words. This is ongoing. It had nothing to do with the present Governor. It's in there. If anything I hope works out well in the time I've been here, I hope this is the one. Thank you.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **STATE AND LOCAL GOVERNMENT** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#547)

YEAS: Senators: ALFOND, BRANNIGAN, CRAVEN, DILL, JACKSON, PATRICK

NAYS: Senators: COLLINS, COURTNEY, DIAMOND, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

6 Senators having voted in the affirmative and 26 Senators having voted in the negative, with 3 Senators being excused, and 6 being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Daniel V. Deveau** of Cyr Plantation for appointment as the Maine-Canada Trade Ombudsman was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 903

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON TAXATION**

September 4, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Taxation has had under consideration the following nominations for appointments to the Maine Board of Tax Appeals.

Edwin A. Heisler of Falmouth
Honorable Richard A. Nass of Acton
William J. Kelleher of Rome

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

YEAS	Senators	3	Courtney of York, Hastings of Oxford, Woodbury of Cumberland
	Representatives	9	Knight of Livermore Falls, Bennett of Kennebunk, Berry of Bowdoinham, Bickford of Auburn, Bryant of Windham, Harmon of Palermo, Pilon of Saco, Waterhouse of Bridgton, Weaver of York

NAYS 0

ABSENT 1 Rep. Flemings of Bar Harbor

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Edwin A. Heisler of Falmouth, Honorable Richard A. Nass of Acton and William J. Kelleher of Rome for appointments to the Maine Board of Tax Appeals be confirmed.

Signed,

S/Jonathan T. Courtney
Senate Chair

S/L. Gary Knight
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **TAXATION** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#548)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Edwin A. Heisler** of Falmouth, the Honorable **Richard A. Nass** of Acton and **William J. Kelleher** of Rome for appointment to the Maine Board of Tax Appeals were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 905

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON TRANSPORTATION**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Transportation has had under consideration the nomination of Dana F. Connors of Gray, for reappointment to the Northern New England Passenger Rail Authority.

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

YEAS	Senators	3	Collins of York, Diamond of Cumberland, Thomas of Somerset
	Representatives	9	Cebra of Naples, Gillway of Searsport, Hogan of Old Orchard Beach, Parry of Arundel, Peoples of Westbrook, Rioux of Winterport, Rosen of Bucksport, Theriault of Madawaska, Willette of Mapleton

NAYS 0

ABSENT 1 Rep. Mazurek of Rockland

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 Dana F. Connors of Gray, for reappointment to the Northern New England Passenger Rail Authority be confirmed.

Signed,

S/Ronald F. Collins
Senate Chair

S/Richard M. Cebra
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **TRANSPORTATION** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#549)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Dana F. Connors** of Gray for reappointment to the Northern New England Passenger Rail Authority was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 907

STATE OF MAINE ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE COMMITTEE ON TRANSPORTATION

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Transportation has had under consideration the nomination of Daniel E. Wathen of Augusta, for reappointment to the The Maine Turnpike Authority, Board of Directors.

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	Collins of York, Diamond of Cumberland, Thomas of Somerset
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Representatives 9 Cebra of Naples, Gillway of
Searsport, Hogan of Old
Orchard Beach, Parry of
Arundel, Peoples of
Westbrook, Rioux of
Winterport, Rosen of
Bucksport, Theriault of
Madawaska, Willette of
Mapleton

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Daniel E. Wathen** of Augusta for reappointment to the Maine Turnpike Authority, Board of Directors was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

NAYS 0

ABSENT 1 Rep. Mazurek of Rockland

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 Daniel E. Wathen of Augusta, for reappointment to the Maine Turnpike Authority, Board of Directors be confirmed.

Signed,

S/Ronald F. Collins
Senate Chair

S/Richard M. Cebra
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **TRANSPORTATION** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#550)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITTEMORE

The Following Communication: S.C. 909

STATE OF MAINE ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE COMMITTEE ON VETERANS AND LEGAL AFFAIRS

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Veterans & Legal Affairs has had under consideration the nomination of Colonel James D. Campbell of Old Town, for appointment as the Adjutant General and Commissioner of Defense, Veterans & Emergency Management.

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	Farnham of Penobscot, Patrick of Oxford, Plowman of Penobscot
	Representatives	9	Beaulieu of Auburn, Carey of Lewiston, Chipman of Portland, Crockett of Bethel, Damon of Bangor, Johnson of Eddington, Longstaff of Waterville, Russell of Portland, Valentino of Saco
NAYS		0	
ABSENT		1	Rep. Willette of Presque Isle

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 Colonel James D. Campbell of Old Town, for appointment as the Adjutant General and Commissioner of Defense, Veterans & Emergency Management be confirmed.

Signed,

S/Nichi S. Farnham
Senate Chair

S/Michael G. Beaulieu
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **VETERANS AND LEGAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#551)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY, WHITEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Colonel James D. Campbell** of Old Town for appointment as the Adjutant General and Commissioner of Defense, Veterans & Emergency Management was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 911

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Veterans & Legal Affairs has had under consideration the nomination of Andre G. Duchette of Brunswick, for reappointment to the Commission on Governmental Ethics and Election Practices.

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	Farnham of Penobscot, Patrick of Oxford, Plowman of Penobscot
	Representatives	9	Beaulieu of Auburn, Carey of Lewiston, Chipman of Portland, Crockett of Bethel, Damon of Bangor, Johnson of Eddington, Longstaff of Waterville, Russell of Portland, Valentino of Saco
NAYS		0	
ABSENT		1	Rep. Willette of Presque Isle

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 Andre G. Duchette of Brunswick, for reappointment to the Commission on Governmental Ethics and Election Practices be confirmed.

Signed,

S/Nichi S. Farnham
Senate Chair

S/Michael G. Beaulieu
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **VETERANS AND LEGAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY. THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY,
WHITTEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Andre G. Duchette** of Brunswick for reappointment to the Commission on Governmental Ethics and Election Practices was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 913

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Veterans & Legal Affairs has had under consideration the nominations of Harry J. Stickney of Augusta and Matthew F. Dyer of Augusta, for reappointments to the Gambling Control Board.

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

YEAS	Senators	3	Farnham of Penobscot, Patrick of Oxford, Plowman of Penobscot
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Representatives	9	Beaulieu of Auburn, Carey of Lewiston, Chipman of Portland, Crockett of Bethel, Damon of Bangor, Johnson of Eddington, Longstaff of Waterville, Russell of Portland, Valentino of Saco
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NAYS	0
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ABSENT	1	Rep. Willette of Presque Isle
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Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nominations of Harry J. Stickney of Augusta and Matthew F. Dyer of Augusta, for reappointments to the Gambling Control Board be confirmed.

Signed,

S/Nichi S. Farnham
Senate Chair

S/Michael G. Beaulieu
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **VETERANS AND LEGAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#553)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MASON, MCCORMICK, PATRICK, PLOWMAN, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-MELLO, SULLIVAN, THIBODEAU, THOMAS, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY,
WHITTEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nominations of **Harry J. Stickney** of Augusta and **Matthew F. Dyer** of Augusta for reappointment to the Gambling Control Board were **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 915

**STATE OF MAINE
ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

September 5, 2012

The Honorable Kevin L. Raye
President of the Senate of Maine
125th Maine Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the 125th Maine Legislature, the Joint Standing Committee on Veterans & Legal Affairs has had under consideration the nomination of Anne M. Vallee-Lachance of Manchester, for appointment to the State Liquor and Lottery Commission.

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

YEAS	Senators	3	Farnham of Penobscot, Patrick of Oxford, Plowman of Penobscot
	Representatives	9	Beaulieu of Auburn, Carey of Lewiston, Chipman of Portland, Crockett of Bethel, Damon of Bangor, Johnson of Eddington, Longstaff of Waterville, Russell of Portland, Valentino of Saco

NAYS 0

ABSENT 1 Rep. Willette of Presque Isle

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 Anne M. Vallee-Lachance of Manchester, for appointment to the State Liquor and Lottery Commission be confirmed.

Signed,

S/Nichi S. Farnham
Senate Chair

S/Michael G. Beaulieu
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **VETERANS AND LEGAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 506 of the 125th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#554)

YEAS: Senators: None

NAYS: Senators: ALFOND, BRANNIGAN, COLLINS,
COURTNEY, CRAVEN, DIAMOND, DILL,
FARNHAM, GOODALL, HASTINGS, HILL,
HOBBINS, JACKSON, JOHNSON, KATZ,
LANGLEY, MARTIN, MASON, MCCORMICK,
PATRICK, PLOWMAN, RECTOR, ROSEN,
SAVIELLO, SCHNEIDER, SHERMAN, SNOWE-
MELLO, SULLIVAN, THIBODEAU, THOMAS,
WOODBURY, THE PRESIDENT - KEVIN L. RAYE

EXCUSED: Senators: BARTLETT, GERZOFKY,
WHITTEMORE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Anne M. Vallee-Lachance** of Manchester for appointment to the State Liquor and Lottery Commission was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

ORDERS

Senate Order

On motion by Senator **PLOWMAN** of Penobscot, the following Senate Order:

S.O. 31

Ordered, that a message be sent to Governor Paul R. LePage informing him that the Senate has transacted all business before it and is ready to Adjourn Without Day.

READ.

Senator **HASTINGS** of Oxford was granted unanimous consent to address the Senate on the Record.

Senator **HASTINGS**: Thank you Mr. President. I've been sitting here today feeling sort of a glow coming from my right. At first I thought it was just the usual reflection of the lighting on my seatmate's head. Then I realized it was more than that. You've all received on your desk notice that my seatmate, Senator Richard Rosen, has been awarded the 2012 Maine Sunshine Award by the Maine Freedom of Information Coalition. This is an important award. I serve on both the Right to Know Advisory Committee and Judiciary Committee, both of which have worked hard on Maine's Right to Know Law and the access of the public to government information. A couple of things we've struggled with have been how to deal with that. Most of government has gotten very good at it, providing information, but there remain pockets of resistance. There are occasionally citizens who really do file vexatious and duplicative requests that almost bring a governmental unit to its knees. How to deal with that? One of the big things we've always had in the statutes is a Public Access Ombudsman officer in the Attorney General's Office. It's been in the books for years, but it's never been funded and never been filled. Both the Right to Know Advisory Committee and the Judiciary Committee have always felt that this position, which has been informally filled by Linda Pistner of the AG's Office, which is to educate and to mediate disputes, is the best source of fixing these occasional problems, rather than trying to legislate every particular situation. First we owe gratitude to Governor LePage who, in his budget, funded half the position. We got someplace. We got half way there. I thank Governor LePage for that. Through Senator Rosen's efforts on the Appropriations Committee, through his leadership, the Appropriations Committee fully funded the position for the first time in this budget and we did support that this year. I think it's a big step. It is a law that designates every community and every governmental agency to have a Public Access Officer. It goes a long ways. Open government is important. We all know that. I hope you will all join me in congratulating my seatmate and friend, Senator Richard "Sunshine" Rosen, for his efforts and congratulate him for his efforts in promoting transparency in government and his receipt of this year's Maine Sunshine Award.

Senator **ROSEN** of Hancock was granted unanimous consent to address the Senate on the Record.

Senator **ROSEN**: Thank you Mr. President. I promise I'm not going to hold you up, but I just have to make a couple of comments. It was very nice of the Senator from Oxford, last year's Mr. Sunshine. I appreciate the kind words. I simply want to say that the legislation that we passed in L.D. 1465 was a culmination of five years of effort and was a bill that you all helped make happen. L.D. 1465 had 30 co-sponsors. The Senator from York, Senator Dawn Hill, was the prime co-sponsor of the bill. She is a long-time champion of transparency. There were very

strange bedfellows that came together in terms of organizations from across the political spectrum to support the work. The Judiciary Committee, over the last two years; the Maine Rights Advisory Committee; and many others. It was truly bi-partisan. It was a group effort. Strong support from both Chambers and members from both caucuses. Thank you very much. I appreciate it.

On motion by Senator **PLOWMAN** of Penobscot, the Senate Order was **PASSED**.

The Chair appointed the Senator from Penobscot, Senator **PLOWMAN** to deliver the message to the Governor. The Senator was escorted to the Governor's Office.

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

Senate at Ease.

Senate called to order by the President.

Off Record Remarks

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

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

Off Record Remarks

All matters thus acted upon were ordered sent down forthwith for concurrence.

On motion by Senator **BRANNIGAN** of Cumberland, the Honorable **KEVIN L. RAYE**, President of the Senate, declared the First Confirmation Session of the 125th Legislature, **ADJOURNED SINE DIE** at 1:45 in the afternoon.