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Copy to: also re [unclear] 30. IV
x P A H.

Submitted on

April 18, 1990

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Apr 27/4

McC Minister
HofC 9/2
Mr Gornish
Mr Henderson

The Honorable Sir Antony Acland, Ambassador
 British Embassy
 3100 Massachusetts Ave., NW
 Washington, DC 20008

HMCS Boston (y f)
BU/3/5
Mr Gornish
Gratful for advice on

Dear Ambassador Acland:

We are very pleased to formally advise you of the fact that the Maine Senate upheld Governor McKernan's veto of the pending Northern Ireland disinvestment legislation (Legislative Document 2200) in the final hours of the legislative session late last Friday night, April 13, 1990.

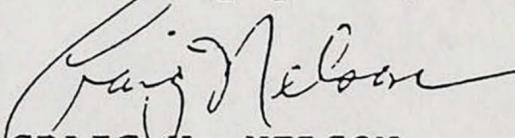
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We will be sending along a final written report to Andy Henderson at the Embassy, as well as to your Government's Consulate in Boston, within the next few days; however, we wanted to write to you at this time to thank you personally and the members of your staff at the Embassy, as well as the Consulate in Boston, for all of the support which you provided to our firm in connection with our representation of your Government concerning this matter before the Maine Legislature. It has indeed been a pleasure for us to represent your Government once again and we can say, without any reservation, that a major contribution to the ultimate success which we were able to achieve on behalf of your Government was made by Andy Henderson from your Embassy staff, as well as Philip McLean, your Government's Consul General in Boston, and Alan White and Ann Kanter of his staff. There is no doubt in our minds that, without the tremendous support which we received from all of them, both with respect to information, as well as documents which were necessary to enable us to effectively represent your Government, it is doubtful that we could have been successful in our efforts.

Amassador Acland
April 18, 1990
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We also would like to take this opportunity to thank you for giving Doyle & Nelson the opportunity to be of service once again to your Government. It is our hope that we may be of service to your Government in the future; however, hopefully, it will not be with respect to any future similar legislation before the Maine Legislature.

Sincerely yours,


CRAIG H. NELSON


JON R. DOYLE

CHN/JRD/tlm

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TO: Andy Henderson
Alan White
Ann Kanter

FROM: Craig H. Nelson, Esq.

RE: Final Report on Legislative Document 2200
(An Act Regarding Investment of State
Funds in Corporations Doing Business in
Northern Ireland)

DATE: 4/25/90

By Nelson
copy pte (2 pps)
R J Finney Esq
DED Archivist
As J River
SIC N10(L)
R Davies Esq

I thought it would be helpful to all of you if I gave you a final report concerning the final week of the legislative session as it relates to various events and activities which occurred in connection with the above-referenced legislation.

RED, FCS
MAenderson

On the evening of Friday of April 6, 1990, both the State Senate and the House took final action on this legislation with voting margins very similar to those on the preliminary votes in both Houses by enacting the bill and sending it to the Governor for his consideration.

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As you know, under the provisions of the State Constitution, the Governor has ten calendar days, Sundays excepted, within which to consider the legislation and either sign it, return it with his veto message giving the reasons why he objects to the legislation to the House of origination, or allow it to become law at the end of the ten days without his signature. Since it appeared that the Legislature was going to adjourn early, but might reserve one extra day to return to consider Gubernatorial vetos, much consideration was given within the Governor's Office during the early part of the week of April 9, 1990, as to whether to veto this legislation during that week or to await the adjournment of the Legislature which was expected to occur at the end of that week and then veto the bill and

have it considered with other legislation on the "veto day" when the Legislature would return to consider only Gubernatorial vetos. As the week progressed, it became clearer that the Legislature was going to attempt to get all of its work done by either Friday, April 13th, or Saturday, April 14th, and would not be reserving a veto day. In view of this fact, the Governor's veto message, a copy of which has already been supplied to all of you by this office, was transmitted to the House on Thursday, April 12, 1990, and was considered later in the day and resulted in a vote in the House to override the Governor's veto. As I believe we have already told you, the State Constitution requires at least a two-thirds vote of all those members present of both Houses of the Legislature in order to override a Gubernatorial veto. The vote in the House was 104 in favor of overriding the Governor's veto, and 38 against. Our calculations after the vote indicates that the extensive lobbying by members of our firm and the staff of the Governor's office resulted in the switching of the votes of fourteen members of the House who had voted against the bill in the earlier votes; however, this effort was still insufficient to deprive the proponents of the bill, the two-thirds (95) margin which they required in order to override the Governor's veto.

Since the action of the House was taken late in the day on Thursday, April 12th, it was expected that this legislation would appear on the calendar in the Senate on Friday morning, April 13th; however, when it did not appear on the Senate calendar, an examination of the House calendar indicated that the bill was being held in the House, after the House voted to override the Governor's veto the previous night, at the request of the Speaker of the House, Representative John Martin. It was clear that the reason for holding the bill in the House was to attempt to give the proponents of the legislation in the Senate additional time within which to try to change the votes of certain key Senators by trying to trade support on other key legislation, particularly appropriations-related legislation which still remained on the "Appropriations Table" in the Senate in order to attempt to get the necessary two-thirds vote in the Senate to also override the Governor's veto.

The bill was finally released from the House late on Friday, April 13th, and appeared on a supplemental calendar in the Senate. During the afternoon and evening of April 13th, an extensive lobbying effort was necessary on the part of the members of this firm, as well as the Governor's Office, in order to attempt to be sure that we could hold a

sufficient number of votes in the Senate to deprive the proponents of the two-thirds margin which they required under the Constitution. As part of this effort, the Governor invited the entire Republican Caucus of the Senate down to his office to discuss this particular legislation and the importance of supporting the Governor on the vote to override his veto. The Governor also had some private meetings with two or three key Republican legislators who were determined to be wavering in their resolve to support the Governor. Further efforts were also made to attempt to change the vote of one or two key Democratic Senators, which efforts were successful in the end in order to give a protective margin when the final vote was taken in the Senate.

At the time the vote was taken in the evening of April 13, 1990 in the Senate, all Senators were present and voting, which meant that we needed to obtain a minimum of twelve (12) votes against the motion to override the Governor's veto in order to deprive the proponents of the necessary two-thirds vote in favor of that motion. It should be noted for your reference at this point that there are a total of 15 Republicans and 20 Democrats in the State Senate. Although two Republicans, as expected, (Senator Randall and Senator Gill) voted in favor of the override of the Governor's veto, Democratic Senator Donald Twitchell voted against the override, and we also had the commitment of Democratic Senator Beverly Bustin from Augusta to cast a late vote against the override at the end of the roll call if her vote was necessary in order to block the override of the Governor's veto. The final vote was 21 Senators voting in favor of the override, and 14 against, which meant that we were successful in stopping the override effort and sustaining the Governor's veto by a two-vote margin.

Once the vote was finalized in the Senate and it was clear that the Governor's veto had been sustained, monitoring continued until final adjournment at approximately 5:20 a.m. on Saturday, April 14, 1990, to be sure that some alternative bill or resolution was not introduced in the final hours of the legislative session concerning the subject matter of this legislation, as was the case with respect to the similar legislation that was vetoed by the Governor in the 1988 session of the Maine Legislature. Fortunately, no such effort was made and the Legislature adjourned as indicated in the early morning hours of April 14th with no further action being taken concerning the subject matter of this bill.

Memorandum
April 25, 1990
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Once we obtain all of the transcripts of the various debates which occurred in the House and Senate as this legislation proceeded through the legislative process, we will forward copies to you.

CHN/tlm