

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 3, 1980 to May 1, 1981

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STATE OF MAINE
One Hundred and Tenth Legislature
First Regular Session
JOURNAL OF THE SENATE

February 9, 1981

Senate called to order by the President.

Prayer by the Honorable Jerome A. Emerson of Corinna.

Senator EMERSON: May we be in a mood of prayer. Heavenly Father, we are thankful for this beautiful sunny day, at the beginning of this new week. May the light of this day fill our hearts.

We pray that it may serve as a symbol of the light that will be with us and guide us through the difficult days of decision-making that lie before us.

Be with us, each of us, this day and every day, this we ask in Christ's name. Amen.

Reading of the Journal of yesterday.

**Papers from the Senate
Non-concurrent Matter**

Resolve, Designating the Scenic Overlook on Interstate 95 in T1-R6 WELS as "The Albert J. 'Allie' Cole Memorial Scenic Overlook." (S. P. 82) (L. D. 179)

In the Senate February 3, 1981, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as amended by House Amendment "A" (H-6), in non-concurrence.

The PRESIDENT: Is it the pleasure of the Senate to Recede and Concur with the House? The Motion Prevailed.

(See Action Later Today)

**Joint Resolution
State of Maine**

In the Year of our Lord
One Thousand Nine Hundred
and Eighty-One

Joint Resolution Memorializing
the Congress of the United
States to Enact Legislation
Allowing the Veterans' Administration
to Furnish Outpatient Medical
Service to Atomic Veterans

We, your Memorialists, the House of Representatives and Senate of the State of Maine of the One Hundred and Tenth Legislative Session assembled, most respectfully present and petition the United States Congress, as follows:

Whereas, H. R. 7585, a bill to amend the United States Code, Title 38, to allow the Veteran's Administration to furnish outpatient medical services to any veteran exposed to ionizing radiation as a result of atmospheric testing of nuclear weapons, was introduced into the second session of the 96th Congress; and

Whereas, under H. R. 7585, atomic veterans will be awarded an automatic 50% service-connected disability; and

Whereas, the Defense Nuclear Agency, since the start of its outreach program, has been contacted by 41,500 atomic veterans, of whom 4,040 have reported cancers, and since 1,259 have subsequently died from unknown causes; and
Whereas, the United States Supreme Court has ruled that atomic veterans may not sue for damages because of national security questions; and

Whereas, the cost of private medical treatment is creating a staggering financial burden for families of these veterans; and

Whereas, the U.S. House of Representatives Subcommittee on Oversight and Investigations has stated that the only victims of America's nuclear weapons testing program have been her own people; now, therefore, be it

Resolved: That we, your Memorialists, do hereby respectfully urge that Congress immediately enact H. R. 7585; and be it further

Resolved: That a copy of this resolution, duly

authenticated by the Secretary of State, be transmitted by the Secretary of State to the President of the Senate and the Speaker of the House of Representatives in the Congress of the United States and to each Member of the Maine Congressional Delegation.

(H. P. 625)

Comes from the House, Read and Adopted.
Which was Read and Adopted, in concurrence.

House Papers

Bill, "An Act to Permit the Town of Orono to Withdraw from the Group Life Insurance Plan under the Maine State Retirement System." (Emergency) (H. P. 540) (L. D. 618)

Comes from the House, referred to the Committee on Aging, Retirement and Veterans and Ordered Printed.

Which was referred to the Committee on Aging, Retirement and Veterans and Ordered Printed, in concurrence.

Bill, "An Act to Provide Equality Between Home Improvement Loans and Other Consumer Credit Loans." (H. P. 543) (L. D. 619)

Bill, "An Act to Delete Vendor's Single Interest Insurance from Additional Charges in the Maine Consumer Credit Code." (H. P. 544) (L. D. 620)

Bill, "An Act Concerning Illegal, Fraudulent or Unconscionable Conduct in Attempted Collection of Debts." (H. P. 545) (L. D. 621)

Comes from the House, referred to the Committee on Business Legislation and Ordered Printed.

Which were referred to the Committee on Business Legislation and Ordered Printed, in concurrence.

Bill "An Act to Allow Parents to Exempt their Children from Health, Safety and Physical Education Courses." (H. P. 546) (L. D. 622)

Bill, "An Act to Allow Parents to Approve School Absences for their Children." (H. P. 547) (L. D. 623)

Bill, "An Act Authorizing Reasonable Fees for Nonresident Users of Public Libraries." (H. P. 548) (L. D. 624)

Bill, "An Act to Create an Interscholastic Athletic Board." (H. P. 549) (L. D. 625)

Comes from the House, referred to the Committee on Education and Ordered Printed.

Which were referred to the Committee on Education and Ordered Printed, in concurrence.

Bill, "An Act to Conform and Strengthen the Law Concerning the Burning of Debris." (H. P. 550) (L. D. 626)

Bill, "An Act to Create a Lake Restoration and Protection Financial Aid Program" (H. P. 551) (L. D. 627)

Bill, "An Act to Provide for Determination of the Engineering Feasibility and the Environmental and Economic Effects of the Cobscook Bay Tidal Power Project." (H. P. 552) (L. D. 628)

Comes from the House, referred to the Committee on Energy and Natural Resources and Ordered Printed.

Which were referred to the Committee on Energy and Natural Resources and Ordered Printed, in concurrence.

Bill, "An Act to Abolish the Trapping of Bear." (H. P. 553) (L. D. 629)

Comes from the House, referred to the Committee on Fisheries and Wildlife and Ordered Printed.

Which was referred to the Committee on Fisheries and Wildlife and Ordered Printed, in concurrence.

Bill, "An Act to Create the Community Alternatives Act of 1981." (H. P. 554) (L. D. 630)

Bill, "An Act Relating to Radiological Exposure." (H. P. 555) (L. D. 631)

Comes from the House, referred to the Committee on Health and Institutional Services and Ordered Printed.

Which was referred to the Committee on Health and Institutional Services and Ordered Printed, in concurrence.

Bill "An Act to Amend Provisions Concerning the Operation of the Operation after Suspension and Habitual Offender Lawssand Certain Nonsentencing Provisions of the Operating under the Influence Law." (H. P. 556) (L. D. 635)

Bill, "An Act Concerning Intestate Estates." (H. P. 557) (L. D. 632)

Comes from the House referred to the Committee on Judiciary and Ordered Printed.

Which were referred to the Committee on Judiciary and Ordered Printed, in concurrence.

Bill, "An Act Relating to and Increasing the Appropriation of Funds for Assistant District Attorneys." (H. P. 560) (L. D. 634)

Reference to the Committee on Judiciary suggested.

Comes from the House, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed, in concurrence.

Bill, "An Act to Require Equitable Treatment of Electric Charges for Common Areas of Multi-unit Rental Dwellings." (H. P. 558) (L. D. 633)

Reference to the Committee on Judiciary suggested.

Comes from the House, referred to the Committee on Public Utilities and Ordered Printed, in concurrence.

Which was referred to the Committee on Public Utilities and Ordered Printed, in concurrence.

Senate Papers

Senator MINKOWSKY of Androscoggin presented, Bill, "An Act Relating to Cash Reserve Requirements." (S. P. 247)

Reference to the Committee on Business Legislation is suggested.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President and Members of the Senate, since this progressive piece of legislation, has already been entered into this Legislature.

It has already been entered, Mr. President, and I now move that this particular Senate Paper be Indefinitely Postponed.

On motion by Senator Minkowsky of Androscoggin, Indefinitely Postponed.

Sent down for concurrence.

Senator PERKINS of Hancock presented, Bill, "An Act to Exempt Residents' Personal Needs Money from Bankruptcy Proceedings." (S. P. 246)

Which was referred to the Committee on Business Legislation and Ordered Printed.
Sent down for concurrence.

Senator GILL of Cumberland (Cosponsors: Senator SEWALL of Lincoln, Representative KELLEHER of Bangor and Representative MacBRIDE of Presque Isle) presented, Bill, "An Act to Amend the Maine Certificate of Need Act of 1978." (S. P. 248)

The same Senator (Cosponsor: Senator BROWN of Washington) presented, Bill, "An Act to Encourage Peer Review Activities in Health Care by Protecting Individuals Participating in Peer Review and by Protecting the Records of Peer Review Organizations." (S. P. 249)

Which were referred to the Committee on Health and Institutional Services and Ordered

Printed.

Sent down for concurrence.

Senator BROWN of Washington presented, Bill, "An Act Relating to Punitive Damages in Wrongful Death Actions." (S. P. 250)

Senator GILL of Cumberland presented, Bill, "An Act to Ensure the Admissibility of Results of Self-contained, Breath-alcohol Testing Apparatuses." (Emergency) (S. P. 251)

Which were referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Senator SEWALL of Lincoln presented, Bill, "An Act Relating to Employer Contribution to the Unemployment Compensation Fund." (S. P. 252)

Senator DEVOE of Penobscot presented, Bill, "An Act to Further Exempt Certain Benevolent Organizations from the Employment Security Law." (S. P. 253)

Which were referred to the Committee on Labor and Ordered Printed.

Sent down for concurrence.

Senator MINKOWSKY of Androscoggin presented, Bill, "An Act to Revise the Charter of the Richmond Utilities District." (S. P. 254)

Senator DEVOE of Penobscot presented, Bill, "An Act to Clarify the Law Concerning the Measurement of the One-Year Period Following a Public Utility's Filing for a Rate Increase." (S. P. 255)

Which were referred to the Committee on Public Utilities and Ordered Printed.

Sent down for concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Aging, Retirement and Veterans on, Bill, "An Act Concerning Information Provided to Veterans by the Bureau of Vital Statistics" (H. P. 161) (L. D. 188)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Taxation on, Bill, "An Act to Provide that the Amount of Federal Excise Tax on the Sale of Tires not be included in Calculating the State Sales Tax." (H. P. 120) (L. D. 151)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Reports were Read and Accepted, in concurrence.

Ought to Pass

The Committee on Agriculture on, Bill, "An Act Concerning Identification and Testing of Equine Infectious Anemia on Horses." (H. P. 131) (L. D. 158)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

The Committee on Business Legislation on, Bill, "An Act to Amend the Maine Insurance Guaranty Association Act to Increase Liability of Association Member Companies." (H. P. 52) (L. D. 66)

Reported that the Same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

Which Reports were Read and Accepted, in concurrence, and the Bills Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass - As Amended

The Committee on Business Legislation on, Bill, "An Act to Increase the Licensing Fees for Chiropractors." (H. P. 98) (L. D. 128)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H. 4).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Business Legislation on, Bill "An Act to Remove the Sunset Provision on the Regulation of Business Between Motion Picture Distributors and Exhibitors." (H. P. 96) (L. D. 126)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H. 5).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A".

Which Reports were Read and Accepted, in concurrence, and the Bills Read Once. Committee Amendments "A" were Read and Adopted, in concurrence, and the Bills, as amended, Tomorrow Assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Business Legislation on, Bill, "An Act to Allow Cancellation or Nonrenewal of Automobile Insurance Coverage for a Specific Individual under a Family Policy." (H. P. 23) (L. D. 27)

Reported that the same Ought to Pass in New Draft under New Title: "An Act to Allow the Exclusion of Covered Persons under a Personal Automobile Policy." (H. P. 586) (L. D. 601).

Comes from the House, the Bill, in New Draft, Passed to be Engrossed.

Which Report was Read and Accepted, in concurrence, and the Bill, in New Draft, Read Once and Tomorrow Assigned for Second Reading.

Senate

Ought to Pass

Senator SUTTON for the Committee on Business Legislation on, Bill, "An Act to Permit Auctioneers to Conduct Auctions for Charitable Organizations without Posting an Additional Bond under the Charitable Solicitations Act." (S. P. 111) (L. D. 240)

Reported that the same Ought to Pass.

Which Report was Read and Accepted and the Bill Read Once and Tomorrow Assigned for Second Reading.

Second Reader

The Committee on Bills in the Second Reading reported the following:

Senate - As Amended

Bill, "An Act Concerning the Assignment of Rights of Recovery." (S. P. 71) (L. D. 108)

Which was Read a Second Time and Passed to be Engrossed, as amended.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following: AN ACT to Amend the Operation Provisions of the Maine State Museum to Permit the Award of Stipend Support for Students Engaged in Nongeneral Fund Supported Archaeological and Conservation Projects." (H. P. 20) (L. D. 13)

AN ACT to Change the Name of Roadside Menagerie to Wildlife Exhibit under the Inland Fisheries & Wildlife Laws." (H. P. 59) (L. D. 103)

AN ACT Redesignating the Bureau of Resource Development as the Bureau of Social Services, and the Bureau of Social Welfare as the Bureau of Income Maintenance." (H. P. 64) (L. D. 95)

Which were Passed to be Enacted and having been signed by the President were by the Secretary presented to the Governor for his approval.

AN ACT to Amend the Maine Pesticide Control Act of 1975 to Fund Research Relating to Public Health. (S. P. 21) (L. D. 19)

The PRESIDENT: The Chair recognizes the

Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, I move that L. D. 19 be Tabled.

The PRESIDENT: The Senator from Knox, Senator Collins, now moves that L. D. 19 be Tabled.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from York, Senator Wood.

Senator WOOD: I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Knox, Senator Collins, to Table, please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

14 Senators having voted in the affirmative and 16 Senators having voted in the negative, the Motion to Table does not prevail.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: I move that this item be Tabled for 1 Legislative Day.

The PRESIDENT: The Senator from Knox, Senator Collins now moves that L. D. 19 be Tabled for 1 Legislative Day.

Is this the pleasure of the Senate?

The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: I request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Knox, Senator Collins that L. D. 19 be Tabled for 1 Legislative Day, please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

14 Senators having voted in the affirmative and 16 Senators in the negative, the motion to Table for 1 Legislative Day, does not prevail.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, I request a Roll Call.

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of Enactment of L. D. 19 please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, this matter was debated briefly when it was before us at the time of accepting the report of the Committee. The concern the Republican Leadership has about this bill is not necessarily with the merits of the bill, but with the idea of focusing our whole program concerning pesticides, pesticide research, pesticide control, pesticide monitoring, into one comprehensive view. By tabling this matter we would be able to get a look at the entire pesticide program. We have pending, among other bills, matters which will create a new environmental hazard team within the Department of Human Services. We have pending appropriation matters that will deal with pesticides in other ways. If we pass fee-revenue measures that create special programs of handling any sort of thing, we are likely to be in a position at the end of the session where we have somewhat of a hodgepodge. Frequently, this sort of thing would be laid on the Appropriations Table if it required a direct appropriation. This does not require that, so it has not been flagged for that purpose. The general purpose of attempting to table it for the longer view, was the same idea that we generally use when we lay things on an Appropriations Table. I would hope, therefore, that the Senate would, at this time, deny final passage to this measure.

The PRESIDENT: Is the Senate ready for the question?

The pending question before the Senate is Enactment of L. D. 19.

A Yes vote will be in favor of Enactment.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Brown, Bustin, Carpenter, Charette, Clark, Conley, Dutremble, Huber, Kerry, Minikowsky, Najarian, O'Leary, Pray, Trafton, Usher, Violette, Wood.

NAY—Ault, Collins, Devoe, Emerson, Gill, Hichens, McBreairty, Pierce, Sewall, C.; Shute, Sutton, Teague, Trotzky, The President, J. Sewall.

ABSENT—Perkins, Redmond.

Senators Hichens of York was granted permission to change his vote from Nay to Yea.

A Roll Call was had.

18 Senators having voted on the affirmative and 13 Senators in the negative, with 2 Senators being absent, the Bill was Passed to be Enacted.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President and Members of the Senate, having voted on the prevailing side, I move that the Senate Reconsider its action whereby this Bill was Passed to be Enacted, and would urge the Senate to vote against me.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Conley, that the Senate Reconsider its action whereby this Bill was Passed to be Enacted.

Will all those Senators in favor of the motion to Reconsider, please say "Yes."

Will all those Senators opposed, please say "No."

A Viva Voce Vote being had,

The motion to Reconsider does not prevail.

The Bill having been signed by the President, was by the Secretary presented to the Governor for his approval.

AN ACT Relating to Permits and Inspection for Electrical Installation in Commercial Buildings under the Electrician Law. (H. P. 392) (L. D. 378)

Comes from the House, Bill and Papers re-committed to the Committee on Business Legislation.

On motion by Senator Conley of Cumberland, Recommitted to the Committee on Business Legislation, in concurrence.

Emergency

AN ACT to Amend the Motor Vehicle Statutes to Allow the Secretary of State to Enter into the Nonresident Violator Compact. (H. P. 66) (L. D. 96)

This being an emergency measure and having received the affirmative votes of 30 members of the Senate, with No Senators voting in the negative, was Passed to be Enacted and having been Signed by the President, was by the Secretary presented to the Governor for his approval.

On motion by Senator O'Leary of Oxford the Senate voted to reconsider its action of earlier in today's session whereby, Resolve, Designating the Scenic Overlook on Interstate 95 in T1-R6 WELS as "The Albert J. 'Allie' Cole Memorial Scenic Overlook." (S. P. 82) (L. D. 179) the Senate Receded and Concurred with the House.

On motion by Senator O'Leary of Oxford, Tabled for 1 Legislative Day, pending Consideration.

Orders of the Day

The President laid before the Senate the Tabled and specially assigned matter:

Bill, "An Act to Clarify the Designation of the Practice Chiropractic under the Chiroprac-

tic Licensing Law." (H. P. 499) (L. D. 581)
Tabled — February 6, 1981 by Senator COLLINS of Knox.

Pending — Reference.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, this is a bill which is somewhat flawed in its composition. The Statement of Fact indicated that it has to do with Workers' Compensation, in which case it would go to the Labor Committee.

The Bill itself deals with the regulation of Chiropractors and the punishments that occur if someone holds himself out as a chiropractor or as a chiropractor physician without proper licensing. This sort of Bill normally would go to the Committee on Business Legislation, or the Committee on Health.

While, I have no desire to impede the purpose of the Statement of Fact, it seems to me that the Bill as written should go to Business Legislation, and I, therefore, move that it go to that committee.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: Mr. President, and Members of the Senate, it is rare that I would stand up and challenge the direction of the Majority Floor Leader, but him and I discussed this Bill last week, when it came up. He came into my office to express his concerns about the Bill and the Statement of Fact and we discussed it for some time.

Earlier today I went downstairs to the Law Library and talked to Edith Hary and asked her basically the same question as to the supposed flaws in the Bill. The attempts of the Bill by the sponsors, and by the Statement of Fact, dealing with the Workmen's Comp Laws. I questioned as to whether or not, if in the past, the Legislature has taken flawed Bills before and sent them to the committee that the Bill was intended to do as was stated in the Statement of Fact? Her answer to me was that it was not a question of germaneness, but only the desire of the Senate. We can send this Bill to whichever committee that we, in a numerical sense, want to send it to.

I believe, as one of the co-sponsors of the Bill, that this Bill does address the Workmen's Comp Law, as it was intended to. Perhaps the question of the definition of Chiropractic Physician may at this point be in the wrong section of the law. It still belongs before the Labor Committee, so that they can address the overriding questions and concerns of the sponsor. For that reason I would ask for a Division on the motion to send this to Business Legislation, so that we could put it before the appropriate committee and allow them to address the so-called flaws that the Senator from Knox, Senator Collins talked about.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Senator HICHENS: Mr. President, I believe, that my fellow Senator, Senator Pray, has defined his reason very well, so I am not going to add to it, but I hope that the Senate will go along with reference to the Committee on Labor.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Knox, Senator Collins, that LD 581, be referred to the Committee on Business Legislation, please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

12 Senators having voted in the affirmative and 18 Senators having voted in the negative, the motion to refer LD 581 to the Committee on Business Legislation, does not prevail.

Which was referred to the Committee on Labor and Ordered Printed, in concurrence.

Out of Order and Under Suspension of the

Rules, the Senate voted to consider the following:

Order

An Expression of Legislative Sentiment recognizing:

The town of Van Buren, situated on the western shore of the St. John River, was incorporated in 1881 and is celebrating its centennial. (S. P. 271) presented by Senator VIOLETTE of Aroostook (Cosponsors: Representative MARTIN of Eagle Lake and Representative McHENRY of Madawaska).

Which was Read and Passed.

Sent down for concurrence.

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

Papers from the House House Papers

Bill, "An Act Relating to Subsequent Mortgages Assumed by Savings Banks." (H. P. 516) Reference to the Committee on Business Legislation suggested.

Comes from the House, Indefinitely Postponed.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: Mr. President, it is my understanding that this Bill and the other two Bills, on supplement Number 2, in each case is requested for Indefinite Postponement by the sponsor of the Bill. I would, therefore, urge the Senate to go along with the Indefinite Postponement of each of these.

Which was Indefinitely Postponed, in concurrence.

Bill, "An Act Permitting Binding Arbitration for Municipal Fire Departments and Firefighters." (H. P. 249)

Reference to the Committee on Labor suggested.

Comes from the House, Indefinitely Postponed.

Which was Indefinitely Postponed, in concurrence.

Resolve, Authorizing and Directing the Department of Transportation to Report on the Effect of the 1980 Census in Establishing Compact Areas. (Emergency) (H. P. 511)

Reference to the Committee on Transportation suggested.

Comes from the House, Indefinitely Postponed.

Which was Indefinitely Postponed, in concurrence.

Orders of the Day

Senator Conley of Cumberland was granted unanimous consent to address the Senate, On the Record.

Senator CONLEY: Mr. President, and Members of the Senate, a few moments ago we saw probably one of the political moves of this session, which really didn't mean a great deal. What it meant was that there was a \$10 fee increase in the Pesticide Bill that was Enacted.

I am sorry that we are starting out this Session in this manner. One thing, I think, that I would like to raise for those who are here for the first time, that I have always been strongly opposed to any Bill being put on the Table Unassigned.

I think that sheer courtesy should also dictate that we would be told in advance that a Bill was going to be Tabled, or attempt to be Tabled in this manner ahead of time.

I think, that we have enough days ahead of us in this Session, so that we can Table Bills, for 1 day or 2 days, at a time. Then I can assure you that no one would have had any problem here today.

Unfortunately, we both have party caucuses, and we all know that trying to keep something quiet that happens at a party caucus is about as impossible as to keep quiet what happened the

night before when people wish to keep things confidential. Well, it has been well publicized all over the third floor that any Bill coming down the pike that has any type of a fee increase, the Majority Party has its intentions of putting it on the Table Unassigned.

I just wanted everyone here to know where we as Democrats are coming from, that we were told well in advance, as to what to expect. It is my hope that starting today, that anytime any Bill is going to be attempted to be put on the Table Unassigned that we will be given due notice.

Senator Najarian of Cumberland was granted unanimous consent to address the Senate, Off the record.

On motion by Senator Pierce of Kennebec, Adjourned until 10 o'clock in the morning.