

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

March 5, 1981

Senate called to order by the President.

Prayer by the Reverend Walter G. Hartley, Central District Superintendent of the United Methodist Church.

Reverend HARTLEY: Eternal God, Who has made all that is, we rejoice in this new day and its challenges. Guide us, we pray, that we may make the right choices, that we may bring hope to the discouraged, freedom to the oppressed. We ask Your blessing upon the Members of this Senate, as they deal with the problems of the present. As they look to the future, may they act responsibly to You and bring justice to people everywhere. When they are faced with temptations to act quickly in order to complete a task, give patience that they may act with wisdom. When they are tempted by pressure from friends or by lobbyists to compromise their beliefs for an injustice, give them the power to resist. As this group represents us from day to day, give them a vision of what should be done, and the determination to complete that goal for the good of all. We ask these things, that Your will may be done here on earth. Amen.

Reading of the Journal of yesterday.

(Off Record Remarks)

Papers from the House
House Papers

Bill, "An Act Covering Cost-of-Living Increases for Teachers." (H. P. 918) (L. D. 1089)

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 Concerning the Transmission of Rabies by Unvaccinated Dogs." (H. P. 919) (L. D. 1090)

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

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

(Off Record Remarks)

Bill, "An Act Creating a Priority Concerning Certain Claims of the Maine Insurance Guaranty Association." (H. P. 916) (L. D. 1082)

Bill, "An Act to Provide for an Inactive License for Barbers and Beauticians." (H. P. 920) (L. D. 1091)

Come 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 Amend Special Education Statutes for Support of Special Education Programs and Services Provided in Excess of the Normal School Year." (H. P. 910) (L. D. 1076)

Bill, "An Act to Require School Administrative Districts and Community School Districts to Obtain Voter Approval of a Municipality's Voters Before Closing an Elementary School in that Municipality." (H. P. 921) (L. D. 1092)

Bill, "An Act to Require a Bond in Certain Suits Seeking to Enjoin School Construction Projects." (H. P. 922) (L. D. 1093)

Come 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 Authorize the School Nursing Health Coordinator in the Department of Educational and Cultural Services." (H. P. 909) (L. D. 1075)

Reference to the Committee on Education 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 Provide for State Enforcement of Plumbing Code." (H. P. 911) (L. D. 1077)

Bill, "An Act to Establish an Emergency Radiological Response System." (H. P. 923) (L. D. 1094)

Bill, "An Act Concerning Existing Municipal Solid Waste Facilities." (H. P. 924) (L. D. 1095)

Come 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 Authorizing and Directing the Bureau of Mental Health to Enhance and Protect the Rights of Recipients of Mental Health Services." (H. P. 912) (L. D. 1078)

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 Prohibit Welfare Fraud." (H. P. 913) (L. D. 1079)

Bill, "An Act to Increase the Penalties for Drug Trafficking." (H. P. 914) (L. D. 1080)

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

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

Bill, "An Act Relating to Unfair Wage Agreements under Employment Practices Law." (H. P. 915) (L. D. 1081)

Bill, "An Act Concerning Unemployment Compensation." (H. P. 925) (L. D. 1096)

Come from the House, referred to the Committee on Labor and Ordered Printed.

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

Bill, "An Act Concerning Property Deposited with Museums and Historical Societies." (H. P. 926) (L. D. 1097)

Reference to the Committee on Legal Affairs suggested.

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

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

Bill, "An Act to Regulate Striped Bass." (H. P. 927) (L. D. 1098)

Come from the House, referred to the Committee on Marine Resources and Ordered Printed.

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

Senate Papers

Senator BUSTIN of Kennebec (Cosponsors: Representative HICKEY of Augusta, Representative KELLEHER of Bangor and Representative DAVIS of Monmouth) presented, Bill, "An Act to Provide Cost-of-living Adjustments to Retired State Employees, Teachers and Beneficiaries." (S. P. 385)

Which was referred to the Committee on

Aging, Retirement and Veterans and Ordered Printed.

Sent down for concurrence.

Senator HUBER of Cumberland presented, Bill, "An Act to Limit the Amount of State Expenditures which may be made from Undedicated Revenues without Voter Approval." (S. P. 377)

Senator DEVOE of Penobscot presented, Bill, "An Act to Increase the Compensation Paid to Judges and Justices." (S. P. 382)

Which were referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Senator REDMOND of Somerset (Cosponsors: Representative RICHARD of Madison and Representative BROWN of Bethel) presented, Bill, "An Act to Exempt Certain Signs from the Billboard Law." (S. P. 378)

Which was referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

Senator GILL of Cumberland (Cosponsors: Senator AULT of Kennebec, Representative KANY of Waterville and Representative PRESCOTT of Hampden) presented, Bill, "An Act to Create a Department of Corrections." (S. P. 376)

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

Sent down for concurrence.

Senator DEVOE of Penobscot presented, Bill, "An Act to Reduce the Costs to Counties of Supreme Judicial and Superior Courts." (S. P. 379)

The same Senator presented, Bill, "An Act Concerning Cases which may be Heard in the District Court for the Division of Western Aroostook." (S. P. 380)

The same Senator presented, Bill, "An Act Concerning the Election Days in which Courts must Close." (S. P. 381)

The same Senator presented, Bill, "An Act to Place Court Clerks and Assistants under the Judicial Department Personnel Classification Plan." (S. P. 384)

The same Senator presented, Bill, "An Act to Amend the Law Concerning Bail Commissioners." (S. P. 386)

The same Senator presented, Bill, "An Act to Allow Court Witnesses their Reasonable Expenses Subject to Certain Limits." (S. P. 387)

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

Sent down for concurrence.

Senator SHUTE of Waldo (Cosponsors: Senator VIOLETTE of Aroostook, Representative BERUBE of Lewiston and Representative DRINKWATER of Belfast) presented, Bill, "An Act Requiring Legislative Approval of Administrative Rules and Regulations." (S. P. 383)

Which was referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

Senator Collins of Knox was granted unanimous consent to address the Senate, Off the Record.

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

On motion by Senate Collins of Knox, Recessed until the sound of the Bell.

Recess

After Recess

The Senate called to order by the President.

(Off Record Remarks)

Committee Reports House

The following Ought Not to Pass Reports shall be placed in the legislative files without further action pursuant to Rule 22 of the Joint Rules:

Bill, "An Act to Limit Scallop Dragging to Daylight Hours." (H. P. 327) (L. D. 354)

Leave to Withdraw

The Committee on Judiciary on, Bill, "An Act Relating to Certain Zoning Appeals." (H. P. 494) (L. D. 546)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

The Committee on Local and County Government on, Bill, "An Act to Clarify the Authority of Councils of Government." (H. P. 472) (L. D. 532)

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 Transportation on, Bill, "An Act to Require a Certificate of Salvage for Certain Motor Vehicles." (H. P. 534) (L. D. 600)

Reported that the same Ought to Pass.

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

The Committee on Transportation on, Bill, "An Act to Authorize Municipal Agents to Renew Operator Licenses." (H. P. 584) (L. D. 664)

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 Transportation on, Bill, "An Act Pertaining to Public Safety on Public Ways." (H. P. 193) (L. D. 233)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-66).

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

Which Report was Read and Accepted, in concurrence, and the Bill Read Once. Committee Amendment "A" was Read and Adopted, in concurrence, and the Bill, as amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Agriculture on, Bill, "An Act Relating to Pesticide Registration." (H. P. 4) (L. D. 4)

Reported that the same Ought Not to Pass.

Signed:

Senators:

HICHENS of York

SHUTE of Waldo

Representatives:

NELSON of New Sweden

SHERBURNE of Dexter

CONARY of Oakland

LISNIK of Presque Isle

CALLAHAN of Mechanic Falls

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

Signed:

Senator:

WOOD of York

Representatives:

MAHANY of Easton

MICHAEL of Auburn

LOCKE of Sebec

SMITH of Island Falls

MCCOLLISTER of Canton

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

Which Reports were Read.

The PRESIDENT: THE Chair recognizes the Senator from Washington, Senator Brown.

Senator BROWN: Mr. President, and Men and Women of the Senate, I'm confused. I realize perhaps that's not a great revelation to a number of people in these Halls. I'm confused over this particular Bill, LD 4. I'm confused over why this should not be just a simple house-keeping Bill, as opposed to a Divided Report as it comes out of committee.

I have some familiarity with the problem of pesticides, being from Washington County, in the Town of Dennysville, where we've had a lot of concern over pesticides. The present Board of Pesticides Control is made up of: the Commissioner of Agriculture, the Commissioner of Human Services, the Commissioner of Conservation, of Inland Fisheries and Wildlife, of Marine Resources, of Transportation, of Environmental Protection, and of the Chairman of the P.U.C. That makes up the present Pesticides Control Board.

It has been my experience that the present board is an extremely competent board, in conducting hearings about certain toxins in the environment. The fact is that the Departments of Transportation, of Conservation, and of Human Services all use toxins that are regulated by the Pesticides Control Board.

The question comes to me as to why the Department of Agriculture should be the department that registers toxins as opposed to the Board of Pesticides Control. Perhaps someone that's involved in that committee that's been more familiar with this Bill can explain that to me. As it stands now, it seems to be reasonable that we ought to Accept the Minority Report on this Bill. Thank you.

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

Senator HICHENS: Mr. President, I beg to correct the good Senator from Washington, Senator Brown. The present Pesticides Board is not as he has stated, that was changed two years ago. That was the big problem that was stated at the hearing. The new Board is now made up of people from the outside of the agricultural units altogether, headed by Mr. Ginn, and one man from the potato industry, and other consumers from other parts of the state. It is not made up of commissioners of the different organizations in which he has stated to you.

Less than two years ago, the Legislature amended the laws relating to the Board of Pesticides Control. Now with the Board having had only two meetings since its formation, we are presented with a Bill to repeal a section of that law without the functions of the Board being really implemented. The present law, which this Bill repeals, states "registration of pesticides, no determination of the commissioner, with respect to the refusal to register or renew a registration, cancellation, suspension, or limitation or use of any pesticide is effective until approved by the Board. The Board shall not approve any such refusal, cancellation, suspension, or limitation for any pesticide registered by the United States Environmental Protection Agency under the United States Insecticide, Fungicide, Rodenticide Act unless a public hearing has been held."

LD 4 repeals that section and replaces it with section 1471, Exercise of Powers by the Board of Pesticide Control, and reads as follows: "The powers established under the Maine Pesticide Control Act in 1975 should be exercised by the Board of Pesticides Control established by section 1471", which I have just read to you.

The purpose of the Bill is to transfer the responsibility for the registration of pesticides from the Commissioner of Agriculture, Food and Rural Resources, to the Board of Pesticides Control. This will allow one state agency to exercise the existing regulatory authority concerning pesticides in a direct manner without duplication. The majority of the members of the Committee on Agriculture feel that this Board has not been functioning long enough to warrant any change in the present law. Furthermore, the Bill relieves the Commissioner of a responsibility, that in the majority of the committee's opinion, is rightfully his as commissioner.

The purpose of transferring responsibility is to eliminate duplication. However, there is little evidence to support that reasoning. In fact, it clouds a more pertinent and desirable arrangement, which is the proper division of responsibilities. The Board should continue to inform and educate the public, while the Department of Agriculture, with its technical expertise, upholds the charge to review and certify pesticide registration requests, which is of critical importance to the productivity and economic viability of Maine agriculture.

At the hearing, there were several organizations who went on Record as opposing LD 4, which represent the farmers and the people interested in agriculture throughout the State, including: the Maine Potato Council, the Maine Potato Sales Services, Aroostook County Farm Bureau, Agricultural Bargaining Organization, Agway, Inc. and the Maine Farm Bureau.

I, therefore, ask that the Senate Accept the Majority Ought to Pass Report.

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

Senator WOOD: Mr. President, I would request a Division on that motion, and would urge the members to reject the Ought Not to Pass Report, and then go on to Accept the Ought to Pass Report.

There are basically four reasons why I think LD 4 should receive our support and I would like to go over them. The first reason is that it allows for the Commissioner of Agriculture to return to his rightful position of being an advocate for the interests of our farming community. Presently, under existing law, the Commissioner has a regulatory role, so he must remain neutral in pesticide matters, so that he can weigh both sides of the issue. By passing LD 4, we will free him of this neutrality, and allow him to take, as his primary responsibility, the advocating on behalf of the farmers regarding pesticide matters. I think the farming community would be well represented if they had an advocate in the Department of Agriculture instead of a neutral person.

Secondly, this Bill does away with costly duplication by streamlining all pesticide matters to the Pesticide Board where they belong. Currently, because the Commissioner has responsibility in this area, there is a legal quagmire. In order to skirt this quagmire, the Commissioner and the Board have had to hold joint hearings. This causes administrative duplication and increased costs.

Third, from a budgetary viewpoint, of this Bill, presently funds have to go through a rather complex series of fiscal transactions because the present system of funding this agency goes through another agency, namely the Bureau of Public Services, Division of Regulations. LD 4 would allow all pesticide funds to go into one account to be used by the Pesticide Board, thus doing away with costly and complicated budgetary matters.

Fourth, by locating all pesticide functions in one place, the farmers, chemical manufacturers, dealers, and public would have one phone number, one address, and one unit of government to deal with, instead of two, as they have presently. It was for these reasons that I signed the Ought to Pass Report, and

would urge you to do likewise.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

Senator MINKOWSKY: Mr. President, since I am going to vote on this issue, I certainly would like to pose a question through the Chair to the Chairman of the Agriculture Committee. Upon assessing the present Maine Pesticides Board, even though it's only been in existence 8 months, do you find the caliber and quality of the person on the Board satisfactory? In your estimation, are they doing a good job?

The PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, has posed a question through the Chair to any Senator who may care to answer.

The Chair recognizes the Senator from York, Senator Hichens.

Senator HICHENS: In answer to the good Senator from Androscoggin, as I stated in my original statement, they have had two meetings. I think they are getting organized and are probably doing a good job at the present time. That's why I am hesitant to have a change as to the responsibilities. I will remind the members of the Senate that when this bill was passed two years ago, the present Commissioner of Agriculture spoke in favor of the bill as it now reads.

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

Senator WOOD: I would like to, also, respond to that question. I had some reservations about the makeup of the Board when we initially created it, because I thought it was weighed heavily towards those people that are proponents of pesticide use. Although the Board might well have had only two formal meetings, they have held meetings all over the State, various meetings, more numerous than the two that the Senator mentioned. I think that from all aspects, all elements of our state, from the pesticide users to the general public, that there is overwhelming support for the Board. People generally seem to be happy with the makeup of the Board.

I would also point out that although last year this bill was acted upon, and it is correct that the Commissioner did support it at that time, that in the drafting of this bill, this section, I think, was inadvertently left out. In fact, Mr. Shafey, representing the Maine Forest Products Council, came to our hearing, and wondered why we were dealing with this bill because he thought when we redrafted the bill last year we had this section put in. So I would be of this agreement that this probably should have been in Errors and Inconsistencies instead of a full blown bill.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of accepting the Majority Ought Not to Pass Report of the Committee, please rise in their places to be counted.

15 Senators having voted in the affirmative, and 13 Senators having voted in the negative, the motion to accept the Majority Ought Not to Pass Report of the Committee in non-concurrence does prevail.

Sent down for concurrence.

Senate Leave to Withdraw

Senator BUSTIN for the Committee on Health and Institutional Services on, Bill, "An Act to Set Forth the Rights and Responsibilities of Hospital Patients and the Responsibilities of Physicians." (S. P. 203) (L. D. 570)

Reported that the same be granted Leave to Withdraw.

Which Report was Read and Accepted.
Sent down for concurrence.

Ought to Pass — As Amended
Senator GILL for the Committee on Health

and Institutional Services on, Bill, "An Act Requiring the Reporting of Reyes Syndrome by Persons Examining or Treating the Disease." (S. P. 88) (L. D. 185)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S. 33).

Senator TROTZKY for the Committee on Public Utilities on, Bill, "An Act to Revise the Van Buren Light and Power District Charter." (S. P. 20) (L. D. 18)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S. 32)

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

Second Readers

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

House

Bill, "An Act to Repeal the Law Preventing Hotels and Restaurants from Permitting Secular Business on Sunday." (H. P. 466) (L. D. 518)

Bill, "An Act to Clarify Lobbyist Disclosure Procedures." (H. P. 387) (L. D. 430)

Which were Read a Second Time and Passed to be Engrossed, in non-concurrence.

House — As Amended

Bill, "An Act Relating to the Raising of Wild Waterfowl in Captivity." (H. P. 103) (L. D. 137)

Bill, "An Act to Increase the Amount of Expenses Which May be Reimbursed to Members of the Inland Fisheries and Wildlife Advisory Council." (H. P. 244) (L. D. 278)

Which were Read a Second Time and Passed to be Engrossed, as amended, in concurrence.

Senate

Bill, "An Act to Clarify Certain Provisions of the Municipal Election Laws." (S. P. 150) (L. D. 358)

Bill, "An Act Pertaining to Election Officials." (S. P. 156) (L. D. 364)

Bill, "An Act to Reduce the Minimum Size for Exempt Lots Subdivided Under the Land Use Regulation Law." (S. P. 51) (L. D. 60)

Bill, "An Act Concerning the Size of Exempt Lots under the Subdivision Laws." (S. P. 141) (L. D. 312)

Which were Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act to Revise the Maine Medical Laboratory Act. (H. P. 176) (L. D. 196)

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

Emergency

An Act Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1981, and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government. (H. P. 816) (L. D. 940)

This being an emergency measure and having received the affirmative votes of 24 members of the Senate, with 5 Senators having voted in the negative, was Passed to be Enacted.

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

Senator CONLEY: Mr. President, having voted on the prevailing side, I now move Reconsideration.

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 Ld 940 was Passed to be Enacted.

Will all those Senators in favor of Reconsideration, 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.

Orders of the Day

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

Bill, "An Act to Clarify the Administrative Procedure Act." (H. P. 857) (L. D. 1020)

Tabled — March 3, 1981 by Senator PIERCE of Kennebec.

Pending — Reference.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President and Members of the Senate, I understand that this is a duplicate measure, there are some errors in it, and there is another piece of Legislation that can deal with the same area and at the request of the sponsor, I now move Indefinite Postponement of this measure.

The PRESIDENT: The Senator from Kennebec, Senator Pierce moves that LD 1020 be Indefinitely Postponed, in non-concurrence.

Is this the pleasure of the Senate?

The motion prevailed.

Sent down for concurrence.

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

Bill, "An Act to Adjust Annually Individual Income Tax Laws to Eliminate Inflation-Induced Increases in Individual State Income Taxes." (H. P. 828) (L. D. 984)

Tabled — March 3, 1981 by Senator Collins of Knox.

Pending — Reference.

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

Senator COLLINS: Mr. President, this Bill, also contains printing errors and at the request of the sponsor, I move that it be Indefinitely Postponed.

The PRESIDENT: The Senator from Knox, Senator Collins moves that LD 984 be Indefinitely Postponed, in non-concurrence.

Is this the pleasure of the Senate?

The motion prevailed.

Sent down for concurrence.

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

Bill, "An Act to Allow Legislative Override of Legislative Council Action." (S. P. 147) (L. D. 318)

Tabled — March 4, 1981 by Senator CONLEY of Cumberland.

Pending — Enactment.

Which was Passed to be Enacted, in non-concurrence. Having been signed by the President, was sent down for concurrence.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Pierce.

Senator PIERCE: Mr. President, is the Senate in possession of LD 40?

The PRESIDENT: The Chair would answer in the affirmative. The Bill, "An Act to Prohibit Voter Registration on Election Day with Certain Exceptions." (H. P. 35) (L. D. 40) having been held.

Senator PIERCE: I would move Reconsideration and further move that this Bill lie on the Table for 1 Legislative Day.

The PRESIDENT: The Senator from Kennebec, Senator Pierce, moves that the Senate Reconsider its action whereby this Bill was Passed to be Engrossed.

The Chair recognizes the Senator from Cum-

berland, Senator Conley.

Senator CONLEY: A point of order, Mr. President, I think that I heard two motions at one time.

The PRESIDENT: The Senator is correct. The Chair was arbitrarily separating those motions. If the Senator would like to separate them, that would be fine, too.

Senator CONLEY: Yes, Sir.

On motion by Senator Conley of Cumberland, Tabled for 1 Legislative Day, pending the motion by the Senator from Kennebec, Senator Pierce.

Senator Hichens of York was granted unanimous consent to address the Senate, On the Record.

Senator HICHENS: Thank you, Mr. President.

The fifth of March so I have heard
from my reliable old bird
Is the birthday of one sitting here
Who's in the midst of his third year
As Senator from near the coast—
And he has every right to boast
Of his accomplishments—you see—
he had the best majority
Of votes of any of us here—
his competition this past year
Was loud of voice, which carried far—
but you can be sure it didn't jar
This handsome rather bashful guy—
whom I would never once imply
Has not the guts to make a stand—
on any issue that's at hand
He's serving on committees three—
chairman of two—so you can see
He is a busy man for sure—
with youthful strength he can endure
The pressures that he's had to face—
and so far hasn't shown a trace
Of backing down.
His voice is clear—
he's proven he is most sincere.
A man of great integrity—
it's a privilege for me to be
A Senate member with this guy—
who will with the structured rules comply
Although he often has his doubts—
in figuring the ins and outs
Of what the Council has in mind,
and on occasion you will find
Him bucking leadership.
more power to this great guy—
This is his hour to celebrate—
let's not be mute—but give a hand
To our Mel Shute who celebrates
a new birthday—and wish him well
Along life's way.

On motion by Senator Pierce of Kennebec, Adjourned until 1 o'clock tomorrow afternoon.