

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

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Legislature*

OF THE

STATE OF MAINE

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same thing. We are trying to give the department tools with which to work, and hopefully to cut down on the number of employees necessary to enforce this law to the last detail. I certainly hope that you will oppose the motion to indefinitely postpone.

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

Mr. SPEERS: Mr. President and Members of the Senate: I couldn't agree with the good Senator from Washington, Senator Wyman, more, nor disagree with the Senator from York, Senator Marcotte, more. This is not a bill which is aimed at the small businessman. This is a bill which is aimed at any businessman in the state, whether small or large, who does not pay the tax on time when it is due to the State of Maine. It is as simple as that. If the taxes are paid on time when they are due to the State of Maine, this bill would have no effect whatever on anyone.

As to the comments of the good Senator from Cumberland, Senator Jackson, that there is a real problem that arises should the individual forget for a few days to file a report, well, that won't happen very often, and it probably doesn't happen very often right at the present time. For an individual in the retail business this is a monthly activity that is undertaken every single month of the time that he is in business, and it is as much a second nature to him as opening the store in the morning. He knows that this has to be done every 15th of every single month.

I would oppose the motion to indefinitely postpone this bill.

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

Mr. JACKSON: Mr. President and Members of the Senate: Earlier in the session we had a bill where a fellow filed late for his gasoline shrinkage rebate. He filed late because he was vacationing in Florida, so the testimony gave it. We in that committee gave that fellow the opportunity to collect his rebate, and this is done every six months, but that is beside the point. I think what I am trying to get at is that if we allow something like this, and I would assume that his filing late would have been probably something similar to a penalty, because you can't get the rebate if you file late — how, here with this bill with the five percent or \$50 ceiling, on the other side you are penalizing the other fellow if he forgets and files one day late or two days late. This is why I oppose this thing.

I agree with the good Senator from Cumberland, Senator Merrill, that on the interest rate you can't go to a bank and borrow money at one-half percent. But when a fellow has a tax liability of \$10,000 or \$15,000, he would be better off not to pay that tax liability until they force him to, with their ten percent penalty charge, because he can make that \$50 back very easily plus the one percent.

I just feel myself that this is not the answer to that department's problem. I just think they need to enforce our laws a little bit heavier and take time, and maybe get with the beer and wine and the liquor distributors when these people apply for licenses and check to see if their sales taxes have been paid. They have to renew these licenses once every year. I think this is probably the answer, get the departments to work together so that they can find out what is going on and where it is going on. If somebody is late on their sales tax or has a liability is three or four

months old, until he pays that sales tax he doesn't get his license. I would just leave it there, and I hope everybody supports indefinite postponement.

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

Mr. BERRY: Mr. President and Members of the Senate: I listened to the arguments here with a great deal of interest. I am quite familiar with the businesses who pay sales taxes and the problems attendant upon them, and I feel there is one impression that has been given here this morning that should be removed, and that is that people make a practice of filing their sales tax late. The average Maine businessman or taxpayer certainly does not; he does not want to establish a reputation for not following the law. So I don't think this is the issue, that we are going to encourage people to violate the law by having a low interest penalty.

I don't understand how it is so difficult to see the discrimination involved here because it is rank discrimination. The discrimination is against the little fellow and in favor of the big fellow. If you can only pay a maximum of \$50, that means if your business is of such a volume that your sales tax return is \$50 or more, and you are late filing it, the little chap is being discriminated against because he is being charged a percentage of his tax due. The big chap is getting away scot-free because regardless of the amount, if his liability is over \$50, he gets a free ride. I don't think that this is difficult to understand. This is the basic problem with the bill, it is against the little guy. The grocer, the seasonal operator.

There is plenty of chance for misunderstanding in the filing of sales tax returns, and genuine misunderstanding, not intentional. For instance, we have a great deal of seasonal businesses here in the state, and quite properly the sales tax section of the Tax Bureau permits the payment of taxes on a seasonal basis, quite properly. If there were to be an honest disagreement on whether a seasonal tax is due, due to a change in the operation of the business or something like that, and it were impossible for the owner of the business to get a ruling from the Tax Department, he could be in violation and have to pay a fine under this. This is just a possible example of the confusion that can arise. So I do feel that we have this possible confusion, we have discrimination in favor of the big chap, we have discrimination against the little fellow, and I really believe that here we have just one more impediment to the smooth functioning of a small business. And I frankly also don't think there is a problem involved here in collecting; I think Maine people do pay their taxes. I don't believe we need this legislation, and I hope you support the motion.

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

Mr. COLLINS: Mr. President and Members of the Senate: I intend to vote against the motion for indefinite postponement, with the hope that I will later have an opportunity to vote for the amendment that the good Senator from Cumberland, Senator Jackson, has already prepared, which seemed to be to be a good compromise and a good middle course.

The PRESIDENT: Is the Senate ready for the question? The pending motion before the Senate is the motion by the Senator from York, Senator Marcotte, that

L. D. 1867 be indefinitely postponed. A roll call has been requested. In order for the Chair to order a roll call, it must be the expressed desire of more than one-fifth of those Senators present and voting. Will all those Senators in favor of a roll call please rise in their places until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The pending motion before the Senate is the motion of the Senator from York, Senator Marcotte, that L. D. 1867 be indefinitely postponed. A "Yes" vote will be in favor of indefinite postponement; a "No" vote will be opposed.

The Secretary will call the roll.

#### ROLLCALL

YEAS: Senators Berry, R.; Carboneau, Conley, Corson, Cummings, Cyr, Danton, Graffam, Greeley, Hichens, Jackson, Katz, Marcotte, McNally, Pray, Roberts.

NAYS: Senators Berry, E.; Cianchette, Clifford, Collins, Curtis, Gahagan, Graham, Huber, Johnston, Merrill, Reeves, Speers, Trotzky, Wyman.

ABSENT: Senators O'Leary, Thomas.

A roll call was had. 16 Senators having voted in the affirmative, and 14 Senators having voted in the negative, with two Senators being absent, the Bill was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

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

Mr. JACKSON: Mr. President, having voted on the prevailing side, I move for reconsideration and would urge everyone to vote no.

The PRESIDENT: The Senator from Cumberland, Senator Jackson, now moves the Senate reconsider its action whereby this Bill was indefinitely postponed. Will all those Senators in favor of reconsideration please say "Yes"; those opposed will say "No".

A viva voce vote being taken, the motion did not prevail.

The President laid before the Senate the matter tabled earlier in today's session by Mr. Speers of Kennebec:

Bill, "An Act to Authorize the Executive Council to Approve or Disapprove Certain Claims Against the State." (H. P. 366) (L. D. 460)

Pending — Passage to be Engrossed.

On motion by Mr. Curtis of Penobscot, retabled and Tomorrow Assigned, pending Passage to be Engrossed.

The President laid before the Senate the matter tabled earlier in today session by Mr. Conley of Cumberland:

Resolution, Proposing an Amendment to the Constitution to Provide for Annual Sessions of the Legislature and to Change the Date of Convening of the Legislature. (H. P. 1510) (L. D. 1827)

Pending — the motion by Mr. Speers of Kennebec to Indefinitely Postpone Senate Amendment "B".

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

Mr. CLIFFORD: Mr. President, I would urge the Senate to vote yes on the motion to indefinitely postpone Senate Amendment "B". I have an amendment to propose which gets over the technical problems of Senate Amendment "B" and gets to the issue which I think should be debated as to the limits on annual sessions. Thank you.

The PRESIDENT: Is it now the pleasure

of the Senate Amendment "B" to L.D. 1827 be indefinitely postponed?

The motion prevailed.

Mr. Clifford of Androscoggin then presented Senate Amendment "D" and moved its Adoption.

Senate Amendment "D", Filing No. S-108, was Read.

The PRESIDENT: The Senator has the floor.

Mr. CLIFFORD: Mr. President and Members of the Senate: Senate Amendment "D" is an amendment to this constitutional change resolution, and the constitutional resolution, I think we ought to keep in mind, goes to annual sessions of the legislature, so that if the amendment is passed by the legislature and is ratified by the people in the State of Maine, we will be in an annual session situation. And it limits the session of the legislature to 100 legislative days. I think that is important that it deals with legislative days, as opposed to calendar days, so that the legislature has some control over the time when it is in.

It also limits the off-year session to 50 legislative days. It does not affect the right of the governor to call a special session in the constitution presently he has that power for extraordinary occasions. It also allows the legislature to call itself into special session on extraordinary occasions and limits those sessions to 25 legislative days. It also limits the second regular session to budgetary matters, legislation in the governor's message, and legislation recommended by a legislative committee authorized by the legislature to so recommend, as well as legislation referred to committees for study.

I think that if we keep in mind that we are talking about a fairly lengthy time period, we are talking about 100 legislative days, which would be 20 five-day weeks or 33 three-day weeks, or if the legislature saw fit to go into a two-day week schedule, 50 two-day weeks. I have the list of the number of legislative days that previous legislative sessions have been in. For example, we are now in the 67th legislative day. The 106th legislative session went 107 legislative days. The 105th went 101 legislative days. I think if you go back to the 102nd legislative session, and this is not an attempt to make this a partisan debate, but the 102nd legislative session was in 76 legislative days. I think if you keep in mind that these legislative days occurred when the legislature was not in an annual legislative situation, that these legislative days were intended to transact the entire business of the state for a two-year period, and if you think the legislature is now going to be in an annual legislative session situation, it seems to me 100 legislative days during the first regular session and 50 legislative days during the second regular session is certainly a great deal of time for the legislature to conduct its business.

I think the issue is beyond 100 legislative days and 50 legislative days; I think you cross the line from the citizen legislature to the full-time professional legislature. It seems to me that it is important for the citizens of Maine to retain the citizen legislature, and I would hope that we could adopt this. I think it would be much more palatable for the citizens in voting on the annual session constitutional amendment. I think it would put on an outside limit which is a very reasonable one, and I think it would guarantee Maine citizens in the future that their legislature would be a

citizen as opposed to a full-time professional legislature.

I would hope, Mr. President, the Senate would go along with the adoption of Senate Amendment "D", and I would request a roll call. Thank you, Mr. President.

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

Mr. CURTRIS: Mr. President and Members of the Senate: I would like to pose through the Chair a question to the Senator from Androscoggin, Senator Clifford, regarding the definition of "legislative days." I noted in his remarks that he referred to the possibility of having three-day sessions for a large number of weeks, and I wondered if the legislature were not to meet in plenary session, if the House and Senate were not to be in session themselves, but the committees were to be holding public hearings, would that day count as a legislative day or not?

The PRESIDENT: The Senator from Penobscot, Senator Curtis, has posed a question through the Chair to the Senator from Androscoggin, Senator Clifford, who may answer if he so desires.

The Chair recognizes that Senator.

Mr. CLIFFORD: Mr. President and Members of the Senate: Certainly it is the intent that legislative days means those days when both the House and the Senate are in session. And it seems to me that it allows flexibility to the legislature to hold committee hearings during those times when the legislature was not in session, so that the legislative days we are talking about would be the days when the legislature convened as a House and Senate, takes up those measures and votes on those measures of input to the citizens of the state.

I think that we are really talking about a very reasonable limit here. We are not talking about calendar days which many of the states have. I think it is in those states that they run into problems of putting a blanket over the clock, because they have no control once the legislative session begins. The calendar days begin to run and they have no control over them. This would give the legislature control because we are talking about legislative days. I think if we get a situation beyond 150 legislative days in a two-year period, we are really talking about a full-time legislature and we are really barring the working man or woman from serving in the legislative branch. Thank you, Mr. President.

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

Mr. CURTIS: Mr. President, I would like to thank the Senator from Androscoggin, Senator Clifford for providing an answer to question.

I would like to speak briefly about this matter because it is one that we have given a great deal of consideration for a number of years in the State Government Committee to. Although I have had the benefit and the pleasure of discussing this matter outside the halls of the Senate with the gentleman from Androscoggin, Senator Clifford, and I find nothing really unreasonable in his suggestion, I guess that in the end I think that we are writing for the future when we are proposing an amendment to the constitution, and that we ought to provide flexibility, the same flexibility that the gentleman mentioned. We don't know what is going to happen in the future.

The 100 days in the first regular session and the 50 days in the second regular session of the biennium seem very reasonable at this time, but who is to tell what might happen in future years, future decades, when the State of Maine might need a longer session. I hope that never happens, myself. I am in full agreement that we have a great benefit from having citizens of the State of Maine being able generally to run and serve in the Maine Legislature. And if we ever end up in a 12-month session of the Maine Legislature, then we will certainly be in a situation where there will be great expense, great hardship, and we will have some of that professional legislator situation that a number of people have decried. I think we are moving in a variety of other areas towards a more professional legislature, but hope we never reach quite that point.

On the whole, I guess that I would finally decide to vote against this amendment, and look at another amendment that will be before us, being offered by another Senator, to provide the same kind of limits for the second year that Senator Clifford has provided in his amendment in terms of the topics that might be discussed in legislation.

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

Mr. BERRY: Mr. President and Members of the Senate: I must first assure the members of the minority party that Senator Clifford's intimation that the 102nd was of such a short duration perhaps was due to the quality of the leadership of the then dominant party is not exactly what happened, that the real reason the 102nd was such a short session was the caliber of the minority party and its leadership that worked very closely for the welfare of the state with the then leaders here.

As usual, I find myself in complete agreement with Senator Clifford when he assumes the mantle of a statesman, which is practically all the time. For me to say this on this particular subject is a renunciation of my previous beliefs on the area. I have always felt that democracy started in the legislature, and that any attempts to inhibit its free activities resulted in a corresponding inhibition of democracy.

I also used to have a great deal of faith in increasing the salary of the legislators and increasing the staff of the legislature, and items such as the legislative council, all to the end that we would be having a more smoothly functioning legislative machine. While all these proposals have been put into effect, they certainly have not materialized the way many of us hoped they would when we fought, finally successfully, to get them in. This, to my mind, indicates the patient isn't exactly in top-notch health, and I think that, as happens to patients who are not in top-notch health, some strong medicine is indicated.

We sought this morning in the order of Senator Huber of Cumberland to present what I jokingly referred to in a communication to a confrere as a gag rule. It is not so much of a joke because it is a gag rule. With all respect to Senator Huber, this is what it intends to do, and there is a need for it, or somebody of the stature of Senator Huber would not propose the matter.

As a result of this, I am now of the firm belief that the legislature should circumscribe its activities with some new

rules, be it Senator Huber's proposed order, be it Senator Clifford's proposed amendment. I think we should force ourselves to conduct our operations in a far more efficient manner. If we do not do this, we are going to continue to squander public money up here, spending time non-productively. And to say that we are doing it now, I am sure, is a statement to which everybody here in this room would agree.

I see no possibility of being accused of inhibiting the democratic procedure when we realize we have 33 more legislative days to wind up the business of this session. It can be done. And I disagree with the suggestion of Senator Curtis of Penobscot that the needs may be such in the future that we cannot handle the affairs of state with limited sessions. We always have the safety valve of the governor being able to call us back. There is no problem whatsoever. I think Senator Clifford's restraints on the special sessions are very much in order. Maybe the legislators in the future won't be the statesmen we are; maybe they will want to stay here for a long time.

So I feel that we have come to a point in determining what we need to do for the good of the state to consider some more drastic things than we now find ourselves operating under, as far as rules and guidelines are concerned. I am the first and foremost, and have been in all my years here, to deny any restrictions whatsoever on the introduction of bills or the operation of the legislature which could restrict the give and take of democratic principles, but I think the time is right now that in order to safeguard these principles we have got to adopt a measure like this. Until a better one comes along, I think we should do this.

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

Mr. SPEERS: Mr. President and Members of the Senate: My objection to the amendment which was originally introduced as Senate Amendment "B" was not simply a technical objection to it, and I appreciate the fact that the good Senator from Androscoggin, Senator Clifford, has indicated that some technical matters have been corrected in Senate Amendment "D". However, the very basis of my feeling and my objection to the other amendment, Senate Amendment "B", remains the same, and that is that this amendment still does prescribe a definite number of days in which the legislature must meet and conduct all of its business.

I agree with the good Senator from Androscoggin and also the good Senator from Cumberland Senator Berry, in that there is a need to more efficiently streamline the legislative process. And in fact, I agree with some of the matters that are contained in the Senate Amendment which is offered, and that is the limitation in the second regular session of the subject matter which should be considered.

Now, the good Senator from Cumberland, Senator Berry, mentioned that unless something better comes along perhaps this should be the amendment that is adopted. I would like to point out that I do believe that there is something better that is coming along. There is going to be another amendment offered which would contain much of the same limitations as are contained in Senator Clifford's amendment as to the subject matter that can be considered in the

second regular session, but without the specific limitation as to the number of days in which we can meet.

Almost as an aside, I would like to point out that if a special session were called to deal with an emergency, either at the behest of the governor or of the legislature itself, that under the constitution, if this amendment were adopted and voted upon and agreed upon by the people, that the constitution would limit that session to 25 days. Now, I would certainly hope that we would not have an emergency which would require any longer than that, but if we did, the constitution would deny the right of the legislature or the need of the legislature to meet for more than those 25 days.

Again, I would like to recall the comments made several days ago as far as the charade that is undertaken by many states that do have an actual limitation of the number of days, a charade of covering up the clock or ignoring the calendar and just not tearing off the days as they go by. This actually is done, and I don't feel that it is probably even constitutional under those states, and I don't know if it ever has been done, but I should think if someone challenged the constitutionality of the laws passed by those states after the day of the limitation has been reached. But at any rate, I don't believe the state of Maine should participate in that kind of charade. I agree that we should try and limit the sessions as much as possible, there are measures which should be undertaken, but I just don't happen to believe that the limitation as to specific days is the correct course to follow.

The good Senator from Cumberland, Senator Berry, mentioned that the patient is in ill health, and I don't think that the way to nurse the patient back to health is to cut off all oxygen. I would move the indefinite postponement of Senate Amendment "D".

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

Mr. MERRILL: Mr. President and Members of the Senate: I rise to support the motion to indefinitely postpone made by the Majority Leader, the Senator from Kennebec, Senator Speers. I am sorry to hear that the Senator from Cumberland, Senator Berry, has changed his view on this matter. As time passes I am afraid that the Senator from Cumberland, Senator Berry, and I agree on fewer and fewer items. I think that I agree with his past observations that the heart of democracy lies in the legislative body, and it is one of the unfortunate circumstances of our society maybe that matters are becoming more and more complex, and the things that we have to deal with here in the legislature are becoming more and more difficult and demand more time.

I don't think that by setting a limit on the number of days we can sit that we really address any of the problems. We treat a symptom, and by treating that symptom we further weaken the power of the legislature to deal with state government. I think that it is important that we keep a citizen legislature, and I will support moves within this body to set rules that will work towards that goal, without defeating the ability of the legislature to deal with problems of state government.

We are all aware that as government has grown the bureaucracy has gained power in our state government. When we talk about that, and we criticize that trend, we are not criticizing the people who work in

the bureaucracy, but we are troubled by the fact that more and more rules and regulations that affect all of the people in our state are not being made by people elected by the people in this state.

One of the hard facts that comes to light when we talk about this problem, if we want to do something serious about it, is that the legislature has to do more work. Instead of passing a bill saying that the commissioner, or whomever, will make rules and regulations, we have to make those rules and regulations, or we have to have the commissioner make those rules subject to approval by the legislature. That all takes more time. There are ways, I think this process could be speeded up.

I don't agree with the observation that we have an extremely sick patient. I think the people of Maine and the people in this legislature, taking a look in toto, can be proud of the way the legislature acts on most of the matters that come before it, and I think that much of the legislation that has come into this legislative process has been improved as it has gone through long and diligent committee work, and as it has been amended here on the floor. As a matter of fact, I have been impressed with what happens to most legislation as it goes through the process, and with the fact that most legislation is improved as it goes through the process. And sometimes this takes periods of time.

Now, not too long ago a group was formed, and it was the Citizens Conference of State Legislatures. They were formed because they were concerned that the legislatures weren't keeping up, and that as a result the legislatures were becoming weaker and weaker across the United States. I think that their concern was legitimate in respect to the bureaucracy and in respect to the executive departments. And they took a look at many of the problems that exist in state legislatures all over the country, and they made recommendations specific to each legislature in a book that was published called "The Sometimes Governments". And they had recommendations for the Maine Legislature. One of the problems that the Maine Legislature didn't have, that many states had, was the limitation on the length of legislative sessions, and I wouldn't want to see us go backwards in this regard and to see us further tie the hands of the legislature. In the book, in discussing this problem, they pointed out a problem the Missouri Legislature had operating under a constitution as we would have, if we accepted the amendment of the Senator from Androscoggin, Senator Clifford. They point out that in 1969 in Missouri, towards the end of the legislative session, a bill was introduced at the request of the local governments to help them raise more revenue. And it was very necessary that this pass because the local governments were in a very difficult position and they couldn't meet their obligations. It passed the House and went to the Senate, but before the final action could be taken on that measure the legislature had to stop because the constitution required that it come to an end. The result was a great deal of problems for local governments, and in many cases just in order to keep going they had to act in a way that wasn't in accordance with the laws. It was probably in accordance with the intent of the legislature, if they had had a chance to speak, but they didn't because they tied their own hands.

So I think that this amendment is ill

conceived. It would be a step backwards. As a matter of fact, it is such a step backwards that I couldn't support the amendment to the constitution that would provide for annual sessions, as much as I believe in that idea, if at the same time we placed a limit on our general sessions. I would hope that it would be defeated, and then we could consider the other amendments that we have that may accomplish the same purpose.

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

Mr. COLLINS: Mr. President and Members of the Senate: I speak as one who has not made up my mind yet about the best way of treating this problem. We are informed that there is another version in preparation, and I am one who would like to see that other version before I make a final decision about this particular issue. I would hope that some one would table the pending motion for a couple of days.

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

Thereupon, on motion by Mr. Clifford of Androscoggin, retabled and Specially Assigned for May 5, 1975, pending the motion by Mr. Speers of Kennebec to Indefinitely Postpone Senate Amendment "D".

#### Reconsidered Matter

On motion by Mr. Speers of Kennebec, the Senate voted to reconsider its prior action whereby Bill, "An Act to Amend the Maine Consumer Credit Code as it Relates to the Refinancing of Single Payment Loans Granted by Supervised Financial Organizations," (H. P. 1063), was Passed to be Engrossed.

On further motion by the same Senator, retabled and Tomorrow Assigned, pending Passagetobe Engrossed.

Mr. Merrill of Cumberland was granted unanimous consent to address the Senate:

Mr. MERRILL: Mr. President and Members of the Senate: There was much talk in this body today as we discussed tax matters of the little guy and of the proposal. I would just like to point out for the information of the Senate that if we as an individual fail to file our income tax on time, that we pay a penalty of five percent, and there is an upper limit on that, thus working to discriminate against the big guy. Thank you.

Mr. Curtis of Penobscot was granted unanimous consent to address the Senate:

Mr. CURTIS: Mr. President and Members of the Senate: Today is May 1st. That is Law Day in the United States, a day in which we rededicate ourselves to justice, which is really fairness and equity among people.

In the past year, we as a nation have come to realize again the importance of constitutions and other laws so that we can guarantee that no person is above the law, no matter whether that person is a pauper or a president.

Today we should thank all those people who dedicate their lives to the law, our judges, court clerks and other court officials, attorneys and the bar associations, police, our hardworking employees here in the legislature and, most importantly, all of those citizens who trust the laws and trust that they will be just and fairly administered, and who do their civic duties, including voting and serving on juries.

The goal of our society is to achieve the

high standard of fair laws, faithfully administered with mercy and justice. May we strive to achieve that goal, and may we be successful in reducing strife and discord among people and nations, and perhaps we will meet the criteria of the blessing of Saint Matthew: "Blessed are the Peacemakers, for they shall be called the children of God."

Mr. Katz of Kennebec was granted unanimous consent to address the Senate:

Mr. KATZ: Mr. resident and Members of the Senate: A couple of weeks ago the members of this Senate, Republicans and Democrats alike, in a genuine outpouring of enthusiastic good will congratulated one of our colleagues, the Senator from Penobscot, Senator Cummings, because her name had been posted to membership on the Public Utilities Commission. I want to assure you my purpose in rising today is not to criticize, not to castigate, or in any way second guess any of the parties in the affair of the Public Utilities Commission, but I just wanted to reinforce my opinion, and I hope an opinion that is shared by all of us here, that the ability of this gracious lady to serve the people is unquestioned, and I hope that as her career unfolds the opportunity will avail itself in some form, at some level, so the people of the state can have the benefit of the abilities, the sincerity and the sensitivity of this very, very outstanding woman.

On motion by Mr. Speers of Kennebec, the Senate voted to take from the table the following unassigned matter:

House Reports — from the Committee on Fisheries and Wildlife — Bill, "An Act Relating to Hunting Pheasants." (H. P. 346) (L. D. 420) Majority Report — Ought to Pass; Minority Report — Ought Not to Pass.

Tabled — March 21, 1975 by Senator Speers of Kennebec.

Pending — Motion of Senator McNally of Hancock to Accept the Majority Report.

(In the House — Bill and accompanying papers Indefinitely Postponed.)

Mr. McNally of Hancock then withdrew his motion to accept the Majority Ought to Pass Report.

Thereupon, on motion by the same Senator, the Bill and accompanying papers were Indefinitely Postponed in concurrence.

Mr. Hichens of York was granted unanimous consent to address the Senate:

Mr. HICHENS: Mr. President and Members of the Senate: Along our course of Senate procedures, I have had the opportunity, and quite often by request, to write some verses which commemorate certain days. I have enjoyed writing them as it is sort of a relief from all the pressures which are put upon me, and it is one way that I can give vent to relief from these pressures. But sometimes we get too much of a good thing, and I realized that in the month of May there would be several occasions where I would have the opportunity to write. I don't want to overburden you people with all of my verse, as trite as it might be, or as good as some of you sometimes think it might be, but I have had to put two of my poems away because the course of events have changed, and I hope that one of these days I may be able to read both of them. But I have one that I would like to share with you this morning on the first day of May. I would ask you to hold your applause until I finish the entire verse because there are

several sections in it which would give opportunity for applause.

M' is for the month of May with its budding trees and flowers,

When ice bound brooks run free again - with daylights lengthening hours;

When the birds and when the bees do what comes naturally

And fill their nests and hives with young - quite prolific'ly.

And by the list of birthdays I've been informed about

It's not just the birds and bees with which today we tout.

For in the merry month of May quite a few were born

Who now grace our Senate Chambers and we can note this morn

That on the 2nd day of May in 1937

Pa And Mother Clifford received their gift from Heaven

And on the 3rd day of the month, (I don't recall the year)

The happy parents, I am told - welcomed Edward Cyr.

And on the 12th, the 17th and 29th of May

Were born three lovely girls who labor faithfully each day

Taking care of Legislative bills and other chores

And putting up with Harry and the rest who pass their doors.

Or course I refer to 3 M's, Mary, May Marie,

And trust that you'll extend Best Wishes to them all, with me.

Even though I've mentioned five - I'm not quite finished yet

For on the 18th of the month we honor Chuck Cianchette.

And on the 26th according to my faithful trackers

We honor one who won his seat by giving Graham crackers

To all of his constituents - in turn they sent him here

To speak for them on legislation we shall pass this year.

Now with this information so that you might understand

I hope that you'll all join now - in giving them a hand.

With all the facts provided, I sometimes go astray

And miss somebody's birth date - and we honor one today

Who missed by a few hours having been a child of May

For I'm informed he noted his birthday yesterday

And although we all have work to do - we are not in such a hurry

That we can't add best wishes to colleague Elmer Berry.

On motion by Mrs. Cummings of Penobscot

Adjourned until 1:30 o'clock tomorrow afternoon.