

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

KJ PRINTING
AUGUSTA, MAINE

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

February 11, 1981

Senate called to order by the President.

Prayer by Father Joseph Holland of the Augusta Mental Health Institute.

FATHER HOLLAND: Almighty Father, Giver of every good gift, Grant us these few moments of inner calm, that we may quiet our restless spirits, and cleanse our minds and hearts of all extraneous thoughts and feelings that may obstruct a fruitful outcome of this day's deliberations.

Let there be patient urgency to our considerations, lest too much haste, or too much tarrying, blight our sincere purpose of acting for the best interests of our people.

Guide us in legislating what is just and not expedient; in reconciling differences, not augmenting them, so that together we weigh the common good, and together strive to make those decisions, which in good conscience, we feel are best.

No matter what transpires here in this august Chamber, let it be done with malice towards no one, but with charity towards all.

Thus we pray, heavenly Father. Amen.

Reading of the Journal of yesterday.

**Papers From the House
House Papers**

Bill, "An Act to Provide for Licensing of Dog Groomers and Grooming Shops." (H. P. 590) (L. D. 668)

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

On Motion by Senator Collins of Knox, Tabled for 1 Legislative Day, pending Reference.

Bill, "An Act to Require Alcoholism Treatment Benefits in Health Insurance Policies." (H. P. 591) (L. D. 669)

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

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

Bill, "An Act to Further Free Enterprise." (H. P. 592) (L. D. 670)

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

On motion by Senator Collins of Knox, referred to the Committee on Agriculture and Ordered Printed, in non-concurrence.

Sent down for concurrence.

(Off Record Remarks)

Bill, "An Act Relating to Student Expulsion." (H. P. 594) (L. D. 671)

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

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

Bill, "An Act Concerning the Registration of Voters in Small Communities." (H. P. 595) (L. D. 672)

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

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

Bill, "An Act to Include Energy and Economic Considerations in Assessing Proposals before the Land Use Regulation Commission, the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife and to provide for Energy and Economic Review of Certain State Standards." (H.

P. 596) (L. D. 673)

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

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

Bill "An Act to Establish Standards and Procedures for Allocating Responsibility Among Parties to a Products Liability Action." (H. P. 597) (L. D. 674)

Bill, "An Act Relating to Theft of Services under the Maine Criminal Code." (H. P. 598) (L. D. 675)

Bill, "An Act to Provide Statutory Procedures for Grievances Against Attorneys." (H. P. 599) (L. D. 676)

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 to Remove Artificial Barriers to Benefit Recovery by Workers with Occupational Diseases." (H. P. 600) (L. D. 677)

Bill, "An Act Concerning Reimbursement Payments for Unemployment Benefits Where Claimants have Resigned, have Retired or have been Discharged." (H. P. 601) (L. D. 678)

Bill, "An Act to Assist Handicapped Workers in Returning to Employment." (H. P. 602) (L. D. 679)

Comes 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 to Authorize the Designation of a Municipal Development District." (H. P. 603) (L. D. 680)

Bill, "An Act to Amend the Authority Governing License Fees of Victualers." (H. P. 604) (L. D. 681)

Bill, "An Act to Clarify Certain Provisions of Law Relating to the Method of Voting for School Committee Members of the Wells-Ogunquit Community School District." (H. P. 605) (L. D. 682)

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

Which were referred to the Committee on Local and County Government and Ordered Printed, in concurrence.

Bill, "An Act to Authorize the Public Utilities Commission to Grant Temporary Licenses to Applicants for Special or Charter Licenses." (H. P. 606) (L. D. 683)

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

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

Bill, "An Act to Provide for a Transition before the Attorney General takes Office." (H. P. 607) (L. D. 684)

Resolution, Proposing an Amendment to the Constitution of Maine to Require that for Certain Counties, a Specific Percentage of the Population be Included in a Separate Senate District. (H. P. 608) (L. D. 685)

Bill, "An Act to Limit the State's Investment in CETA Programs." (H. P. 609) (L. D. 686)

Bill, "An Act Concerning Registers of Eligibility for Positions under the State Classified Service." (H. P. 610) (L. D. 687)

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

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

Bill, "An Act to Provide Partial Reimbursement to Municipalities for Revenue Loss due to

Property Tax Exemptions on State and County Property." (H. P. 611) (L. D. 688)

Bill, "An Act to Revise the Tree Growth Tax Law." (H. P. 612) (L. D. 689)

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

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

Bill, "An Act to Extend the Use of Red Lights to all Ambulance Service Personnel." (H. P. 613) (L. D. 690)

Bill, "An Act to Extend Emergency Equipment to Ambulance Service Chiefs." (H. P. 614) (L. D. 691)

Resolve, to Name the Bridge at Brownville Village which Crosses Pleasant River the Rodney W. Ross Bridge. (H. P. 615) (L. D. 692)

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

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

**Communication
Senate Chamber
President's Office**

February 10, 1981

Honorable Howard M. Trotzky
Honorable Laurence E. Connolly, Jr.
Chairmen, Joint Standing
Committee on Education
State House

Augusta, ME 04333

Please be advised that Governor Joseph E. Brennan is nominating Richard Marshall of Old Orchard Beach for appointment to the University of Maine Board of Trustees.

Pursuant to Title 20 MRSA Section 2251, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,
S/JOSEPH SEWALL
President of the Senate
S/JOHN L. MARTIN
Speaker of the House
(S. P. 284)

Which was Read and referred to the Committee on Education.

Sent down for concurrence.

Senate Papers

Senator DEVOE of Penobscot presented, Bill, "An Act to Clarify the Application of Military Service Credits to Retirement Benefits for Employees of Local Districts under the Maine State Retirement System" (S. P. 274)

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

Sent down for concurrence.

Senator AULT of Kennebec (Cosponsor: Representative BROWN of Livermore Falls) presented, Bill, "An Act to Appropriate Funds for Maintenance of the Dead River Dam." (S. P. 275)

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

Sent down for concurrence.

Senator MINKOWSKY of Androscoggin presented, Bill, "An Act to Amend the Maine Consumer Credit Code with Respect to Consumer Credit Sales." (S. P. 276)

Senator AULT of Kennebec presented, Bill, "An Act Concerning Administrative Fees Paid to Financial Institutions." (S. P. 277)

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

Sent down for concurrence.

Senator AULT of Kennebec presented, Bill, "An Act Relating to the Commencement of Terms for Members of School Committees and Boards of School Directors." (S. P. 278)

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

Senator BROWN of Washington presented, Bill, "An Act to Provide for a 2-year Limitation on Certain Actions Against Attorneys at Law." (S. P. 279)

Senator DEVOE of Penobscot presented, Bill, "An Act to Reorganize Certain Chapters of the Maine Criminal Code." (S. P. 280)

Which were referred to the Committee on Judiciary and Ordered Printed.
Sent down for concurrence.

Senator SUTTON of Oxford (Cosponsors: Senator BROWN of Washington, Representative SOULE of Westport and Representative TARBELL of Bangor) presented, Bill, "An Act to Place a Maximum Limit on the Inflation Adjustment under the Workers' Compensation Act." (S. P. 281)

Senator DUTREMBLE of York (Cosponsors: Representative TUTTLE of Sanford, Representative HAYDEN of Durham and Representative BAKER of Portland) presented, Bill, "An Act to Provide Workers and Communities with Reasonable Notice and Compensation upon Certain Plant Closings." (S. P. 282)

Which were referred to the Committee on Labor and Ordered Printed.
Sent down for concurrence.

Senator DUTREMBLE of York (Cosponsors: Senator WOOD of York, Representative POST of Owls Head and Representative INGRAHAM of Houlton) presented, Bill, "An Act to Provide a State Income Tax Credit for Installation of Renewable Energy Systems." (S. P. 283)

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

Committee Reports House

Leave to Withdraw

The Committee on Agriculture on, Bill, "An Act Concerning Domestic Animals Running at Large." (H. P. 194) (L. D. 241)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Report was Read and Accepted, in concurrence.

The Committee on Fisheries and Wildlife on, Bill, "An Act to Change the Raccoon Hunting Season in Maine." (H. P. 137) (L. D. 164)

Reported that the same be granted Leave to Withdraw.

Comes from the House, Recommended to the Committee on Fisheries and Wildlife.

Which Report was Read.

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

Senator CONLEY: Mr. President, I wonder if the Senate Chairman of the Joint Standing Committee on Fisheries and Wildlife could explain to the Senate why this Bill is being Re-committed?

On Motion by Senator Pierce of Kennebec, Tabled until Later in Today's Session, pending Acceptance of the Committee Report.

Ought to Pass

The Committee on Fisheries and Wildlife on, Bill, "An Act to Increase the Deer Registration Fee." (H. P. 173) (L. D. 194)

Reported that the same Ought to Pass.

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

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

The Committee on State Government on, Bill, "An Act to Require Legislative Confirma-

tion of State Housing Authority Commissioners." (H. P. 44) (L. D. 50)

Reported that the same Ought to Pass.

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

Which Report was Read.

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

Senator PIERCE: Mr. President, and Members of the Senate, I do not plan to make any motion on this Bill, but I would, at least, as the Senator from District 18, speaking in that capacity, like to comment on it.

When we changed over from the Executive Council to our new confirmation process we made up a long laundry list of people that we felt it was important for us to look over and confirm. I suspect at that time that we made some good judgments and some bad judgments. It is really kind of difficult when you come up with that initial list to know who you should confirm and who you shouldn't.

It seems to me that since the process has now been around for awhile, it would make a lot more sense for the Committee on State Government to look at all of those whom we confirm and all of those that we don't, and make recommendations, on kind of an omnibus basis. There are obviously some that we do not need to do, or that we thought we might, and there are others that we feel we should.

I think, that that would make a lot more sense than just having a legislator come in here with one bill after another for their own pet concerns, that we are going to now confirm: the Liquor Commissioner, or the Housing Authority Commission, or whatever. I do not think that that is a very orderly process. I do not think that it makes a lot of sense for the Legislature to address additions or deletions to the process in that manner. I did, at least, just want to bring that thought to the attention of the Senate.

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

Senator AULT: In reply to Senator Pierce, I just would like to say that if he would support any such Order that would direct the State Government Committee to investigate all confirmations, I would be pleased to pass the word on to Representative Kany and I am sure she would be pleased to sponsor it.

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

Ought to Pass - As Amended

The Committee on Public Utilities on, Bill, "An Act to Dissolve the Howland Water and Sewer District." (H. P. 43) (L. D. 49)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-9).

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

The Committee on State Government on, Bill, "An Act to Clarify and Make Corrections in the Personnel Laws." (H. P. 223) (L. D. 260)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-10).

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

The Committee on Transportation on, Bill, "An Act to Establish a Sign on the Maine Turnpike for York Beach Region." (H. P. 123) (L. D. 155)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-11).

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.

Divided Report

The Majority of the Committee on Business Legislation on, Bill, "An Act to Prohibit Fingerprinting by Merchants in Negotiation of Checks." (H. P. 109) (L. D. 157)

Reported that the same Ought Not to Pass.

Signed:

Senators:

SUTTON, of Oxford
SEWALL of Lincoln
CLARK of Cumberland

Representatives:

RACINE of Biddeford
JACKSON of Yarmouth
PERKINS of Brooksville
GAVETT of Orono

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

Signed:

Representatives:

BRANNIGAN of Portland
MARTIN of Van Buren
FITZGERALD of Waterville
POULIOT of Lewiston
TELOW of Lewiston
GWADOSKY of Fairfield

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

Which Reports were Read.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: Mr. President, I move that we Accept the Majority Ought Not to Pass Report.

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

Senator DUTREMBLE: Mr. President, and Men and Women of the Senate, I would hope that we would not Accept the Majority Ought Not To Pass Report and I would like to say a few words on that.

You know, I use checks quite a bit, and I have got one right here for you. Little did I know when I took out this checking account, a few years back, that in 1981 I would become a criminal suspect for using it.

You know, when you go out and get a checking account that you can have all these little pictures on it. Maybe we could have them start putting our fingerprints on it; so that we could save these businesses some time, and save them some money; so that they could go out and check on us anytime that they want to.

You know, last year in the Committee on Business Legislation we had a Bill on Lie Detector Tests. I do not consider this to be any different. We prohibited Lie Detector tests for employees, last year, because it was an invasion on people's privacy. I do not see this Bill being any different than preventing an invasion of people's privacy, when they go to a business and they require you to take fingerprints before you can purchase anything. That is clearly an invasion of my privacy, clearly.

I cannot believe that if I want to go to certain places in this State that they would require me to do that, if I want to use a check to buy it.

There are other ways of identification, and other ways that people don't mind. They don't mind the driver's license, they don't mind any other kinds of identification. When you get to the point when you have to start using fingerprints for identification, then it is time to start questioning the direction that we want to go.

Now, it has been said, that the consumers can take care of that themselves by not shopping in that store. What happens if this becomes widespread? What happens if the consumer is intimidated? It's pure harassment. It is an embarrassment. I can just picture myself going into a store and being in a long line, and the guy says; well we have to take your fingerprints if you are going to write

a check.

You know, this Bill does not hurt business. It doesn't cost business anything, it doesn't create paperwork for them, it is just a good preventive bill.

I am for free enterprise too, but I am not for free enterprise for business at the cost of the privacy, harassment, and embarrassment of the consumer.

I think, that if we do not pass this bill, even though it is not widespread right now, that it could become in the future. If we do not pass this bill, I think, that all we are doing is giving a green light to some of these businesses in the State. Believe me, I think, that a lot of them will pass it. I would hope we would vote against the Majority Ought Not To Pass Report, so that we can Accept the Minority Ought To Pass Report.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Sutton.

Senator SUTTON: I would like to reply to the proposition that is now before us. It really is too bad that we have to be standing here even talking about this subject, but I guess that that is one of the things that comes with being an elected official, you have the opportunity to place legislation before the State Legislature regardless of its worth.

The good Senator who indicated that it was an invasion of privacy to do this, I would reply to, that if he were required to go to that store in the first place that we might accept that as a possible theorem, but he is not required to go to the store.

One store in the State of Maine, that we know of was requiring fingerprints at one time.

Bad checks is a bad problem in the State. By the way, you might like to know the terrible thing that you have to do or did have to do at that particular store that was place one finger on a pad, that did not show when you put it on the back of the check, that did not show. We were also told that they did arrest several people trying to pass checks that were not good, by this method.

The free enterprise system certainly will adjust itself to this. This is nothing that the State Legislature should be intervening in, a position between stores and the public, or the banks.

At one time, we were requiring fingerprinting of children in school, this is an invasion of privacy, unequivocally, and I would not be standing here defending it, but this is something that we should not be involved in. I would certainly urge you to Accept this Ought Not To Pass Report.

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

Senator CLARK: Mr. President, Men and Women of the Senate, the good Senator from York, Senator Dutremble has tendered a position, this morning, which reflects the sentiments of the sponsor of this measure. There is merit to his concern, and I think, it is appropriate that the Maine legislature consider the issue before us.

Fingerprinting in business in order to cash a check at the check-out counter is a reprehensible practice. I concur that it is an invasion of privacy, I also, concur that it may cause embarrassment, that most customers don't know that this will be required should they attempt to pay for their bill with a check.

I signed the Ought Not To Pass Report for some of the reasons as expressed by the good Senator from Oxford, Senator Sutton, the Senate Chairmen of the Committee on Business Legislation. The practice was isolated with one merchandizing business who had a number of branches in the State of Maine. The impetus of the introduction of this measure to prohibit that practice, encouraged that single business to stop requiring fingerprints should customers wish to pay their bills with a check.

I signed the Ought Not To Pass Report, because I believed at this time, that it is indeed

inappropriate that we prohibit a practice in Maine business enterprises which, in fact, doesn't exist at this time and on this date. Should, however, that business resume the practice of fingerprinting, I would sign, should the Bill be introduced at another time, to prohibit that practice with the Ought To Pass Report. At this time, I would encourage the Members of the Senate to Accept the Majority Report.

On motion by Senator Sutton of Oxford, the Majority Ought Not To Pass Report of the Committee, Accepted, in non-concurrence/
Sent down for concurrence.

(See Action Later Today)

Senate

Leave to Withdraw

Senator SUTTON for the Committee on Business Legislation on, Bill, "An Act Creating Security Requirements for Pharmacy Areas." (S. P. 68) (L. D. 105)

Reported that the same be granted Leave to Withdraw.

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

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

Senator DUTREMBLE: Mr. President, having voted on the prevailing side, I would like to reconsider whereby we voted to Accept the Majority Ought Not To Pass Report.

The PRESIDENT: The Senator from York, Senator Dutremble, moves that the Senate Reconsider its action whereby, Bill, "An Act to Prohibit Fingerprinting by Merchants in Negotiation of Checks," (H. P. 109) (L. D. 175) the MAJORITY Ought Not To Pass Report of the Committee was Accepted.

The Chair recognizes the Senator from York, Senator Dutremble.

Senator DUTREMBLE: I would request a Division.

The PRESIDENT: A Division has been requested.

Will all those Senators in favor of Reconsideration, please rise in their places to be counted.

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

8 Senators having voted in the affirmative, and 23 Senators having voted in the negative, the motion to Reconsider does not prevail.

Ought to Pass — As Amended

Senator SHUTE for the Committee on Legal Affairs on, Bill, "An Act to Lower Certain Distance Restrictions on Enlargement of Cemeteries and Burying Grounds." (S. P. 41) (L. D. 42)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-13).

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

Second Readers

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

House

Bill, "An Act Concerning the Habitual Use of Drugs by Podiatrists." (H. P. 199) (L. D. 244)

Which was Read a Second Time and Passed to be Engrossed, in concurrence.

House — As Amended

Bill, "An Act to Increase the Standard Interest Provision for the Tax Laws from 9% to 12% Per Year." (H. P. 82) (L. D. 77)

Bill, "An Act to Repeal the Law Requiring a Taxable Year of April to April for Real Estate Taxes which are Prorated between Seller and Purchaser of Real Estate." (H. P. 87) (L. D. 80)

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

Senate — As Amended

Bill, "An Act Concerning Eye Enucleation under the Anatomical Gift Act." (S. P. 54) (L. D. 81)

Bill, "An Act to Require Certain Notification in the Case of Tax Liens and Mortgages." (S. P. 69) (L. D. 106)

Which were 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 Relating to the Period for Establishing Employer Contribution Rates under the Employment Security Law." (S. P. 61) (L. D. 87)

AN ACT Relating to Safety and Health Regulation of Compressed Air Work, Public Sector Farm Workers and Variance Procedures." (H. P. 69) (L. D. 118)

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 Provide for the Use of Flashing White Lights on Ambulances. (H. P. 45) (L. D. 51)

On motion by Senator Conley of Cumberland, Tabled for 1 Legislative Day, pending Enactment.

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

Paper from the House House Paper

Resolve, Concerning the Authority of the Attorney General to Seek Adjudication of the Nature and Scope of Cutting Rights Claimed by Private Parties on Public Lots of the State of Maine. (Emergency) (H. P. 697) (L. D. 731)

Reference to the Committee on Judiciary suggested.

Comes from the House, Passed to be Engrossed without reference to Committee.

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

Senator COLLINS: Mr. President, on our desks this morning was a copy of a letter from Martin Wilk, a former Deputy Attorney General of the State, to our present Attorney General. Attached to that letter was a copy of LD 731 which is now before us.

Yesterday, the Attorney General requested members of Leadership of both Branches to meet with him. He explained to us the urgency in presenting, to the Legislature, the question that is involved in this Bill.

In order to gain a full understanding of this measure, we have arranged to have the representatives of the Attorney General's Office meet with the Senate, in Joint Caucus, so we may all hear an explanation and ask questions. That Joint Caucus will follow in a Recess period.

You will note this measure has already been Passed to be Engrossed by the other Body without Reference to Committee so that the matter could be moved along promptly.

It would be my request to the Senate that we do the same in this Body; that we pass the measure to be Engrossed without Reference to Committee; that we then Recess and have a full explanation and discussion of the measure, so that when it comes back to us for Final Enactment we will know exactly what we are doing. If we have any doubts about it, we can express them at that time.

Therefore, Mr. President, I would move that we proceed with this paper to the extent that is indicated, after which time I would move that the Senate be in Recess so we could have a

Joint Caucus. Thank you, Mr. President.

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

Senator HUBER: Mr. President, because of the possibility of the appearance of a Conflict of Interest, I request Leave of the Senate to abstain on this measure.

The PRESIDENT: The Senator from Cumberland, Senator Huber, has requested Leave of the Senate to refrain from voting on this issue.

Is it the pleasure of the Senate to grant this leave?

It is a vote.

The PRESIDENT: The Chair would also request Leave of the Senate to refrain from voting on this issue because of the possibility of an appearance of a Conflict of Interest.

Is it the pleasure of the Senate to grant this Leave?

It is a vote.

Under Suspension of the Rules, the Bill Read Twice and Passed to be Engrossed without Reference to Committee, in concurrence.

There being no objections all items previously acted upon, were sent forthwith.

Orders of the Day

The PRESIDENT: The Chair laid before the Senate Bill, "An Act to Change the Raccoon Hunting Season in Maine," (H. P. 137) (L. D. 164), Tabled earlier in today's session, by Senator Pierce of Kennebec, pending Acceptance of the Committee Report.

The Chair recognizes the Senator from Somerset, Senator Redmond.

Senator REDMOND: Mr. President, and Members of the Senate, in response to the most honorable Senator from Cumberland's question on the raccoons. The Season now is from October 15 to November 30. This Bill pertains to York County, Game Management # 8, and the Commissioner has agreed, in the work session with the Committee, that they can take care of that by a ruling. Therefore, we don't need a Bill and this is why we granted the Leave to Withdraw. That was almost unanimous, at least; all the members of the Committee that were present there, except maybe there was one missing, we were all in agreement. This is why we would like to see the Leave to Withdraw stay the way it is.

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

Senator HICHENS: Mr. President, the good Senator from Somerset, Senator Redmond, has hit it right on the nose. This Report was almost unanimous, but it wasn't unanimous, there were three members of the Committee, at least, if not four, that weren't contacted. Those are the ones which have asked that it go back to Committee for a work session. That's the reason it was referred today to go back for a work session.

The PRESIDENT: The Chair will order a Division.

Will all those Senators in favor of accepting the Leave to Withdraw Report of the Committee, please rise in their places to be counted.

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

22 Senators having voted in the affirmative, and 7 Senators having voted in the negative, the motion to Accept the Leave to Withdraw Report, in non-concurrence does prevail.

Sent down for concurrence.

On Motion by Senator Collins of Knox, Recessed until the sound of the Bell.

Recess

After Recess

The Senate called to order by the President.

Senator Sewall of Lincoln was granted unan-

imous consent to address the Senate, Off the Record.

Senator Trotzky of Penobscot was granted unanimous consent to address the Senate, Off the Record.

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