

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

STATE OF MAINE
 One Hundred and Twelfth Legislature
 First Regular Session
 JOURNAL OF THE SENATE
 In Senate Chamber
 Monday
 January 7, 1985
 Senate called to Order by the President.

Prayer by the Reverend David Kelly of the Hermon Baptist Church in Hermon.

REVEREND KELLY: Shall we pray? Our dear Father, we do thank You for giving us life, You indeed have made us and we recognize even this afternoon that Thine we are.

We recognize You this afternoon as our ultimate authority. You've established the authority of each Senator here this afternoon and for that we give You thanks and praise. Indeed, we humbly come before You, our God and our Maker, requesting wisdom. We ask You, Father, that You would direct in the decisions that will be made that the proper words will be said. We ask You, Lord, for unanimity and like-mindedness in the face of the reality of great diversity in this Chamber.

May You receive all the glory for the work that is done rather than any individual. We pray that You would use these men and women for Your glory and by Thy grace for the best interest of the State of Maine. For we pray these things in Jesus' Name and for His sake, Amen.

Reading of the Journal of Thursday, January 3, 1985.

COMMUNICATIONS

The Following Communication: S.P. 24
STATE OF MAINE
112th LEGISLATURE

January 3, 1985

The Honorable Ronald Usher
 The Honorable Michael Michaud
 Chairmen, Committee on Energy and Natural Resources
 112th Legislature
 Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Charles F. Canning, Jr. of Augusta and Nancy N. Masterton of Cape Elizabeth for appointment to the Board of Environmental Protection.

Pursuant to Title 38 MRSA Section 431, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,
 S/Charles P. Pray
 President of the Senate
 S/John L. Martin
 Speaker of the House

Which was **READ** and referred to the Committee on **ENERGY AND NATURAL RESOURCES**.

Sent down for concurrence.

The Following Communication: S.P. 25
STATE OF MAINE
112th LEGISLATURE

January 3, 1985

The Honorable Ronald Usher
 The Honorable Michael Michaud
 Chairpersons, Committee on Energy and Natural Resources
 112th Legislature
 Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated John Richards of Greenville and Brian Currier of Brunswick for appointment to the Land Use Regulation Commission.

Pursuant to Title 12 MRSA Section 683, this nomination will require review by the Joint Standing Committee on Energy and Natural Resources and confirmation by the Senate.

Sincerely,

S/Charles P. Pray
 President of the Senate
 S/John L. Martin
 Speaker of the House

Which was **READ** and referred to the Committee on **ENERGY AND NATURAL RESOURCES**.

Sent down for concurrence.

The Following Communication: S.P. 26
STATE OF MAINE
112th LEGISLATURE

January 4, 1985

The Honorable Judy Kany
 The Honorable Dan Gwadodsky
 Chairpersons, Committee on State Government
 112th Legislature
 Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Stanley O. Provus of Hallowell for appointment as Chief Executive Officer to the Finance Authority of Maine.

Pursuant to Title 10 MRSA Section 110, this nomination will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,
 S/Charles P. Pray
 President of the Senate
 S/John L. Martin
 Speaker of the House

Which was **READ** and referred to the Committee on **STATE GOVERNMENT**.

Sent down for concurrence.

The Following Communication: S.P. 27
STATE OF MAINE
112th LEGISLATURE

January 4, 1985

The Honorable Michael E. Carpenter
 The Honorable Edward J. Kane
 Chairpersons, Committee on Judiciary
 112th Legislature
 Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Eugene W. Beaulieu of Milford for appointment as a Superior Court Justice.

Pursuant to the Maine Constitution Article V Part 1 Section 8, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
 S/Charles P. Pray
 President of the Senate
 S/John L. Martin
 Speaker of the House

Which was **READ** and referred to the Committee on **JUDICIARY**.

Sent down for concurrence.

The Following Communication: S.P. 28
STATE OF MAINE
112th LEGISLATURE

January 4, 1985

The Honorable Michael E. Carpenter
 The Honorable Edward J. Kane
 Chairpersons, Committee on Judiciary
 112th Legislature
 Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Robert W. Donovan of Portland for reappointment as a District Court Judge.

Pursuant to Title 4 MRSA Section 157, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
 S/Charles P. Pray
 President of the Senate
 S/John L. Martin
 Speaker of the House

Which was **READ** and referred to the Com-

mittee on **JUDICIARY**.
 Sent down for concurrence.

The Following Communication: S.P. 29
STATE OF MAINE
112th LEGISLATURE

January 4, 1985

The Honorable Michael E. Carpenter
 The Honorable Edward J. Kane
 Chairpersons, Committee on Judiciary
 112th Legislature
 Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Robert L. Browne of Bangor for appointment as an Active Retired Justice of the Maine Superior Court.

Pursuant to Title 4 MRSA Section 104, this nomination will require review by the Joint Standing Committee on Judiciary and confirmation by the Senate.

Sincerely,
 S/Charles P. Pray
 President of the Senate
 S/John L. Martin
 Speaker of the House

Which was **READ** and referred to the Committee on **JUDICIARY**.

Sent down for concurrence.

DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES
STATE HOUSE STATION 23
AUGUSTA, MAINE 04333

January 7, 1985

TO: Joy J. O'Brien, Secretary of the Senate
 Edwin H. Pert, Clerk of the House
 FROM: Robert E. Boose, Commissioner
 RE: Report on Actions Taken Regarding the Education for Habitual Truants

I am pleased to transmit herein my report on the number of habitual truants identified during the past school year along with the actions that have been taken regarding alternative education program and other referral actions at the local level:

	AGE 7-13	AGE 14-16
1. Number of Truants Identified	139	659
A. Resolved administratively at the local level	84	386
B. Referred to alternative program within the school system	16	146
C. Referred to alternative program offered by another school system		6
D. Referred to alternative program offered by an existing agency external to the school system	6	9
E. Not resolved or referred to date	33	112
Total of all reasons		
2. Number Referred to School Board	17	146
A. Parents instructed of legal responsibility	17	73
B. Compulsory education waived		71
C. Special work permit issued		2
3. Number of Parents Referred to Court Action	11	15
A. Number of parents fined or confined	7	1
B. Number of parents referred to counseling	4	14
	No. Programs	No. Students
Continuing Programs which are Permanent	28	175
Continuing Programs which are not Permanent	7	7
Programs new this year which are Permanent	3	7
Programs new this year which are not Permanent	7	12

Additional information regarding the above statistics as well as more detailed information describing some of the alternative programs being offered may be obtained by contacting

the Division of Curriculum Resources 289-2033)
Which was **READ** and **ORDERED PLACED ON FILE**.

SENATE PAPERS

Bill "An Act Concerning the Maine Maritime Academy Board of Visitors" S.P. 20 L.D. 24
Presented by Senator **CLARK** of Cumberland
Cosponsored by: Senator **SHUTE** of Waldo
Which was referred to the Committee on **EDUCATION** and **ORDERED PRINTED**.
Sent down for concurrence.

Bill "An Act to Equalize Trapping Rights in Unorganized Territory" S.P. 21 L.D. 25
Presented by Senator **McBREAIRTY** of Aroostook
Cosponsored by: Representative **CONNERS** of Franklin
Which was referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.
Sent down for concurrence.

Bill "An Act to Clarify the Term "Authorized Person" Under the Law Relating to Deaths and Burials" S.P. 22 L.D. 26
Presented by Senator **CLARK** of Cumberland
Committee on **HUMAN RESOURCES** suggested and **ORDERED PRINTED**.
On motion by Senator **VIOLETTE** of Aroostook, Tabled for 1 Legislative Day, pending **REFERENCE**.

Bill "An Act to Amend the Motor Vehicle Inspection Law" S.P. 23 L.D. 27
Presented by Senator **ERWIN** of Oxford
Cosponsored by: Representative **CALLAHAN** of Mechanic Falls, Representative **STROUT** of Corinth, Representative **THERIAULT** of Fort Kent
Submitted by the Department of Public Safety pursuant to Joint Rule 24.
Which was referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**.
Sent down for concurrence.

Out of order and under suspension of the rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill, "An Act Relating to Employment by School Administrative Unit, School Union and Academy."

H.P. 13 L.D. 12

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.

COMMUNICATION

The Following Communication: S.P. 30

**STATE OF MAINE
112th LEGISLATURE**

January 7, 1985

The Honorable Larry M. Brown
The Honorable Ada M. Brown
Chairpersons, Committee on Education
112th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Barbara M. Trafton of Auburn and Stanley R. Tupper of Boothbay Harbor for appointments to the Board of Trustees of the Maine Maritime Academy.

Pursuant to 1941 P&SL Chapter 37, this nomination will require review by the Joint Standing Committee on Education and confirmation by the Senate.

Sincerely,
S/Charles P. Pray
President of the Senate
S/John L. Martin
Speaker of the House

Which was **READ** and referred to the Committee on **EDUCATION**.
Sent down for concurrence.

(Off Record Remarks)

On motion by Senator **CLARK** of Cumberland, **ADJOURNED** until January 9, 1985, at 10 o'clock in the morning.