

# MAINE STATE LEGISLATURE

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**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  
Wednesday  
February 6, 1985  
Senate called to order by the President.

Prayer by Father Valmont Gilbert of the Saint Augustine's Catholic Church in Augusta.

FATHER GILBERT: Let us pray! Almighty God, You have chosen to give us this part of the country, the State of Maine for our heritage. We pray that we may always prove ourselves a people mindful of the many graces that You have given us.

Today in a special way the Members of the Senate invoke Your blessings upon themselves and on those they represent.

Entrust them with Your wisdom that they may always serve well those who have elected them to the Senate.

We pray that in time of prosperity they may be thankful for Your many blessings, in time of difficulties that we may never allow our trust in You to fail.

All who are here present their needs before You, they seek Your guidance in many of the deliberations which are before them.

Fill all our senses with the love of true honesty and righteousness so that having been entrusted by the people with the authority of government they may seek the common good of all the citizens of this State.

We ask this in the name of Jesus, Your Son, our Lord. Amen.

Reading of the Journal of Yesterday.

Out of Order and Under Suspension of the Rules on Motion by Senator VIOLETTE of Aroostook the following Senate Order:

ORDERED, that a message be sent to the House of Representatives proposing a Convention of both branches in the Hall of the House at 11:00 in the morning, for the purpose of extending to the Honorable Vincent L. McKusick, Chief Justice of the Maine Supreme Judicial Court, and Members of the Judiciary an invitation to attend the Convention and make such communication as pleases him.

Which was READ and PASSED.

The President appointed Senator VIOLETTE of Aroostook to deliver the message, the Senator retired to the Hall of the House and subsequently reported that he had performed the duties with which he was charged.

#### PAPERS FROM THE HOUSE

##### House Papers

Bill "An Act to Shorten the Final Pay Settlement of Milk Dealers to Producers" (H.P. 143) (L.D. 177)

Committee on AGRICULTURE suggested and ORDERED PRINTED.

Comes from the House, Bill and accompanying papers INDEFINITELY POSTPONED.

The Bill and accompanying papers INDEFINITELY POSTPONED, in concurrence.

Bill "An Act to Change the Lime Law" (H.P. 307) (L.D. 396)

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.

At this point a message was received from the House of Representative, through Representative DIAMOND of Bangor concurring in the proposition for a Joint Convention to be held in the Hall of the House at 11: a. m. for the purpose of extending to the Chief Justice Vincent L. McKusick and the Supreme Judicial Court an invitation to attend the con-

vention and make such communication as they may be pleased to make.

Bill "An Act to Allocate Oil Overcharge Money" (H.P. 308) (L.D. 397)

Resolve, Concerning the Transportation of Prisoners From the Maine State Prison (H.P. 309) (L.D. 398)

Come from the House referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Which were referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED, in concurrence.

Bill "An Act to Allow School Administrative Units to Provide Services to Preschool Handicapped Students" (H.P. 310) (L.D. 399)

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.

(Off Record Remarks)

Bill "An Act to Prohibit Open Burning at All Municipal Solid Waste Disposal Sites" (H.P. 323) (L.D. 438)

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 Repeal Home Day Care Registration Requirements" (H.P. 324) (L.D. 439)

Comes from the House referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.

Which was referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED, in concurrence.

Bill "An Act to Revise the Laws Pertaining to Real Estate Attachments, Disclosure Proceedings, Levy on Execution and Exempt Property" (H.P. 322) (L.D. 437)

Committee on BUSINESS AND COMMERCE suggested and ORDERED PRINTED.

Comes 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 Employment of Minors Under the Liquor Laws" (H.P. 311) (L.D. 400)

Comes from the House referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED.

Which was referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED, in concurrence.

Bill "An Act to Raise the Recording Fees Received by the Register of Deeds" (H.P. 312) (L.D. 401)

Bill "An Act Relating to the Frequency of Payments by Certain County Officials to County Treasurers" (H.P. 313) (L.D. 402)

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 Allow Educational Institutions within the State to Purchase State Surplus Property" (H.P. 314) (L.D. 403)

Bill "An Act to Require Legislative Confirma-

tion of the Commissioners and the Director of the Maine State Lottery" (H.P. 315) (L.D. 404)

Bill "An Act to Reduce the Length of the First Legislative Session from 100 Days to 90 Days and Set a Calendar Deadline of June 15th and Reduce the Length of the 2nd Legislative Session from 50 Days to 40 Days and Set a Calendar Deadline of April 15th" (Emergency) (H.P. 319) (L.D. 408)

Come 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 Make Permanent the Special Fuel Tax Act" (Emergency) (H.P. 316) (L.D. 405)

Bill "An Act to Equalize the Treatment of State Deferred Compensation Plans Under the Insurance Premium Tax" (H.P. 317) (L.D. 406)

Bill "An Act to Exempt Used Machinery from the Sales Tax" (H.P. 318) (L.D. 407)

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.

#### SENATE PAPERS

Bill, "An Act to Repeal the Sales Tax on Commercial and Industrial Fuel" (S.P. 169) (L.D. 440)

Presented by Senator TWITCHELL of Oxford

Which was referred to the Committee on TAXATION and ORDERED PRINTED.

Sent down for concurrence.

#### COMMITTEE REPORT

##### Senate

##### Change of Reference

Senator NAJARIAN for the Committee on LEGAL AFFAIRS on Bill "An Act to Amend the Law Relating to Mileage and Compensation of Jurors" (S.P. 112) (L.D. 327)

Reported that the same be referred to the Committee on JUDICIARY.

Which Report was READ and ACCEPTED. The Bill REFERRED to the Committee on JUDICIARY.

Sent down for concurrence.

#### ORDERS OF THE DAY

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

Bill "An Act to Encourage Industrial Product Development in the State" (S.P. 143) (L.D. 410)

Tabled—February 5, 1985, by Senator VIOLETTE of Aroostook

Pending—REFERENCE (Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested and ORDERED PRINTED.

On motion by Senator VIOLETTE of Aroostook referred to the Committee on STATE GOVERNMENT and ORDERED PRINTED.

Sent down for concurrence.

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

Bill "An Act to Amend the Code of Fair Practices and Affirmative Action as the Equal Opportunity Standard for State Financed Agencies" (S.P. 166)

Tabled—February 5, 1985, by Senator VIOLETTE of Aroostook

Pending—REFERENCE (Committee on STATE GOVERNMENT suggested.)

On motion by Senator VIOLETTE of Aroostook referred to the Committee on JUDICIARY and ORDERED PRINTED.

Sent down for concurrence.

(Off Record Remarks)

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

Senator **BUSTIN** of Kennebec was granted unanimous consent to address the Senate, Off the Record.

On motion by Senator **PEARSON** of Penobscot  
**RECESSED** until 10:50 a.m. this morning.

Recess

After Recess

The Senate called to order by the President.

(Off Record Remarks)

At this point the Senate retired to the Hall of the House where a Joint Convention was formed.

AFTER JOINT CONVENTION

IN SENATE

The Senate called to order by the President.

(Off Record Remarks)

Senate at Ease

The Senate called to order by the President.

On motion by Senator **CLARK** of Cumberland

**ADJOURNED** until 9:30 o'clock tomorrow morning.