

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
Friday
April 19, 1985
Senate called to Order by the President.

Prayer by Reverend David Sparks of the First Church of The Nazarene in Augusta.

REVEREND SPARKS: Let us pray. Our Father on this day of the Lord remind us of Your power. You are, we understand Our Creator, God, who has created all that we are and all that we have and all that we see.

Not only Creator but sustainer giving us life and continuing that life moment by moment. We ask You to consider our frailty and our needs. Needs that are represented State Business, needs that are represented in the Senate family and personal lives.

We pray, Father, that You will give to these that portion of Your power necessary to bring real specific help to real specific need.

On this day of the Lord remind us of Your wisdom, You, who we understand to be all wise and the omniscient God, who knows the end from the beginning.

Consider our shortsightedness, and our human limitations, and give to these that clear view of Your wisdom and Your will which will bring unity and peace and the very best for all whom they represent.

On this day of the Lord, Father remind us of Your love. Love portrayed in Your care and protection of Your people the Israelites, love portrayed in the Christ on a cross.

Consider our selfishness and give that portion of Your selfless love which will enable those to look beyond themselves and give themselves for the right and for others.

And then, Father, on this day of the Lord, remind us of Your holiness and give to these a double portion of Your power and wisdom and love. This, we pray in the name of him who's name is above every name, and at who's name every knee shall bow. Amen.

Reading of the Journal of Yesterday.

(Off Record Remarks)

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Establish Competitive Insurance Rating Under the Maine Workers Compensation System" (H.P. 937) (L.D. 1343)

Comes from the House referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**.

Which was referred to the Committee on **BUSINESS AND COMMERCE** and **ORDERED PRINTED**, in concurrence.

SENATE PAPERS

Bill "An Act to Encourage the Development of Solid Waste Energy and Recovery Facilities in the State of Maine" (Emergency) (S.P. 498) (Presented by Senator **USHER** of Cumberland) (Cosponsored by: President **PRAY** of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

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

Sent down for concurrence.

Bill "An Act to Amend Certain Provisions of the Maine Criminal Code" (S.P. 499) (Presented by Senator **CARPENTER** of Aroostook)

Bill "An Act to Amend Judicial Certification Procedures" (S.P. 500) (Presented by Senator **PRAY** of Penobscot) (Cosponsored by: Senator **CARPENTER** of Aroostook, Representative **NELSON** of Portland, Representative **CARROLL** of Gray)

Which was referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.
Sent down for concurrence.

Bill "An Act to Establish the State Employee Assistance Program" (S.P. 501) (Presented by Senator **BUSTIN** of Kennebec) (Cosponsored by: Representative **ROLDE** of York, Representative **BRODEUR** of Auburn, Senator **DOW** of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

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

Sent down for concurrence.

COMMITTEE REPORTS

House

Ought Not To Pass

The following **Ought Not To Pass** report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Provide Utility Easement by Implication" (H.P. 433) (L.D. 613)

Ought to Pass

The Committee on **LABOR** on Bill "An Act to Expand the Membership of the Maine Occupational Information Coordinating Committee" (H.P. 730) (L.D. 1039)

Reported that the same **Ought to Pass**. Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Which Report was **READ** and **ACCEPTED**. The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

Senate

Ought Not To Pass

The following **Ought Not To Pass** reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Resolve, Authorizing a Study Concerning the Feasibility of a Southern Maine Mass Transit System (S.P. 318) (L.D. 807)

Bill "An Act to Allow Municipalities to Fix their Speed Limits Upon Notification to the Department of Transportation and the State Police" (S.P. 340) (L.D. 926)

Bill "An Act Relating to Hunting of Deer During the Bucks-only Hunting Season" (S.P. 73) (L.D. 169)

Leave to Withdraw

The following **Leave to Withdraw** reports shall be placed in the Legislative Files without further action pursuant Rule 15 of the Joint Rules:

Bill "An Act Concerning Inspection of Boarding Care Facilities" (S.P. 426) (L.D. 1183)

Bill "An Act Relating to the Sale of Home Heating Fuel" (S.P. 55) (L.D. 74)

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

Ought to Pass

Senator **USHER** for the Committee on **ENERGY AND NATURAL RESOURCES** on Bill "An Act to Amend the Department of Environmental Protection Laws" (S.P. 414) (L.D. 1144)

Reported that the same **Ought to Pass**. Which Report was **READ** and **ACCEPTED**. The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

Senator **DANTON** for the Committee on **TRANSPORTATION** on Bill "An Act Concerning the Administration of Public Improvements Under the Supervision of the Department of Transportation" (S.P. 57) (L.D.

76)

Reported that the same **Ought to Pass**. Which Report was **READ** and **ACCEPTED**. The Bill **READ ONCE**. The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

SECOND READERS

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

House As Amended

Resolve, Concerning Blackfly Control (H.P. 435) (L.D. 617) (C "A" H-73)

Which was **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, as Amended, in concurrence.

(Off Record Remarks)

Senate at Ease

The Senate called to Order by the President.

(Off Record Remarks)

ORDERS OF THE DAY

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

An Act Concerning Persons on Partial Release from a Mental Health Institution (H.P. 856) (L.D. 1213) (S "A" S-47)

Tabled—April 18, 1985, by Senator **VIOLETTE** of Aroostook pending—**ENACTMENT**. (In House, April 17, 1985, **PASSED TO BE ENACTED**)

(In Senate, April 12, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A"** (S-47).)

On motion by Senator **VIOLETTE** of Aroostook Tabled 1 Legislative Day, pending **ENACTMENT**.

Out of Order and under Suspension of the Rules the Senate considered the following:

SENATE PAPERS

Bill "An Act Establishing a Commission to Study Family Matters in Court and the Establishment of a Family Division of Court" (Emergency) (S.P. 504) (Presented by Senator **CHALMERS** of Knox) (Cosponsored by: Senator **CARPENTER** of Aroostook, Representative **KANE** of S. Portland, Representative **FOSTER** of Ellsworth)

Which was referred to the Committee on **JUDICIARY** and **ORDERED PRINTED**.

Sent down for concurrence.

COMMITTEE REPORTS

Senate

Ought to Pass in New Draft under New Title Senator **TRAFON** for the Committee on **LEGAL AFFAIRS** on Bill "An Act to Eliminate Maine Criminal Justice Academy Attendance as a Prerequisite for Licensing of Former Law Enforcement Officers as Private Investigators" (S.P. 157) (L.D. 424)

Reported the same **Ought to Pass in New Draft under New Title**; Bill "An Act Concerning the Requirements for Licensing Private Investigators" (S.P. 502) (L.D. 1347)

Which Report was **READ** and **ACCEPTED**. The Bill in **NEW DRAFT UNDER NEW TITLE READ ONCE**.

The Bill in **NEW DRAFT** under **NEW TITLE TOMORROW ASSIGNED FOR SECOND READING**.

Senator **USHER** of Cumberland was granted unanimous consent to address the Senate Off the Record.

(Off Record Remarks)

On motion by Senator **CLARK** of Cumberland,

ADJOURNED until Monday, April 22, 1985, at 9:30 in the morning.