

# 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)

**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH  
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,  
SUBSECTION 4.

---

J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

---

---

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

---

---

Whereas, the incidence of reported child abuse has increased greatly in Maine; and

Whereas, the law is inadequate in that it does not allow the removal of the perpetrator from the home of the child; and

Whereas, this creates an unjust situation which may require the removal of the victim from the home, an action which reinforces the loss of worth felt by the victim and delays recovery from the trauma; and

Whereas, delay in correcting this will result in unnecessary suffering by individuals who have already been victimized; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

22 MRSA §4036, sub-§1, ¶F-1 is enacted to read:

F-1. Removal of the perpetrator from the child's home, prohibiting direct or indirect contact with the child by the perpetrator and prohibiting other specific acts by the perpetrator which the court finds may threaten the child;

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect on July 1, 1985.

Effective July 1, 1985.

---

---

## CHAPTER 165

H.P. 411 - L.D. 564

AN ACT to Clarify the Use of the Hand Fishing Scallop License.

Be it enacted by the People of the State of Maine as follows:

12 MRSA §6701, sub-§2, as amended by PL 1983, c. 663, §1, is further amended to read:

2. Licensed activity. The holder of a hand fishing scallop license may take scallops by hand or possess, ship, transport or sell scallops he has taken. The license shall also authorize crew members aboard the licensee's boat when engaged in fishing for scallops by hand to undertake these activities.

Effective September 19, 1985.

---

## CHAPTER 166

H.P. 928 - L.D. 1333

AN ACT to Establish Fixed Dates for the  
Adjournment of the First and Second  
Regular Sessions of the Legislature.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Constitution of Maine, Article IV, Part Third, Section 1, empowers the Legislature to establish appropriate statutory limits on the length of the first and 2nd regular legislative sessions; and

Whereas, the people of the State are entitled to expect that their elected representatives will deal with the legislative business expeditiously; and

Whereas, the establishment of a date certain for the adjourning of the Legislature will provide the Legislators, the legislative staff, the Executive Department, the Judicial Department and the public with a clear time frame for the conduct of the business of the people; and

Whereas, the length of the legislative session is directly related to the expenditure of the public fisc and the shortening of the length of the sessions will result in a substantial savings to the public fisc, as substantial savings can be realized if this legislation is effective now; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of