

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

HOUSE

Wednesday, January 16, 1985

The House was called to order by the Speaker.

Prayer by Reverend Bruce W. Meyer, Prince of Peace Lutheran Church, Augusta.

Quorum called; was held.

The Journal of yesterday was read and approved.

**Papers from the Senate
Reconsidered**

Bill "An Act to Amend the Maine Tort Claims Act" (S. P. 41) (L. D. 58)

Bill "An Act Concerning the Holidays on which Courts must Close" (S. P. 48) (L. D. 64)
Came from the Senate, referred to the Committee on Judiciary and Ordered Printed.

Were referred to the Committee on Judiciary in concurrence.

Bill "An Act to Equalize the Taxation of Telephone Companies with the Taxation of other Business Corporations" (S. P. 43) (L. D. 60)

RESOLVE, Reimbursing Certain Municipalities on Account of Taxes Lost Due to Lands being Classified under the Tree Growth Tax Law. (Emergency) (S. P. 44) (L. D. 61)

Came from the Senate, referred to the Committee on Taxation and Ordered Printed.

Were referred to the Committee on Taxation in concurrence.

Bill "An Act to Prohibit Radar Detectors" (S. P. 45) (L. D. 62)

Bill "An Act to Allow the Secretary of State to Issue License Plates for Former Prisoners of War" (S. P. 46) (L. D. 63)

Came from the Senate, referred to the Committee on Transportation and Ordered Printed.

Were referred to the Committee on transportation in concurrence.

Messages and Documents

The following Communication: (S. P. 47)

STATE OF MAINE
112th LEGISLATURE

January 10, 1985

The Honorable Dennis Dutremble

The Honorable Edith Beaulieu

Chairpersons, Committee on Labor

112th Legislature

Augusta, Maine 04333

Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Gerard P. Conley of Portland for appointment to the Maine Unemployment Insurance Commission.

Pursuant to Title 26 MRSA Section 1081, this nomination will require review by the Joint Standing Committee on Labor and confirmation by the Senate.

Sincerely
S/CHARLES P. PRAY
President of the Senate
S/JOHN L. MARTIN
Speaker of the House

Came from the Senate, read and referred to the Committee on Labor.

Was read and referred to the Committee on Labor in concurrence.

The following Communication: (S. P. 49)

STATE OF MAINE
112th LEGISLATURE

January 11, 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 Margaret J. Kravchuck of Bangor for appointment 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

Came from the Senate, Read and Referred to the Committee on Judiciary.

Was read and referred to the Committee on Judiciary in concurrence.

The following Communication:

DEPARTMENT OF BUSINESS,
OCCUPATIONAL AND PROFESSIONAL
REGULATION BUREAU OF BANKING

January 15, 1985

Honorable Joseph E. Brennan
Governor

Honorable Charles P. Pray

President of the Senate

Honorable John L. Martin

Speaker of the House

In accordance with Title 9-B, Section 217, Maine Revised Statutes Annotated of 1975, as amended, the attached Annual Report of the Status of Maine's Financial Institutions is being submitted.

This report contains information on the number, types and legal structure of all regulated financial institutions in the State, the location of all offices and total deposits held by these institutions, and the steps taken by out-of-state financial institution holding companies, that have acquired Maine financial institutions, to meet the credit needs of Maine consumers and businesses.

Respectfully submitted,
S/H. DONALD DeMATTEIS
Superintendent

Was read with accompanying report placed on file.

**Petitions, Bills and Resolves
Requiring Reference**

The following Bills and Resolves were received and, upon the recommendation of the Committees, Ordered Printed and sent up for Concurrence:

Passed to Be Engrossed

Bill "An Act to Amend and Clarify the Law Relating to the Special Commission to study the Implementation of Educational Reform" (Emergency) (H. P. 67) (L. D. 70) (Presented by Representative DIAMOND of Bangor) (Cosponsors: Senator BROWN of Washington, Representatives BROWN of Gorham, and RANDALL of East Machias) (Approved for introduction by a majority of the Legislature Council pursuant to Joint Rule 27)

(Committee on Education was suggested.)

On motion of Representative Reeves of Pittston, under suspension of the rules, the Bill was read twice without reference to any committee, passed to be engrossed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Fisheries and Wildlife

Bill "An Act to Limit the Hunting of Raccoon" (H. P. 59) (Presented by Representative CONNERS of Franklin)
(Ordered Printed.)

Sent up for concurrence

Labor

Bill "An Act Concerning Lawyers' Fees under the Workers' Compensation Act" (H. P. 60) (Presented by Representative BONNEY of Falmouth) (Cosponsors: Representatives SEAVEY of Kennebunkport and WEYMOUTH of West Gardiner)

Bill "An Act to Clarify the Negotiability of Insurance Under the Municipal Public Employees Labor Relations Act" (H. P. 61)

(Presented by Representative BEAULIEU of Portland)

(Ordered Printed.)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Repeal Requirements that Agency Liquor Stores be at Least 10 Miles Apart" (H. P. 62) (Presented by Representative GREENLAW of Standish)

Bill "An Act to Measure Mileage Payments to Jurors" (H. P. 63) (Presented by Representative SWAZEY of Bucksport)
(Ordered Printed.)

Sent up for concurrence.

Local and County Government

Bill "An Act to Clarify the Procedure for Preparing Ballots for Municipal Elections" (H. P. 64) (Presented by Representative WENTWORTH of Wells)

(Ordered Printed.)

Sent up for concurrence.

Marine Resources

Bill "An Act to Modify the Closed Period for the Taking of Lobsters" (H. P. 65) (Presented by Representative CONNERS of Franklin)
(Ordered Printed.)

Sent up for concurrence.

Transportation

Bill "An Act to Permit a Vehicle to be Registered for the Gross Weight allowed by a Permit under the Motor Vehicle Laws" (H. P. 66) (Presented by Representative McPHERSON of Eliot)

(Ordered Printed.)

Sent up for concurrence.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act to Clarify the Term 'Authorized Person' Under the Law Relating to Deaths and Burials" (S. P. 22) (L. D. 26)

—In Senate, Referred to the Committee on Legal Affairs.

(The Committee on Reference of Bills had suggested reference to the Committee on Human Resources.)

TABLED—January 15, 1985 by Representative REEVES of Pittston.

PENDING—Reference in concurrence.

On motion of Representative Brannigan, referred to Committee on Business and Commerce, Ordered Printed and sent up for concurrence.

On motion of Representative Kane of South Portland, the House reconsidered its action whereby Bill "An Act to Amend the Maine Tort Claims Act" (S. P. 41) (L. D. 58) was referred to the Committee on Judiciary.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative KANE.

Representative KANE: Mr. Speaker, Ladies and Gentlemen of the House: There is a bit of a glitch in the process this bill went through. It was signed in effect by accident and shouldn't be here at all. Thank you.

On motion of Representative Kane of South Portland, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

(Off Record Remarks)

On motion of Representative Mayo of Thomaston.

Adjourned until ten o'clock tomorrow morning.