

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
Tuesday
January 15, 1985
Senate called to order by the President.

Prayer by Father Thomas Joyce of Saint Mary's Catholic Church in Augusta.

FATHER JOYCE: O God, we humbly ask Your blessing on all gathered here this morning. We ask that You sustain them in their work. We ask Your blessing on their behalf that they may always have the strength and courage to accomplish the tasks that is theirs to fulfill.

Realizing that all law emanates from You, theirs is said to be both a pious and of a patriotic duty—ones service to ones fellow human beings to be summed up in that great virtue "charity loveth God and love of neighbor."

We therefore ask Your blessing. As all things begin and end with You, this meeting begins with our humble prayer. We thank You for Your past blessings, and in petition, we ask to have this session, Amen.

Reading of the Journal of Thursday, January 10, 1985.

COMMUNICATIONS

The Following Communication: (H. P. 39)

STATE OF MAINE
DEPARTMENT OF FINANCE AND
ADMINISTRATION BUREAU OF
CENTRAL COMPUTER SERVICES
State Office Building
State House Station 61
Augusta, Maine 04333

January 8, 1985

Governor Joseph E. Brennan and Members of the 112th Legislature:

In accordance with Title 5, M.R.S.A., Section 1852, subsection 7, the attached biennial Comprehensive State Master Plan Report for Central Computer Services is being submitted.

This report contains information on personnel, major application systems, expenditures, equipment and software configurations. Also included are the individual agency reports on short range and long range plans.

Respectfully submitted,
S/ARTHUR W. HENRY, JR.
Director

Comes from the House **READ** and with accompanying papers **ORDERED PLACED ON FILE**.

Which was **READ** and with accompanying papers **ORDERED PLACED ON FILE**, in concurrence.

The Following Communication:

January 9, 1985

The Honorable Charles P. Pray
President of the Senate
Maine State Senate
State House Station #3
Augusta, Maine 04333
Dear President Pray:

The accompanying report of State-owned real estate is submitted in accordance with the provisions of Title 36 M.R.S.A. subsection 1283.

This report includes thirteen properties or interest acquired through liens maturing as a result of 1983 Forest Fire Suppression Tax delinquencies, since the last Regular Session of The Legislature.

Part A (the Resolve) included a legal description of each property, the entire amount of outstanding tax, interest and costs which have accrued, and recommendations for disposition. Part B includes a narrative description of each property.

Respectfully Submitted,
S/ANTHONY J. NEVES
State Tax Assessor

Which was **READ** and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication:

STATE OF MAINE
EXECUTIVE DEPARTMENT
STATE PLANNING OFFICE

January 9, 1985

The Honorable Charles P. Pray
President of the Senate
State House Station #3
Augusta, ME 04333
Dear Senator Pray:

I am pleased to transmit for your information the 1983 Annual Report of the Maine Land and Water Resources Council.

The Council was created by Executive Order of the Governor in 1976 to study and recommend solutions to specific land and water resources management problems, and to recommend coordinated State policies for major proposals that transcend the concerns of any one agency.

During 1983, Governor Joseph Brennan asked the Council to develop legislation and administrative measures to effect the Maine Rivers Policy. Accordingly, the 1983 Annual Report offers a good chronological summary of the hydropower and rivers initiatives enacted by the 111th Maine Legislature, and of progress made toward implementation of these measures. I hope you will find it of interest and of use.

With best wishes,

Sincerely,
S/RICHARD E. BARRINGER,
Chairman
Land & Water Resources Council

Which was **READ** and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication: (S. P. 47)
112th MAINE LEGISLATURE
Augusta, Maine

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 Gerald 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

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

The Following Communication: (S. P. 49)
112th MAINE LEGISLATURE
Augusta, Maine

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. Kravchuch of Bangor for appointment as 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 Committee on **JUDICIARY**.
Sent down for concurrence.

The Following Communication:

FINANCE AUTHORITY OF MAINE
MEMORANDUM

TO: Governor Joseph E. Brennan
Speaker of the House
President of the Senate
Chairman and Members of the
Joint Standing Committee on
State Government.

FROM: Leslie E. Stevens
SUBJECT: 1984 Annual Report of the
Finance Authority of Maine
DATE: January 15, 1985

I am pleased to present to you herewith the 1984 Annual Report of the Finance Authority of Maine, reflecting the activity of the Authority's first year of operation for the period September 1983 to June 1984. The Finance Authority was established effective September 23, 1983, and in the future will report on the basis of a July to June fiscal year. I believe this Annual Report represents a period of substantial achievement, reflecting important contributions to the economic welfare of the State of Maine.

Which was **READ** and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication:

112th MAINE LEGISLATURE
Augusta, Maine

January 12, 1985

Honorable Joy O'Brien
Secretary of the Senate
State House Station 3
Augusta, Maine 04333
Dear Secretary O'Brien:

This is to notify you that pursuant to our authority under Chapter 85 of the Resolves of 1984, we are appointing Rep. Thomas Duffy to serve as a legislative member of the Select Committee on Forest Practices in the State. He will be filling the vacancy left by former Rep. Earl Kelly.

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

Which was **READ** and **ORDERED PLACED ON FILE**.

Senate Papers

Bill "An Act to Clarify and make Corrections in the Fisheries and Wildlife Laws" (S. P. 50) (Presented by Senator **MATTHEWS** of Kennebec) (Cosponsored by: Representative **CLARK** of Millinocket) (Representative **CONNORS** of Franklin, Representative **DUFFY** of Bangor) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 24.)

Which was referred to the Committee on **FISHERIES AND WILDLIFE** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Amend the Maine Tort Claims Act" (S. P. 41) (L. D. 58) (Presented by Senator **TRAFTON** of Androscoggin) (Cosponsored by: Representative **DRINKWATER** of Belfast, Representative **CARRIER** of Westbrook)

Bill "An Act Concerning the Holidays on which Courts must Close" (S. P. 48) (L. D. 64) (Presented by Senator **TRAFTON** of Androscoggin) (Cosponsored by: Representative **DRINKWATER** of Belfast, Representative **FOSTER** of Ellsworth)

Bill "An Act to Remove the Small Business Exception Regarding Medical Benefits because of Pregnancy under the Maine Human Rights

Act" (S. P. 51) (Presented by Senator **CHALMERS** of Knox) (Cosponsored by: Senator **SEWALL** of Lincoln, Representative **LEBOWITZ** of Bangor, Representative **PRIEST** of Brunswick) (Submitted by the Human Rights Commission pursuant to Joint Rule 24.)

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

(Off Record Remarks)

Bill "An Act Concerning the Licensing of Victuallers, Innkeepers and Tavernkeepers" (S. P. 42) (L. D. 59)

Presented by Senator **BALDACCI** of Penobscot.

Committee on **LOCAL AND COUNTY GOVERNMENT** suggested and **ORDERED PRINTED**.

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

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

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) (Presented by Senator **TWITCHELL** of Oxford) (Cosponsored by: Representative **MILLS** of Bethel, Representative **INGRAHAM** of Houlton, Representative **MICHAUD** of E. Millisnocket) (Submitted by the Department of Finance and Administration pursuant to Joint Rule 24.)

Which were referred to the Committee on **TAXATION** and **ORDERED PRINTED**.
Sent down for concurrence.

Bill "An Act to Prohibit Radar Detectors" (S. P. 45) (L. D. 62) (Presented by Senator **CARPENTER** of Aroostook) (Cosponsored by: Representative **DRINKWATER** of Belfast, Representative **PAUL** of Sanford, Representative **P. PARADIS** of Augusta) (Submitted by the Department of Public Safety pursuant to Joint Rule 24.)

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

Presented by Senator **BALDACCI** of Penobscot
Cosponsored by: Representative **BOTT** of Orono

Which were referred to the Committee on **TRANSPORTATION** and **ORDERED PRINTED**.

Sent down for concurrence.

Senator **PEARSON** of Penobscot was granted unanimous consent to address the Senate Off the Record.

Senator **MATTHEWS** of Somerset was granted unanimous consent to address the Senate On the Record.

Senator **MATTHEWS**: Mr. President and Members of the Senate, I just rise very briefly today to remember the passing of a very special American, Martin Luther King.

Dr. King's birthday would have been today, and I think all of us remember him as someone who challenged, I think, all of us and our system to remember that there is a place for all people, regardless of race, color, creed or national origin. I remember the battles that that individual waged to achieve racial equality in the South, and I think changed the course of human history in America.

I just would ask all the members of this Senate to today as you go about your business to remember this great individual and great American whom we can all be very, very proud of. Thank you.

(Off Record Remarks)

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

On motion by Senator **USHER** of Cumberland,
ADJOURNED until 10 o'clock tomorrow morning.