

# 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)

**LEGISLATIVE RECORD**

OF THE

*One Hundred and Twelfth*

*Legislature*

OF THE

STATE OF MAINE

**VOLUME I**

**SECOND REGULAR SESSION**

January 8 - April 2, 1986

STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION  
JOURNAL OF THE SENATE

In Senate Chamber  
Thursday  
March 6, 1986

Senate called to Order by the President.

Prayer by Reverend John Ellis of the Second  
Congregational Church in Norway.

REVEREND ELLIS: Shall we pray. Oh God of all  
people, we pray that You will give this Legislative  
Body the wisdom and courage to act on behalf of all  
the people of this State, and gracious God bless the  
people in this State today in their working, their  
schooling, their family life, their recreation, and  
their public service. Amen.

Reading of the Journal of Yesterday.

Off Record Remarks

Out of order and under suspension of the Rules,  
on motion by Senator CLARK of Cumberland, the  
following Joint Order:

S.P.852

ORDERED, the House concurring that when the House  
and Senate adjourn, they adjourn to Monday, March 10,  
1986, at 9 o'clock in the morning.

Which was READ and PASSED.

Under suspension of the Rules, ordered sent down  
forthwith for concurrence.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Provide Funds for the Teacher of  
the Year Program"

H.P. 1517 L.D. 2146

Bill "An Act to Provide Funds for Support of the  
Maine Teacher in Space Program"

H.P. 1518 L.D. 2147

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 Concerning the Regulation of Surplus  
Lines Insurance Agencies"

H.P. 1519 L.D. 2148

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.

Off Record Remarks

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 Create a Paralytic Shellfish  
Poison Monitoring Program"  
H.P. 1307 L.D. 1823

---

Leave to Withdraw

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

Bill "An Act to Require Notice to Municipal  
Officers of Environmental Protection Violations and  
Actions within that Community"  
H.P. 1356 L.D. 1900

Bill "An Act Relating to the Railroad Excise Tax"  
H.P. 1399 L.D. 1973

Bill "An Act Concerning the Railroad Excise Tax"  
H.P. 1400 L.D. 1974

---

Change of Reference

The Committee on APPROPRIATIONS AND FINANCIAL  
AFFAIRS on Bill "An Act to Enable the Department of  
Transportation to Produce the State Map"  
H.P. 1421 L.D. 2010

Reported that the same be REFERRED to the  
Committee on TRANSPORTATION.

Comes from the House with the Report READ and  
ACCEPTED and the Bill REFERRED to the Committee  
on TRANSPORTATION.

Which Report was READ and ACCEPTED, in  
concurrence.

The Bill REFERRED to the Committee on  
TRANSPORTATION, in concurrence.

---

Ought to Pass in New Draft

The Committee on BUSINESS AND COMMERCE on Bill  
"An Act to Perfect the Maine Business Opportunity  
Sales Act"  
H.P. 1320 L.D. 1855

Reported that the same Ought to Pass in New  
Draft under same title.  
H.P. 1514 L.D. 2136

Comes from the House, with the Report READ and  
ACCEPTED and the Bill in NEW DRAFT PASSED TO BE  
ENGROSSED.

Which Report was READ and ACCEPTED, in  
concurrence.

The Bill in NEW DRAFT READ ONCE.

The Bill in NEW DRAFT TOMORROW ASSIGNED FOR  
SECOND READING.

---

Senate

Ought to Pass in New Draft under New Title

Senator CHALMERS for the Committee on  
JUDICIARY on Bill "An Act to Aid the Victims of  
Crime"  
S.P. 569 L.D. 1505

Reported that the same Ought to Pass in New  
Draft under New Title Bill "An Act to Strip Crime of  
its Profit"

S.P. 847 L.D. 2139

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 CHALMERS for the Committee on  
JUDICIARY on Bill "An Act to Clarify the Law  
Relating to Authorization by Divorced Parents for the  
Exhumation of the Body of a Child"  
S.P. 736 L.D. 1889

Reported that the same Ought to Pass in New  
Draft under New Title Bill "An Act to Clarify the  
Law Relating to Authorization for Disinterment or  
Removal"

S.P. 846 L.D. 2138

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.

Off Record Remarks

SECOND READERS

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

House

Bill "An Act Regarding Certification Records of Minority Business Enterprises, Women's Business Enterprises and Disadvantaged Business Enterprises to be Confidential"

H.P. 1260 L.D. 1770

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

House As Amended

Bill "An Act to Provide Parity to State-chartered Institutions by Allowing them to Offer Self-directed Individual Retirement Accounts"

H.P. 1181 L.D. 1678 (C "A" H-550)

Bill "An Act to Improve the Processing of Matters Delegated by the Board of Environmental Protection to the Department of Environmental Protection"

H.P. 1407 L.D. 1987 (C "A" H-553)

Bill "An Act to Establish an Official Endangered Plant List"

H.P. 1413 L.D. 1997 (C "A" H-552; H "A" H-554)

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

Senate at Ease

Senate called to order by the President

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

Senator MATTHEWS: Mr. President and Members of the Senate. I will be very, very brief. I can no longer sit, as a Member of this Body, as a State Senator, for the people up in my area, sit quietly while their rights as citizens of this State are being violated by a company of which does business in the State of Maine. A company which is now coming to this Legislature to ask, again, for monies and tax breaks, and then turning around and slapping the employees of this company in the face. I am talking about the Guilford Industries Company.

I have taken a lot of calls lately, on a lot of issues that all of you are aware of, in this Senate, that we have been debating, but lately I have been taking a lot of calls from disenfranchised workers of Guilford Industries, in my area, that are now being mistreated again, about to lose their jobs, and I have an article here which I hope you will all take a look at in the "Morning Sentinel".

Guilford is now going to abolish eight hundred jobs. Guilford Industries, a year ago, abolished the shop in Bangor and made employees come to Waterville and Portland and everywhere else, and now, again, they are going to displace these workers and force them to move again. On top of the transgressions of this Company, in the State of Maine, they are denying these employees their salary and their paychecks. Forcing union employees to cross picket lines to pick up their paychecks. Forcing employees to break the very standards in which we believe in in this Country, the right of management and labor to organize and to fight for the things that they believe in.

I am not going to stand here any longer and be quiet on this issue. I hope that the Members of the Senate will think very, very, very strongly, when this tax break comes before this Legislature, as to the kind of conduct of this business in the State of Maine. Is that the kind of business that we want to exist in the State of Maine? That we want to see prosper? I have people calling me that work for the railroad that don't know what they are going to do. That can't get their paychecks, they can't even take the issue before the people of the State of Maine. They are afraid to go to the Attorney General's office. I had an union employee call me yesterday, he is afraid of his job to speak out in this Country and that, as far as I am concerned, is not the kind of business relationship we want in the State of Maine.

So I hope that you will look at this issue and look at what is happening in the State of Maine, in Waterville particularly. We had a Mayor of the city of Waterville, who was supported by the majority of people in the city of Waterville, Republicans and Democrats.

The Mayor of Waterville, considered a conservative, politically, went to the company and said, "Please give these people their paychecks and can't you allow this strike to continue in the sense of not making employees cross picket lines." He pleaded with the Company and they refused him.

Take a hard look at Guilford Industries and the kind of business enterprise they have in the State of Maine. I will be voting very, very strongly, speaking out where ever I can, against this Company and against any kind of tax break for this Company. Thank you.

---

ORDERS OF THE DAY

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

Bill "An Act to Clarify and Make Corrections in the Election Laws"

H.P. 1284 L.D. 1801

Tabled - March 4, 1986, by Senator VIOLETTE of Aroostook.

Pending - ADOPTION of Committee Amendment "A" (H-537)

(In Senate, March 4, 1986, Committee Amendment "A" (H-537) READ.)

(In House, March 3, 1986, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-537) AND HOUSE AMENDMENT "A" (H-542).)

On motion by Senator CLARK of Cumberland, Tabled 1 Legislative Day, pending ADOPTION of Committee Amendment "A" (H-537).

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

Bill "An Act to Promote Intensive Spruce-fir Management"

H.P. 1468 L.D. 2070

Tabled - March 5, 1986, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED

(In Senate, March 3, 1986, READ A SECOND TIME.)

(In House, February 27, 1986, PASSED TO BE ENGROSSED.)

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's session, pending PASSAGE TO BE ENGROSSED.

Senator TUTTLE of York was granted unanimous consent to address the Senate On the Record.

Senator TUTTLE: Mr. President and Members of the Senate. As most of us know, over the years, we have had a poet laureate in this Body, and from time to time he has surprised us all with reading us a poem on our birthdays, and he did for me a couple of weeks ago, and he really caught me off guard. So, I thought I would repay him today, in the same manner, so bear with me. This is my first poem on the floor. So I hope it rhymes.

In the year of our Lord of 1917  
 In Lynn, Massachussetts  
 A new son was on the scene,  
 In later years, he has claimed his fame  
 In a small town of Eliot Maine.  
 To honor and distinguish himself,  
 as though a native son  
 His quest has just begun.  
 On the Board of Selectman  
 And eight terms in the Senate  
 Four years in the House of Reps.  
 The Christian Civic League, his tenant.  
 And for the blind, the deaf  
 And handicapped, he spoke.  
 With courage and nobility  
 On temperance and sobriety.  
 Lives of good men all remind us,  
 We can make our lives sublime.  
 And, departing leave behind us,  
 Footprints on the sands of time.  
 Please excuse my diction  
 With no apparent contradictions  
 As we join in wishing,  
 A very happy birthday  
 to Senator Walter Hichens.

Senator HICHENS of York was granted unanimous consent to address the Senate Off the Record.

---

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Resolve, Authorizing the Exchange and Sale of Certain Public Reserved Lands

H.P. 1516 L.D. 2145

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.

---

ORDERS OF THE DAY

On motion by Senator CLARK of Cumberland, the Senate removed from the Unassigned Table the following matter:

Bill "An Act to Conserve Striped Bass"  
H.P. 1448 L.D. 2041  
(H "A" H-549)

Tabled - March 5, 1986, by Senator VIOLETTE of Aroostook.

Pending - The motion of Senator DUTREMBLE of York to RECONSIDER whereby the Senate RECEDED and CONCURRED

(In Senate, February 27, 1986, PASSED TO BE ENGROSSED in concurrence.)

(In House, March 4, 1986, PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-549) in NON-CONCURRENCE.)

(In Senate, March 4, 1986, RECEDED and CONCURRED.)

On motion by Senator CHALMERS of Knox, the Senate RECEDED.

House Amendment "A" (H-549) READ.

On motion by Senator CHALMERS of Knox, House Amendment "A" (H-549) INDEFINITELY POSTPONED in NON-CONCURRENCE.

On further motion by same Senator, Senate Amendment "A" (S-391) READ and ADOPTED.

Which was PASSED TO BE ENGROSSED as Amended, in NON-CONCURRENCE.

Sent down for concurrence.

---

On motion by Senator CLARK of Cumberland, the Senate removed from the Tabled and Later Today assigned matter:

Bill "An Act to Promote Intensive Spruce-fir Management

H.P.1468 L.D. 2070

Tabled - March 6, 1986, by Senator CLARK of Cumberland.

Pending - PASSAGE TO BE ENGROSSED

(In Senate, March 3, 1986, READ A SECOND TIME.)

(In House, February 27, 1986, PASSED TO BE ENGROSSED.)

On motion by Senator BROWN of Washington, Senate Amendment "B" (S-392) READ and ADOPTED.

Which was PASSED TO BE ENGROSSED, as Amended in NON-CONCURRENCE.

Sent down for concurrence.

---

On motion by Senator PEARSON of Penobscot the Senate removed from the Special Appropriations Table:

Emergency

An Act to Revise the Maine Apiary Laws

H.P. 1223 L.D. 1730  
(C "A" H-492)

Tabled - February 13, 1986, by Senator BERUBE of Androscoggin.

Pending - ENACTMENT

(In House, February 12, 1986, ENACTED.)

(In Senate February 7, 1986, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-492), in concurrence.)

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator PEARSON: Mr. President. This has to do with bumblebees. The first time I was told it was the "Bee Bill", I thought it was like a "B" movie, so I thought I would say "bumblebees." The Bill was originally put on the Table because of a feeling that it might cost money, and we have found out since, that it doesn't, so we are removing it from the Table.

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with No Senators having voted in negative, and 25 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

---

Senator TUTTLE of York was granted unanimous consent to address the Senate Off the Record.

---

Off Record Remarks

---

The ADJOURNMENT ORDER having been returned from the House READ and PASSED in concurrence, on motion by Senator TUTTLE of York ADJOURNED until 9 o'clock, Monday, March 10, 1986.