

# MAINE STATE LEGISLATURE

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# **LEGISLATIVE RECORD**

OF THE

**One Hundred And Thirteenth Legislature**

OF THE

**State Of Maine**

## **VOLUME IV**

### **SECOND REGULAR SESSION**

March 25, 1988 to May 5, 1988

Index

### **SECOND CONFIRMATION SESSION**

May 13, 1988

Index

### **THIRD CONFIRMATION SESSION**

June 15, 1988

Index

### **THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

Index

### **FOURTH CONFIRMATION SESSION**

November 14, 1988

Index

### **FOURTH SPECIAL SESSION**

November 28, 1988

Index

### **HOUSE & SENATE LEGISLATIVE SENTIMENTS**

December 3, 1986 to December 6, 1988

Resolve

Resolve, Authorizing Exchange of Certain Public Reserved Land

S.P. 996 L.D. 2632

Which was FINALLY PASSED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

PAPERS FROM THE HOUSE  
Non-concurrent Matter

Bill "An Act to Revise the General Assistance Laws"

H.P. 1249 L.D. 1705

RECALLED from the Legislative Files pursuant to Joint Order H.P. 1935, in concurrence.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "B" (H-749) in NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

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

COMMITTEE REPORTS

House

Divided Report

The Majority of the Committee on LABOR on Bill "An Act to Prohibit Strikebreaking Activity" (Emergency)

H.P. 1560 L.D. 2124

Reported that the same Ought Not to Pass.

Signed:

Senators:

DUTREMBLE of York  
ANDREWS of Cumberland

Representatives:

MCHENRY of Madawaska  
HALE of Sanford  
RUHLIN of Brewer  
RAND of Portland  
JOSEPH of Waterville  
TAMMARO of Baileyville

The Minority of the same Committee on the same subject reported that the same Ought to Pass.

Signed:

Senator:

COLLINS of Aroostook

Representatives:

WILLEY of Hampden  
HEPBURN of Skowhegan  
ZIRNKILTON of Mount Desert  
BEGLEY of Waldoboro

Comes from the House the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.

Which Reports were READ.

Senator DUTREMBLE of York moved to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Collins.

Senator COLLINS: Thank you Mr. President. Mr. President, men and women of the Senate. It seems rather strange that considering the title of this Bill that the good Senator from York, Senator Dutremble, is on the Ought Not to Pass Report. However, I would like to tell you just very concisely and succinctly that this adds to the present law a provision that would prevent businesses engaged in the business of providing employees on a regular basis during labor disputes from doing so.

Senator COLLINS of Aroostook requested a Division.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Dutremble.

Senator DUTREMBLE: Thank you Mr. President. Mr. President, men and women of the Senate. I don't find it strange at all that I am opposing this Bill today because there were two versions of the strikebreaker bill in the Labor Committee. One did something and one did not. This is the one that didn't do anything and as long as I am here, I am not going to pass a bill that doesn't do anything. I hope you will support me on my motion.

On motion by Senator WEBSTER of Franklin, supported by a Division of at least one-fifth of the Members present and voting, a Roll Call was ordered.

THE PRESIDENT: The pending question before the Senate is the motion of Senator DUTREMBLE of York, to ACCEPT the Majority OUGHT NOT TO PASS Report.

A vote of Yes will be in favor of ACCEPTANCE.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators ANDREWS, BALDACCI, BERUBE, BRANNIGAN, BUSTIN, CLARK, DOW, DUTREMBLE, ERWIN, ESTES, GAUVREAU, KANY, KERRY, MATTHEWS, PEARSON, THERIAULT, TUTTLE, TWITCHELL, USHER, THE PRESIDENT - CHARLES P. PRAY

NAYS: Senators BLACK, BRAWN, CAHILL, COLLINS, DILLENBACK, EMERSON, GILL, GOULD, LUDWIG, MAYBURY, PERKINS, RANDALL, SEWALL, WEBSTER, WHITMORE

ABSENT: Senators None

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, with No Senators being absent, the motion by Senator DUTREMBLE of York, to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence, PREVAILED.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Later Today Assigned Matter:

Bill, "An Act to Make Interim Adjustments in the Certificate of Need Development Account" (Emergency)

S.P. 845 L.D. 2191

(C "A" S-473; H "A"

H-739)

Tabled - April 19, 1988, by Senator GAUVREAU of Androscoggin.

Pending - CONSIDERATION

(RECALLED from Engrossing pursuant to Joint Order S.P. 1004.)

(In Senate, April 18, 1988, RECEDED from PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-473). House Amendment "A" (H-739) READ and ADOPTED. Motion to INDEFINITELY POSTPONE House Amendment "A" (H-739) FAILED. Subsequently, the Senate CONCURRED to PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-473) AND HOUSE AMENDMENT "A" (H-739).)

(In House, April 18, 1988, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-473) AND HOUSE AMENDMENT "A" (H-739) in NON-CONCURRENCE.)

The Chair, in the absence of a motion from the floor, moved to RECONSIDER whereby the Senate RECEDED and CONCURRED.

On motion by Senator CLARK of Cumberland, Tabled until Later in Today's Session, pending the motion to RECONSIDER whereby the Senate RECEDED and CONCURRED.