

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fifteenth Legislature

OF THE

State Of Maine

VOLUME IV

FIRST REGULAR SESSION

Senate
May 22, 1991 to July 10, 1991

Index

Signed:

Senators:

ESTY of Cumberland
CONLEY of Cumberland
CARPENTER of York

Representatives:

PINEAU of Jay
MCHENRY of Madawaska
AIKMAN of Poland
ST. ONGE of Greene
RAND of Portland
MCKEEN of Windham
HASTINGS of Fryeburg
RUHLIN of Brewer

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass.**

Signed:

Representative:

LIPMAN of Augusta

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-325).**

Which Reports were **READ.**

The Majority **OUGHT TO PASS AS AMENDED** Report was **ACCEPTED**, in concurrence.

The Bill **READ ONCE.**

Committee Amendment "A" (H-325) **READ** and **ADOPTED**, in concurrence.

The Bill as **Amended**, **TOMORROW ASSIGNED FOR SECOND READING.**

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act to Prevent Striking Workers from Being Permanently Replaced by Strikebreakers"

H.P. 615 L.D. 875

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A" (H-324)**

Signed:

Senators:

ESTY of Cumberland
CONLEY of Cumberland

Representatives:

RAND of Portland
MCKEEN of Windham
PINEAU of Jay
RUHLIN of Brewer
ST. ONGE of Greene
MCHENRY of Madawaska

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass.**

Signed:

Senator:

CARPENTER of York

Representatives:

LIPMAN of Augusta
AIKMAN of Poland
HASTINGS of Fryeburg

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-324).**

Which Reports were **READ.**

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Esty.

Senator **ESTY:** Thank you Mr. President. Ladies and Gentlemen of the Senate. Let me just say that this was an issue that has been discussed a number of times. There is a difference of philosophies regarding how we should deal with this issue, and I think that everyone recognizes that. I would also like to compliment this Body in recognizing the importance of this issue early on in this session, and on two separate occasions. First of all, earlier in this session, this Body, as unanimously recommended by the Labor Committee, decided to take a closer look at the whole issue, including strike breakers, replacement workers, etc. We agreed to do that, and this Body supported that. The second action that this Body has taken during this session, was to unanimously support a Resolution asking Congress to take some action on this issue. I believe that there is a real problem in the State of Maine concerning permanent replacement workers that should be addressed. I am not sure that this legislation, frankly, is the right legislation to do it. And quite honestly, there are times when exercises within this Body, as the good Senator from Franklin, Senator Webster, has indicated, are important. I don't necessarily think that we should do that.

I do want to tell you that I am very tempted to tie this issue to the Budget package. I think it would be as equally tied to the Budget package as other issues we are dealing with in Labor, but I don't think that would be a very responsible thing to do, either. Because of those reasons, I would ask that this Bill and Accompanying Papers be Indefinitely Postponed.

Senator **ESTY** of Cumberland moved to **INDEFINITELY POSTPONE** Bill and Accompanying Papers in **NON-CONCURRENCE.**

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

Senator PEARSON: Thank you Mr. President. Ladies and Gentlemen of the Senate. I think that the Senator makes a very good point. I don't know if you were listening to what he had to say or not, but I think that he makes an excellent point. To tie something that is unrelated to the Budget that he is dealing with in his Committee dealing with Workers' Compensation, it doesn't make equal sense to tie the Strikebreakers to it, too. He has obviously made the point that it doesn't make any sense to do either one of the two. I hope that that message that he is delivering is listened to. We have enough problems around here without having to play those kinds of silly games. I think that is exactly what it is.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Webster.

Senator WEBSTER: Thank you Mr. President. Ladies and Gentlemen of the Senate. I would like to commend the good Senator from Cumberland, Senator Esty, for his comments, and his gesture to set the tone for an end of the session, work together mode.

I would like to comment though, that it is my understanding, if we take a little history, and we look at what has gone on in other states in this country, particularly, New England, you would find that in every single state in the last two years that has raised taxes, they are in worse shape than they were two years ago. And for that reason, I think that it does make sense, not necessarily to tie it to Workers Compensation, but to have a Budget package which deals with economic development. I think that it makes a lot of sense, because frankly, if you are going to take money out of the economy, you need to put something back. The interesting thing about this Budget, when we have it is, it is going to take both political parties and many different philosophies to enact a Bill. I suggest that there are members here that don't agree with me on this, but I think that you need to put something back if you are going to take money out of the economy. Thank you.

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

Senator DUTREMBLE: Thank you Mr. President. Ladies and Gentlemen of the Senate. Sometimes things are said that just can't be let go, and I guess I can't let this go. The State of Maine is undergoing some very, very serious financial problems. I think that we are all part of trying to find the answers to that problem.

I think that it is very important that we don't start adding ornaments to the Budget. I think it will have the reverse effect than what the good Senator from Franklin, Senator Webster has mentioned. I think it will destroy the unity that we are trying to establish. I have one particular person in one particular group saying, "I am not voting for this unless this includes certain things". I think that is insulting! We are not voting on Budgets based on the merits of what the Budget is, but on what certain people want to tack on to it!

I have to point out that the two Committees that I have been working with on Workers' Compensation have been doing a great work. They have been working in harmony with Democrats and Republicans, and I have not heard about any divisions, or any hard feelings being generated, until the threat of no Budget unless Workers' Compensation attached to it was mentioned. I think that no one should underestimate for one minute the severity of that threat. We are not just asking business people to bring taxes in the Budget that was brought out, or asking people to pay taxes, we are not saying that to them under this new proposal, that is going to be coming out of the Budget Committee that we are going to increase their benefits. We know that is not going to happen! If you want to talk about something that is going to fall apart real quick in this state, it is going to be the Budget! It is going to be because some people want to tack on ornaments! You want to tack on ornaments, lets start tacking on Strikebreakers! Lets start tacking on anything that anybody wants, and say, "I am not voting unless this piece is on". I am sure that we all have some little project somewhere that we want on this Budget. Lets put it on! Lets build it up so that we can come back in two years and tell the people of the state that we messed up again! It is the same the reason that we are hearing now, the reason that we are here today, is that we have done this in the past. Let's address the problem that is before us, the issue that is before us as it stands. It is two separate issues, one has nothing to do with the other.

On motion by Senator ESTY of Cumberland, Bill and Accompanying Papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LABOR** on Bill "An Act Concerning Unemployment Benefits During Lockouts"

H.P. 649 L.D. 923

Reported that the same **Ought to Pass as Amended** by **Committee Amendment "A"** (H-326)

Signed:

Senators:

ESTY of Cumberland
CONLEY of Cumberland

Representatives:

MCHENRY of Madawaska
PINEAU of Jay
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