

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Seventeenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME V**

**FIRST REGULAR SESSION**

**Senate**

June 19, 1995 to June 30, 1995

**FIRST CONFIRMATION SESSION**

September 14, 1995

**FIRST SPECIAL SESSION**

**House of Representatives**

November 28, 1995 to November 30, 1995

**Senate**

November 28, 1995 to November 30, 1995

take in many of the northeastern states. Although we, as we discussed here in this chamber earlier this year, have over 90% of our state owned privately, both companies and private individuals, there are states where there are a lot of public lands and this would really tie up what could happen to the forest industry here in the northeast. Also, we also have lumber coming into the State of Maine, especially up in our area, to some of our stud mills and chip mills and pulp mills up in that area. I would ask you to support the motion to Indefinitely Postpone this. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Mills.

**Senator MILLS:** Thank you, Mr. President, Men and Women of the Senate. I don't know what I am going to do on the present motion because I think the Resolution is useless. But I can't let this pass without just reflecting on a problem that is not only peculiar to my county, but I'm sure affects those of you who represent other counties on the border with Canada. Last year it was interesting to travel down Commercial Street, in Portland, to see this huge mountain of Eastern Hemlock that was piled along the street in downtown Portland, down on the waterfront, where it was being prepared for shipment to China. I think the stretch of this pile of logs, with the bark still on, went for some distance, maybe as long as half a mile or a mile. It was a very impressive display of Maine wood all in one location. It caused quite a ruckus among yuppies from Portland who found out, for the first time, that Maine exports a lot of raw product that doesn't have anything done to it. Many of us found this amusing because the quantity of wood, as staggering as it seemed in its location down in Portland, really was something you could see just by driving into the back of some of our saw mills up in central Maine on any given day. The total quantity of Eastern Hemlock that was stacked along there was actually only one-fifteenth of the total exports to Canada, that drive up through Route 201 and other avenues, into Canadian lumber mills. We have had this problem for a long time now with Canadian mills underbidding stateside mills, simply because they are subsidized by the Canadian government in some very direct ways. Just recently seventy-five people in Jackman were laid off from making \$8 or \$9 or \$10 an hour, because the sawmill up there can't buy the wood and turn it around and make it into lumber and sell it back into the American market, because the price of raw lumber and the price of finished lumber is almost the same, there is a slight exaggeration but there is not that much difference. The wood with the bark on goes right by his mill from the Maine forest, right into Canada, where it is processed by mills that are just on the other side of the border, and then, get this, it comes back as two-by-fours and two-by-sixes in sixteen foot lengths for building American homes. It's a Washington problem. It's not a problem we can solve in Augusta. I'm greatly encouraged that we did pass a bill this year that would require that these exports at least be counted so we will know what the exodus is and be able to quantify it in some terms that may be helpful. I simply need to say these things because it is an extraordinary problem for people in my county and Washington County and Arrostook County, and it's not going to go away until

the Canadian government changes its practice of subsidizing wood.

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Ferguson.

**Senator FERGUSON:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm going to rise in support of the motion this afternoon. I am basically a free-trader and with the NAFTA Agreement and the GAT Agreement, I don't think this is the time that we should be indulging in restraint of trade. I also agree with my fellow Senators from Penobscot and Somerset that this probably doesn't amount to a great deal. I believe that it is important that we support this motion and I will be voting along those lines. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Waldo, Senator Longley.

**Senator LONGLEY:** Thank you, Mr. President, Colleagues in the Senate. As the author of the new law that will collect the data on the exportation of forest products, I would like to say that the reason I came forward with this was because of Sears Island and arguments against it, being woodchips, and I said let's get the data and people came forward and said it was a good idea, including wonderful help from the Division of Forestry. I also agree with what the Senator from Somerset said, Resolutions are barely worth the paper that they are printed on, probably not worth using the pulp for that paper. I guess that's all I can remember to say about this bill. Thank you.

**THE PRESIDENT:** The pending question before the Senate is the motion by Senator CASSIDY of Washington that the Senate **INDEFINITELY POSTPONE** the Joint Resolution, in **NON-CONCURRENCE**.

The Chair ordered a Division.

Will all those in favor please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

18 Senators having voted in the affirmative and 7 Senators having voted in the negative, the motion by Senator CASSIDY of Washington to **INDEFINITELY POSTPONE** the Joint Resolution, in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Unassigned matter:

Bill "An Act to Revise the Maine Turnpike Authority's Powers with Respect to Commuter Tolls"  
S.P. 139 L.D. 325  
(C "A" S-85)

Tabled - April 27, 1995 by Senator KIEFFER of Aroostook.

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-85).**

On motion by Senator HATHAWAY of York, the Senate **SUSPENDED THE RULES** for the purpose of **RECONSIDERATION.**

On further motion by the same Senator, the Senate **RECONSIDERED** its action whereby it **ADOPTED** Committee Amendment "A" (S-85).

On further motion by the same Senator, Senate Amendment "B" (S-353) to Committee Amendment "A" (S-85) **READ.**

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

Senator HATHAWAY: Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment "B" prohibits surcharges on the Maine Turnpike. What it also does, it doesn't mandate any free tolls, it doesn't micro-manage the Turnpike. It also allows for a study, which is a requirement under the Central Transportation Act, and it also is revenue neutral. By prohibiting the surcharge, I think what we are doing is helping the working people in southern Maine who now already pay a toll on the Turnpike. For instance, somebody in Biddeford who would be perhaps working at the Maine Mall, would pay fifty-five cents right now on the toll, with the surcharge they would have to pay \$2.55. I think the toll that they pay now is probably appropriate and enough penalty and enough tax. Also, the only other alternative they have at this point is to use Route 1. In the summertime Route 1 is completely clogged with traffic. Any more traffic on Route 1 that we force on it would continue to hurt our businesses along Route 1. I don't think it's a particularly welcoming sign to our tourists that we are trying to welcome to Maine by immediately asking them for an extra \$2.00 surcharge once they get here. I would also remind you that we have, at any one time, perhaps hundred of trucks, transporting and doing business on the turnpike for Maine businesses, who would also be hurt by this surcharge. So, all this does, it allows the Maine Turnpike to have incentive pricing if they wish. They can study it, if they wish, to meet the requirements of the Central Transportation Act. It does prohibit the surcharge, which I do think would be a penalty to Maine people. Thank you.

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

Senator HARRIMAN: Thank you, Mr. President. Good afternoon Ladies and Gentlemen of the Senate. Before we vote on this proposed amendment, I want to explain why I sponsored the original bill. Presently, under the authority by the Maine Turnpike Authority, they have the right to regulate the tolls on the Maine Turnpike, except for commuter rates. The commuter rates are in statute today. The original bill that I sponsored would allow the Maine Turnpike Authority to explore alternative rate

structures for commuters on the Turnpike. One of the interesting things that I have discovered as a result of being involved in this legislation is that around the country other forms of congestion pricing has only proven its worth when dealing with commuters, people who use the same road generally at the same time every day. Most everyone else is going to come anyway, the question is, do they have a good and hospitable feeling when they come here, or do they feel bitter or taken. So the legislation I sponsored would allow the Turnpike Authority to explore ways to deal with commuters. As we all know, a piece of legislation has already gone through here that will set the stage for us to begin the strategy of widening the Maine Turnpike. One of those strategy requirements is that we demonstrate that we made a good faith effort to comply with the Sensible Transportation Policy Act that is already in Maine law. So, before you vote today, I would just ask you to consider whether or not the pending motion is going to leave the Turnpike Authority in a position where they may not be able to comply with the Sensible Transportation Policy Act because of this language. Thank you.

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

Senator HATHAWAY: Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would just like to say that over the last few days a lot of different interests have been trying to work out a policy that is acceptable. I believe that the Transportation Committee has been working long and hard on this in the last few days, and I believe that they have supported this amendment. I urge that the good members of this Senate accept it. Thank you.

**THE PRESIDENT:** The pending question before the Senate is the motion by Senator HATHAWAY of York that the Senate **ADOPT** Senate Amendment "B" (S-353) to Committee Amendment "A" (S-85).

The Chair ordered a Division.

Will all those in favor please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

17 Senators having voted in the affirmative and 8 Senators having voted in the negative, the motion by Senator HATHAWAY of York to **ADOPT** Senate Amendment "B" (S-353) to Committee Amendment "A" (S-85), **PREVAILED.**

Committee Amendment "A" (S-85), as Amended by Senate Amendment "B" (S-353), thereto, **ADOPTED.**

Which was **PASSED TO BE ENGROSSED, As Amended.**

Sent down for concurrence.

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