

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Eleventh  
Legislature***

OF THE

**STATE OF MAINE**

**SECOND REGULAR SESSION**

**January 4, 1984 to April 25, 1984**

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**FOURTH CONFIRMATION SESSION**

**(FIRST CONFIRMATION SESSION – SECOND REGULAR SESSION)**

**May 31, 1984**

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**FIFTH CONFIRMATION SESSION**

**(SECOND CONFIRMATION SESSION – SECOND REGULAR SESSION)**

**July 11, 1984**

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**THIRD SPECIAL SESSION**

**September 4, 1984 to September 11, 1984**

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Out of order and under suspension of the rules, the Senate voted to consider the following:

**COMMITTEE REPORTS**

**House**

**Leave to Withdraw**

The following LEAVE TO WITHDRAW Report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Replace the Franchise Tax on Financial Institutions" (Emergency) H. P. 1787 L. D. 2363

**ENACTOR**

The Committee on ENGROSSED BILLS reported as truly and strictly engrossed the following:

**Emergency Resolve**

Resolve, to Amend the Law Concerning Authorization for the Public Advocate to Intervene in Workers' Compensation Proceedings Before the Superintendent of Insurance H. P. 1868 L. D. 2470

This being an emergency measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in negative 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 voted to consider the following:

**PAPER FROM THE HOUSE**

**Joint Resolution**

The Following Joint Resolution: H. P. 1866  
JOINT RESOLUTION IN TRIBUTE TO  
THE HONORABLE ANTOINETTE C. MARTIN  
OF BRUNSWICK

WHEREAS, the Members of this Legislature have learned that one of the crown jewels in its midst is concluding her legislative career at age 74; and

WHEREAS, the grand character and personality of this charming gem truly personifies the title of gentle lady; and

WHEREAS, as a "country girl" she knows animals and that "while a fox is a fox and a wolf is a wolf and a bear is a bear, man can be a lamb today, a wolf tomorrow, play dove in the morning and a hawk in the evening, talk like a parrot or be mute as a fish;" and

WHEREAS, being from the old school and a skilled politician, she can stand her ground; for, as even the most powerful of leaders have found, the only way to fight her is with a hat—and that is to grab it and run; and

WHEREAS, her dedicated public service for the past 10 years may, in the grand scheme of things, seem a minor courtesy bestowed upon the State but, "courtesies of a small and trivial character are the ones which strike deepest in the grateful and appreciating heart;" now, therefore, be it

RESOLVED: That We the Members of the 111th Legislature of the State of Maine, now assembled in Second Regular Session, take this opportunity on the eve of her retirement, to pay this tribute to the Honorable Antoinette C. Martin, Representative from Brunswick, and to express our thanks for the many spiels she so nervously delivered, for hitting the nail on the head so many times and for the "bear facts and the buck fever," to mention a few, and to wish her well and Godspeed on her forthcoming retirement; and be it further

RESOLVED: That the Clerk of the House prepare a suitable copy of this Resolution for presentation to "Toni," in token of our esteem for a dear colleague.

Comes from the House READ and ADOPTED Which was READ

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

SENATOR PEARSON: Mr. President and Men and Women of the Senate. For those of us who, in this Senate, who served in the other Body with Representative Martin, this certainly is a

worthy tribute to her. She is a remarkable lady who has a stubborn streak in her and I recall, with a lot of fond memories, the times that she took on the whole Fisheries and Wildlife Committee no matter what they did and defeated them every time on their bills.

She is a lovely, lovely lady.

Which was ADOPTED, in concurrence.

Out of order and under suspension of the rules the Senate voted to consider the following:

**PAPERS FROM THE HOUSE**

**Non-concurrent Matter**

Bill "An Act to Increase the Minimum Wage to \$3.55" S. P. 835 L. D. 2236

In Senate April 11, 1984 PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-410) in NON CONCURRENCE

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "C" (H-734) in NON CONCURRENCE

On motion by Senator COLLINS of Knox, the Senate RECEDED

House Amendment "C" (H-734) was READ.

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

SENATOR COLLINS: I move that the Senate Indefinitely Postpone House Amendment "C".

THE PRESIDENT: The Senator from Knox, Senator Collins, now moves that the Senate Indefinitely Postpone House Amendment "C".

The Chair recognizes the Senator from York, Senator Dutremble.

SENATOR DUTREMBLE: I request a division.  
THE PRESIDENT: A Division has been requested.

The Chair recognizes the Senator from Knox, Senator Collins.

SENATOR COLLINS: I request a Roll Call.

THE PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is the motion of the Senator from Knox, Senator Collins, that House AMENDMENT "C" (H-734) be Indefinitely Postponed.

A Yes vote will be in favor of Indefinite Postponement.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the roll.

**ROLL CALL**

YEAS—Senators, Clark, Collins, Diamond, Emerson, Gill, Hichens, Kany, McBreairty, Perkins, Redmond, Sewall, Trafton, Twitchell, Violette.

NAYS—Senators, Baldacci, Brown, Bustin, Carpenter, Charette, Danton, Dow, Dutremble, Erwin, Hayes, Minkowsky, Najarian, Pearson, Pray, Usher, Wood, The President—Gerard P. Conley.

ABSENT: Senators: Shute, Teague  
14 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 2 Senators being absent, the motion to INDEFINITELY POSTPONE House Amendment "C" (H-734) FAILED

House Amendment "C" (H-734) was ADOPTED, in concurrence.

THE PRESIDENT: Is it now the pleasure of the Senate to Concur with the House?

The Chair recognizes the Senator from Knox, Senator Collins.

SENATOR COLLINS: I request a Roll Call.

THE PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a

Roll Call please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The pending question before the Senate is the motion to Concur.

A Yes vote will be in favor of the motion to Concur.

A No vote will be opposed.

The Chair recognizes the Senator from Androscoggin, Senator Minkowsky.

SENATOR MINKOWSKY: Mr. President, I would ask Leave of the Senate to Pair my vote with the Senator from Somerset, Senator Teague. If he were here he would be voting Nay, and I would be voting Yea.

THE PRESIDENT: The Senator from Androscoggin, Senator Minkowsky, requests Leave of the Senate to Pair his vote with the Senator from Somerset, Senator Teague. If he were here, he would be voting Nay, and the Senator from Androscoggin, Senator Minkowsky, would be voting Yea.

Is it the pleasure of the Senate to grant this Leave?

**SENATE AT EASE**

The Senate called to order by the President.

THE PRESIDENT: Is it the pleasure of the Senate now to grant this request of the Senator from Androscoggin, Senator Minkowsky?

It is a vote.

The Chair recognizes the Senator from Penobscot, Senator Baldacci.

SENATOR BALDACCI: Mr. President. A question through the Chair to anyone who may wish to answer it. If somebody would explain to me the amendment and the rational behind it.

THE PRESIDENT: The Senator from Penobscot, Senator Baldacci, has posed a question through the Chair to any member of the Committee who may respond if they so desire.

The Chair recognizes the Senator from York, Senator Dutremble.

SENATOR DUTREMBLE: Mr. President and Members of the Senate, the Amendment stipulates that the minimum wage would increase by ten cents in 1985, ten cents in January of 1986, and ten cents in January of 1987.

It is the feeling of many of us that by doing it in this manner, that it will become easier and more acceptable for the businesses in the State of Maine to prepare themselves for the increase, and it would do so in such a manner that would not cause any harm to the business climate as some people have said.

THE PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion to Concur with the House.

If you are in favor of Concurring with the House, you will vote Yes.

If you are opposed you will vote no.

The Doorkeepers will secure the Chamber.

The Secretary will call the roll.

**ROLL CALL**

YEAS—Senators, Baldacci, Brown, Bustin, Carpenter, Charette, Danton, Dow, Dutremble, Erwin, Hayes, Najarian, Pearson, Pray, Usher, Violette, Wood, The President—Gerard P. Conley.

NAYS—Senators, Clark, Collins, Diamond, Emerson, Gill, Hichens, Kany, McBreairty, Perkins, Redmond, Sewall, Trafton, Twitchell.

ABSENT—Senator Shute.

17 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 2 Senators Pairing their votes, and 1 Senator being absent, the motion to CONCUR with the House PREVAILED.

**COMMITTEE REPORTS**

**House**

**Divided Report**

The Majority of the Committee on TAXATION on Bill "An Act to Equalize Taxation of Lease Aircraft used in Interstate Commerce" (Emergency) H. P. 1823 L. D. 2416