

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

***One Hundred and Tenth  
Legislature***

OF THE

STATE OF MAINE

***Volume II***

**FIRST REGULAR SESSION**

**MAY 4, 1981 to JUNE 19, 1981**

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Pending — Enactment.

On motion by Senator Ault of Kennebec, the Senate voted to Suspend the Rules, for the purposes of Reconsideration.

On motion by Senator Ault of Kennebec, the Senate voted to Reconsider its action whereby L. D. 1671 was Passed to be Engrossed.

The PRESIDENT Pro-Tem: The Chair recognizes the Senator from Kennebec, Senator Ault.

Senator AULT: I now present Senate Amendment "A" under filing number S-331 and would speak briefly.

The PRESIDENT Pro-Tem: The Senator from Kennebec, Senator Ault, offers Senate Amendment "A" to L. D. 1671 and moves its adoption.

Senate Amendment "A" (S-331) Read.

The PRESIDENT Pro-Tem: The Senator has the floor.

Senator AULT: Mr. President and Members of the Senate, L. D. 1671 is the recodification of the Maine Guarantee Authority Laws, and was the result of a great deal of work in the State Government Committee where we included a number of proposed bills in one.

One of the pieces of legislation that was included was H. P. 756, L. D. 893, which changed the amount of money the Maine Guarantee Authority could guarantee for one project from \$7 million back down to \$2.5 million. The Governor, for his own reasons, vetoed this piece of legislation. The House did sustain his veto. My Amendment just brings L. D. 1671 into compliance with the Governor's veto so it is acceptable to his office.

Senate Amendment "A" Adopted.

The PRESIDENT Pro-Tem: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator CARPENTER: Mr. President, I'd pose a question through the Chair to the good Senator from Kennebec, Senator Ault. It was just brought to my attention. I think that he talked to the same man as I did regarding a project, an industrial office space project that is being considered up in my area. I understand that the way this Bill stands in its present form, small office space projects would not be allowed under the Maine Guarantee Authority. I wish somebody would clarify exactly what we're doing in that regard with this Bill as it now stands.

The PRESIDENT Pro-Tem: The Senator from Aroostook, Senator Carpenter, has posed a question through the Chair.

The Chair recognizes the Senator from Kennebec, Senator Ault.

Senator AULT: Mr. President and Members of the Senate, there was a proposed piece of legislation that came before our Committee that would provide that the Maine Guarantee Authority would guarantee loans for office space, up until this time, they have not been allowed to do that.

The Committee was not unanimous in agreeing that they should be given that authority. A compromise was reached, which provided that they could guarantee programs for office space greater than 30,000 square feet, and that the space provided, half of the employees in that space would be new jobs in the State of Maine.

The PRESIDENT Pro-Tem: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate, I'm not quite sure what kind of a compromise we're talking about. What you're doing, I think, is what my people are afraid of, is you're guaranteeing only large projects and probably only a large out-of-state outfit moving in. If you have a small, in my particular case, it happens to be a doctor's office that they're considering, would not be eligible for this. Why is that so bad? Why are we only apparently catering to a big, above 30,000 square foot expansion and it

has to create all these new jobs, or they can't qualify?

I thought it was the Maine Guarantee Authority. Why are we making it less accessible to Maine people and Maine businesses by this version of the Bill, and making it more accessible to out-of-state firms or expansions?

The PRESIDENT Pro-Tem: The Senator from Aroostook has posed a question.

The Chair recognizes the Senator from Kennebec, Senator Ault.

Senator AULT: I wouldn't say it's making it, Mr. President and Members of the Senate, I wouldn't say it's making it less accessible, because it's a completely new program as far as the Maine Guarantee Authority is concerned. There was a strong possibility that nothing could be arrived at in the Committee. So we did compromise on this.

We believed that the Maine Guarantee Authority is there to provide new jobs for the State of Maine. There was some feeling that we didn't want a bank to be able to build a brand new office building across the street from their existing facility just to have a new building, and use the taxpayers' guarantee to get a lower interest rate.

The PRESIDENT Pro-Tem: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator CARPENTER: Mr. President, Ladies and Gentlemen of the Senate, it seems to me that banks will be one of the few that could qualify for this. The Depositors' Trust could certainly afford to put up a larger than 30,000 square foot office space, and provide all these new jobs, whereas a smaller business would not be. I still don't understand the logic of it, but I guess apparently the Committee seems to be quite solid — (inaudible).

The Bill, as amended, Passed to be Engrossed.

Sent down for concurrence.

The President Pro-Tem laid before the Senate:

Bill, "An Act Establishing the Bonding and Excess Insurance Requirements for Self-insuring Workers' Compensation Employers." (H. P. 834) (L. D. 1001)

Tabled — Earlier in the Day by Senator PIERCE of Kennebec.

Pending — Motion of Senator SEWALL of Lincoln to Reconsider Adoption of Committee Amendment "A" (H-388)

On motion by Senator Sewall of Lincoln, retabled until later in today's session.

The President Pro-Tem laid before the Senate:

HOUSE REPORT — from the Committee on Labor — Bill, "An Act Concerning Workers' Compensation Cost Containment." (H. P. 502) (L. D. 553) — Leave to Withdraw.

Tabled — Earlier in the Day by Senator COLLINS of Knox.

Pending — Acceptance of Report.

The PRESIDENT Pro-Tem: The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: I move the Bill be Substituted for the Committee Report.

The PRESIDENT Pro-Tem: The Senator from Penobscot, Senator Pray, moves that the Bill be Substituted for the Report.

The Chair recognizes the Senator from Lincoln, Senator Sewall.

Senator SEWALL: Thank you, Mr. President. I request a Division.

The PRESIDENT Pro-Tem: A Division has been requested.

Will all those Senators in favor of the motion by the Senator from Penobscot, Senator Pray, that the Bill be Substituted for the Report, please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

The Chair recognizes the Senator from Lin-

coln, Senator Sewall.

Senator SEWALL: I request the Yeas and Nays.

The PRESIDENT Pro-Tem: 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.

The Chair recognizes the Senator from Penobscot, Senator Pray.

Senator PRAY: I request Leave of the Senate to Withdraw my motion.

The PRESIDENT Pro-Tem: The Senator from Penobscot, Senator Pray, requests Leave of the Senate to Withdraw his motion to Substitute the Bill for the Report.

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

It is a vote.

Which Report was Accepted, in non-concurrence.

Sent down for concurrence.

Out of Order and Under Suspension of the Rules, the Senate voted to consider the following:

#### Committee Report House

##### Ought to Pass — As Amended

The Committee on Education on, Bill, "An Act to Make Corrections and Clarifications in the Education Laws." (Emergency) (H. P. 220) (L. D. 298)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-509).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" and House Amendment "A" (H-530)

Which Report was Read and Accepted, in concurrence, and the Bill Read Once. Committee Amendment "A" Read and Adopted, in concurrence. House Amendment "A" Read.

The PRESIDENT Pro-Tem: The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President, I would pose a question through the Chair to the good Senator from Penobscot, Senator Trotzky, the Chairman of the Joint Standing Committee on Education, and inquire as to whether or not this House Amendment is an error or an inconsistency.

The PRESIDENT Pro-Tem: The Senator from Cumberland, Senator Conley, has posed a question through the Chair to any Senator who cares to answer.

The Chair recognizes the Senator from Penobscot, Senator Trotzky.

Senator TROTZKY: Mr. President and Members of the Senate, I'm not sure whether it's an error or an inconsistency. I can just tell you what the Amendment does. Essentially it's supposed to clarify the situation where the school board, a member of a school board, his residency, he should be a resident of the municipality where he's elected.

There have been situations where a person has two, works out of town, and therefore lives in two places. This refers to the place where the individual votes. As the place where the individual votes in his residency, that's what the Amendment does.

House Amendment "A" Adopted in concurrence. Under Suspension of the Rules, the Bill, as amended, Read a Second Time and Passed to be Engrossed, in concurrence.

#### Orders of the Day

The PRESIDENT Pro-Tem: The Chair recognizes the Senator from Cumberland, Senator Conley.

Senator CONLEY: Mr. President, with respect to L. D. 1685, which was Tabled until later in today's session for Reconsideration whereby the Bill was Passed to be Engrossed, I request Leave of the Senate to Withdraw my motion for Reconsideration.