

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Third Special Session*

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

September 18, 1968

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Wednesday, September 18, 1968

In compliance with a Proclamation of His Excellency, Governor Kenneth M. Curtis, the Senators convened in the Senate Chamber at one o'clock in the afternoon, Eastern Daylight Time, and were called to order by the President.

Prayer by the Rev. Ondon P. Stairs of Augusta.

The Secretary read the Proclamation:

**STATE OF MAINE  
PROCLAMATION**

By The Governor

WHEREAS, legislative leaders have agreed that it is advisable that the Legislature of this State should meet in a special session limited to consideration of the following emergency legislation:

A resolve to amend the Constitution of the State of Maine to increase the loan guarantee capacity of the Maine Industrial Building Authority;

An Act to appropriately amend that agency's law;

An Act to appropriate money to the Secretary of State for increased election expenses;

NOW, therefore, I, KENNETH M. CURTIS, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol, at Augusta, on Wednesday, the eighteenth day of September, 1968, at one o'clock in the afternoon in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

Given at the office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this eleventh day of September, One Thousand (SEAL) Nine Hundred and Sixty-eight, and of the Independence of the United States of America, the

One Hundred and Ninety-third.

(Signed)

KENNETH M. CURTIS  
Governor

By the Governor

Joseph T. Edgar  
Secretary of State

A true copy:

Attest: Stanley F. Hanson, Jr.

Deputy Secretary of State

Which was Ordered Placed on File.

The roll being called, the following Senators responded to their names: Albair, Anderson, Barnes, Berry, Boisvert, Cope, Couturier, Curtis, Duquette, Farley, Ferguson, Girard, Good, Greeley, Harding, Hildreth, Hoffses, Johnson, Katz, Lund, MacLeod, Mills, Norris, Reed, Reny, Ross, Sewall, Sproul, Stern, Viles, Wyman, Young and President Campbell.

Thirty-three Senators having answered to the roll call, Senator Beckett being absent, the President declared that a quorum was present.

Out of order and under suspension of the rules,

On motion by Mr. Johnson of Somerset,

ORDERED, that a message be conveyed to the House of Representatives informing that body that a quorum of Senators is present for the consideration of such business as may come before the Senate.

Which was Read and Passed, and Mr. Johnson of Somerset conveyed the message.

At this point, a message was received from the House, through Representative Benson of Southwest Harbor, informing the Senate that a quorum was present for the consideration of such business as might come before the House.

On motion by Mr. Harding of Aroostook,

ORDERED, that a message be sent to His Excellency, the Governor, informing him that in obedience of his Proclamation, a quorum of Senators is assembled

in the Senate Chamber for the consideration of such business as may come before the Senate.

Which was Read and Passed.

The President appointed Senator Harding of Aroostook to convey the message.

The Senator retired and subsequently reported that he had conveyed the message with which he was charged.

On motion by Mr. Ross of Piscataquis,

ORDERED, that a message be sent to the House of Representatives proposing a Joint Convention to be held forthwith in the Hall of the House of Representatives for the purpose of extending an invitation to the Governor to attend the Convention and present such communication as he may be pleased to make.

Which was Read and Passed.

The Secretary conveyed the message. Subsequently the Secretary reported that he had delivered the message with which he was charged.

At this point a message was received from the House, through Representative Richardson of Cumberland concurring in the foregoing proposition for a Joint Convention.

Thereupon, the Senators proceeded to the Hall of the House where a Convention was formed.

(For proceedings of Joint Convention, see House Report.)

#### **In Senate**

The Senate was called to order by the President.

#### **Communications**

STATE OF MAINE  
Department of State  
Augusta, Maine

March 21, 1968

Honorable Joseph B. Campbell

President of the Senate

103rd Legislature

State of Maine

Dear Sir:

I have the honor to transmit herewith a copy of a communication received by this Office from the Honorable Robert B. William-

son, Chief Justice of the Maine Supreme Judicial Court.

You will note that the attached communication clarifies the senatorial district in which the Penobscot Indian Reservation is to be included.

Very truly yours,  
JOSEPH T. EDGAR  
Secretary of State

JTE: II

(S. P. 822)

Which was Read and Ordered Placed on File with its Accompanying Paper.

Sent forthwith to the House for concurrence.

#### **Senate Paper**

Mr. Hildreth of Cumberland presented Resolve, Proposing Constitutional Amendment Increasing to \$80,000,000 the Limitation on Legislative Authority to Insure Payment of Loans to Industrial, Manufacturing, Fishing and Agricultural Enterprises for which Payment the Legislature May Appropriate Moneys or Issue Bonds, or Both, on Behalf of the State. (S. P. 821) (L. D. 1889)

Under suspension of the rules this Resolve was given its first reading without reference to a Committee and thereupon was given its Second Reading and Passed to be Engrossed.

The Resolve was then sent forthwith to the House for concurrence.

#### **Papers From The House**

Out of order and under suspension of the rules the following Bills were received from the House:

Bill, "An Act Appropriating Funds to Carry out Duties of the Elections Division of the Office of the Secretary of State." (H. P. 1347) (L. D. 1887)

Bill, "An Act Relating to Insurance of Mortgages Under the Maine Industrial Building Act." (H. P. 1348) (L. D. 1888)

Under suspension of the rules these Bills were given their first readings without reference to a committee and thereupon were given their second readings and Passed to be Engrossed in concurrence.

**Senate at Ease**

Called to order by the President.

**Joint Order**

On motion by Mr. Hildreth of Cumberland.

ORDERED, the House concurring that the Legislative Research Committee is hereby directed to study the functions of the Maine Industrial Building Authority and report to the next regular session of the Legislature its findings and recommendations with respect to ways and means by which the Legislature may more closely oversee the practices and policies of said Authority. (S. P. 824)

Which was Read and Passed and sent down forthwith for concurrence.

**Senate at Ease**

Called to order by the President.

**Enactors  
Emergency**

"An Act Appropriating Funds to Carry out Duties of the Elections Division of the Office of the Secretary of State (H. P. 1347) (L. D. 1887)

This being an emergency measure, and having received the affirmative vote of 32 Senators, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

**Emergency**

"An Act Relating to Insurance of Mortgages Under the Maine Industrial Building Act." (H. P. 1348) (L. D. 1888)

This being an emergency measure, and having received the affirmative vote of 32 Senators, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

**Constitutional Amendment**

Resolve, Proposing Constitutional Amendment Increasing to \$80,000,000 the Limitation on

Legislative Authority to Insure Payment of Loans to Industrial, Manufacturing, Fishing and Agricultural Enterprises for which Payment the Legislature May Appropriate Moneys; or Issue Bonds, or both, on Behalf of the State. (S. P. 821) (L. D. 1889)

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I am going to be very brief in my remarks here today. They are intended perhaps more for the people of Maine than for the Senate because I believe everybody understands what is before us here.

I would mention, however, that this is a constitutional amendment, but this is not a rare thing in our State's history because over a hundred times this Legislature in its wisdom over the years and the people of Maine have seen fit to amend the constitution.

What may be of some concern, however, to some individuals throughout the State is that there has been no public hearing in relation to this constitutional amendment. I do want to assure the members of the Senate, this Legislature, and the people of Maine that this has received very careful consideration. It has been reviewed and studied by the Executive Department. These bills have been reviewed by bond counsel, and for several weeks now these matters have been under consideration by the legislative leaders and their thoughts and suggestions have been brought into play for the program which we are here considering. More than that, this matter has been treated in the press very carefully by all of the major newspapers throughout the State.

Here today, in assembling this Legislature, each of the political parties have had a caucus wherein the implications of this constitutional amendment and the statutory acts which we have passed have been reviewed.

It would not be fair for me to say that there was no risk what-

ever in what we are doing here today because there is a risk in whatever we do. There is a risk in some of us driving home tonight; we face the risk of perhaps being involved in an automobile accident. But for the potential which is involved here the risk is certainly a minimal one. We are talking about increasing the payroll from some \$22,000,000. a year to approximately \$50,000,000. if this award goes to the Bath Iron Works, as we hope will be the case. So this is a risk which is very, very minimal, and if the State would not be willing to take this kind of a risk for an industry that has established itself over these many, many years for the State of Maine then I really don't know what kind of a risk we would be willing to take. So on behalf of the minority party in the Senate and the minority leaders throughout the State, members of the Democratic Party, I want to say that we give this proposal our wholehearted endorsement, and we believe it will receive favorable consideration and trust that it will receive favorable consideration by the people of Maine when they vote upon it in November.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Johnson.

Mr. JOHNSON of Somerset: Mr. President and Members of the Senate: I would like to heartily concur with Senator Harding's remarks, and I would like to say that as far as the Republican Party in this State is concerned I feel that this is an area in which we reach agreement that we can do something. It is not like giving something away for nothing. We have a certain amount of risk involved here, but it is like a group of many people putting together their fifty dollars or their ten dollars to guaranty something that will be in the long run for the good of all of us. I feel that we have had a good session here today and I hope this will pass unanimously.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY of York: Mr. President and Members of the Senate: I know that this is going to go through, and there is no reason for my objecting too strongly to it. I made my remarks in my own caucus. I know they are going along with it, and there is nothing else for me to do.

I do represent a county of people who came to me who are vitally interested in recreation and parking and this. It is true we are going to have a bill to be voted upon by the people in the State of Maine of an \$8,000,000 bond, I think. The main question of a great many of them that came to me was if theirs was defeated would they be able to come in under this act. The Governor spoke to us this morning and I asked the Governor a question, along with my Minority Leader — as I say, I represent at the time being people in York County who are vitally interested in recreation and this and that. I also told the Governor and the rest that politics to me is only a hobby. I follow Washington like a hawk.

You all know that Congress is going to cut six billion dollars. It has got to be done. Only recently what the Bath Ship Yards is after, that in itself has been cut, but still we are going to ask the people to vote upon this \$80,000,000.

I assure each and every one of you that I will vote for it and I will speak for it. That is one of the main troubles with us on bonds: the Legislators, when they go home, and I have said it here on the floor when I thought that we should be voting upon these questions by a bill that came through here, people don't thoroughly understand the issues. We do, but there are not enough of us to explain it for the simple reason that everybody wants to get elected, and the more you can forget the better off you are.

With my Minority Leader and the rest of you, I came here and I thought it was Sagadahoc Day, but it looks to me like it is Andros-

coggin Day too. I am going to vote and go along with my Minority Leader. It has always been my way that if I had a principle I would stand for it. This time the principle I am standing for, it is just like going into a filling station and having your car oiled and greased and you pay for it when you go out, but just the same, I am going to vote for it. I thank you, Mr. President.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Cope.

Mr. COPE of Cumberland: Mr. President and Members of the Senate: today is of historical significance. This is the first in the annals of legislative history whereby the Legislature was convened for the express purpose to bestow aid and comfort on Maine private enterprise. I am proud to be a participant to the purpose for which we assemble today. Maine is involved in the well-being of the private enterprise sector. We must continue to sow the seed so the people of Maine will reap its harvest, a harvest of social and economic growth and sustenance. May the people of Maine reaffirm their faith in our action today.

The PRESIDENT: Is the Senate ready for the question?

Thereupon this Resolve, being a constitutional amendment, and having received the affirmative vote of 33 Senators, was finally passed and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

#### Order

On motion by Mr. Johnson of Somerset,

ORDERED, that a message be sent to the House of Representatives informing that body that the Senate has transacted all the business before it and is ready to adjourn without day.

Which was Read and Passed.

The President appointed the Secretary to deliver the message.

Subsequently the Secretary returned and reported that he had delivered the message with which he was charged.

A Message was received from the House of Representatives through Representative Richardson of Cumberland that the House had transacted all business before it and was ready to adjourn without day.

Mr. Farley of York was granted unanimous consent to briefly address the Senate.

Mr. FARLEY of York: Mr. President and Members of the Senate: As a retiring Senator from York County, I am not a candidate for any office in the State Senate. As that fine leader of the Republican Party mentioned about us having a great many leaders, I am not a candidate.

But I, as one, have had a lot of pleasures here in the State Senate. Irregardless of your political party, I figured you were all my friends and I was a friend of yours.

By an act of the United States Supreme Court by a man whom I know, Chief Justice Warren, I have been relegated out. But I knew when it happened that it was for the best. I have great admiration for him and I always will, although I was only in his company one-half hour. So to all of you, and those who work here, as age creeps on it may be my last battle, and I want to thank each and every one of you, regardless of what political party, for the kind consideration you gave to me because I am only a truckdriver and I don't know it all, and I have respect and love for each and every one of you here.

I know that each and every one of us that have been by reapportionment put out of here are perfectly satisfied that the law was right, and we go along with it, but that doesn't shake any one of us from our political affiliations to the party we belong to. Thank you. (Applause)

#### Joint Order

On motion by Mr. Ross of Piscataquis,

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with

such as the House may join, be appointed to wait upon His Excellency, the Governor, and inform him that both branches of the Legislature have acted on all matters before them and are ready to receive any further communication he may be pleased to make.

Which was Read and Passed and sent down forthwith for concurrence.

Thereupon, the President named to the committee on the part of the Senate, Senators:

HILDRETH of Cumberland  
REED of Sagadahoc  
SPROUL of Lincoln

#### **Senate at Ease**

Called to order by the President.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Hildreth.

Mr. HILDRETH of Cumberland: Mr. President: The committee has conveyed the message with which it was charged, and the Governor has no further communication for this body except to thank this body for its help in this session.

The PRESIDENT: The Senate hears the message and the Chair thanks the Committee.

#### **Communication**

Out of order and under suspension of the rules, the following

communication was laid before the Senate:

STATE OF MAINE  
Office of the Governor  
Augusta, Maine  
04330

September 18, 1968

To the Honorable Senate and House of Representatives of the 103rd Legislature:

The hour of adjournment of this third special session is upon us, and it is my duty to submit to you a tabulation of the results of your action this afternoon.

There were 2 Acts approved.

There was 1 Resolve approved.

I am pleased by the approval which you have given to my request for a special session. Necessary legislative revisions have been made to assist an industry vital to the economic welfare of the State of Maine.

May I respectfully thank you, and wish you a safe return to your homes.

Respectfully,  
KENNETH M. CURTIS  
Governor

Which Was Read and Ordered  
Placed on File.

On motion by Senator Anderson  
of Hancock, the Senate adjourned  
sine die at 3:15 P.M.