

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

The purpose for which the Convention was assembled having been accomplished, the Convention was dissolved and the Senate retired to its Chamber.

In the House

The House was called to order by Speaker Kennedy.

Mr. Crommett of Millinocket presented the following Order out of order and moved its passage:

ORDERED, the Senate concurring, that the Joint Committee on Legal Affairs be directed to report out a bill to repeal the law regulating snow traveling vehicles (Title 29, Chapter 14).

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is with some reluctance that I get up to speak on this order, knowing very well that my good friend from Millinocket, Mr. Crommett, and colleague as a member of this House, is very much interested in seeing that this be adopted by this special session of the Legislature, and of course Mr. Crommett knowing that we have been able to come to an agreement with the Executive Office and both leaders of both political parties as to what the purpose of this special session was going to be for.

Now I know that Mr. Crommett and the rest of the members of this House understand that the purpose of this special session must only be for this special session for these three bills that have been introduced, and knowing very well that an agreement is an agreement and certainly we don't want to prolong this session for any other than emergency measures, I feel that I must indefinitely postpone this order.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that this order be indefinitely postponed. Are you ready for the question?

The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I realize I'm not taking up much time because we're not holding you up, but I too am in favor of the order, but I am going to go along to indefinitely postpone it because I understand the situation as it is today.

I did want to tell the House that nothing has irritated the people that we could have done in the 103rd Legislature that would irritate the people from where I come more than this particular bill and it has caused more confusion in the area, and I hope the next Legislature will see fit to do something to correct this injustice, and I remember it was said by a member of this House that they just wanted to put something on the book and they sure put something on the book all right. Thank you.

Thereupon, the Order was indefinitely postponed on a viva voce vote.

The SPEAKER: The House will be at ease pending papers from the Senate.

House at Ease

Called to order by the Speaker.

Papers from the Senate

From the Senate:

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)

Came from the Senate passed to be engrossed without reference to any Committee under suspension of the rules.

In the House, under suspension of the rules, the Resolve was given its two readings.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: We consistently talk in platitudes favoring progress and a return to our rightful motto "Dirigo". However, we seem to confuse this with increased welfare, higher salaries without regard for merit, and things like more unemployment benefits. We only fool ourselves with these conceptions. True progress should encompass innovations which will create jobs and help us return to fiscal sanity.

These are times of high pressure selling, glamorous advertising, public relation schemes, generalities in equality and general public distrust. All but forgotten seem to be the qualities of conscientiousness, workmanship, honesty, ingenuity and integrity. However, these were the traits that over the years set Maine people apart. These are the qualities which still earn for the Bath Iron Works the reputation for building the finest ships afloat.

Although I come from Bath, if this were an out and out state loan I would oppose it. If it were only intended to increase jobs locally I would oppose it. If it were any sort of an inflationary measure or an outright government grant, I would not approve of it.

Nevertheless, here we have a very extraordinary situation. The Bath Iron Works has always been able and willing to finance its own normal expansion programs. However, now they are competing against two industrial giants for the largest government contract in the history of our State. It involves hundreds of millions of dollars and the possible employment of thousands of workers throughout Maine.

It does not appear logical that any one Yard will get this entire program, but at this point plans must be made as if this were a certainty. New facilities are but one item in the complex financial picture. Multi million dollar withholdings could be anticipated, and the successful shipyard would have to guarantee satisfactory comple-

tion. These items alone could involve hundreds of millions of dollars.

The competition does not have to worry about the costs of expansion. The State of Mississippi is building a new shipyard for Litton Industries and General Dynamics has the Quincy Yard in Massachusetts which is already of adequate size. The government now wants the assurance that Maine is willing to back up its faith in the future with a guarantee on this valid industrial loan. Although faith is almost a lost commodity, it is still the stuff upon which our Country and State were built.

Shipbuilding was the first industry in the United States. Over the years Maine has been one of the leaders in this field. For many reasons the industry is now at a low ebb. Of course the passage of this bill will not guarantee its resurrection. Neither would it insure the ultimate success of this one contract in question. However, its defeat would indicate our lack of confidence and probably guarantee that the other competing states be given top priority.

Thereupon, the Resolve was passed to be engrossed without reference to any Committee in concurrence.

By unanimous consent ordered sent forthwith to the Senate.

(Off Record Remarks)

From the Senate: The following Order:

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)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

The **SPEAKER**: The Chair calls attention to Supplement number 1, a communication.

The following paper from the Senate was taken up out of order by unanimous consent:

The following Communication: (S. P. 822)

STATE OF MAINE
DEPARTMENT OF STATE
AUGUSTA, MAINE

March 21, 1968

Honorable Joseph B. Campbell
President of the Senate
103rd Legislature
State of Maine
76 Willow Street
Augusta, Maine
Dear Sir:

I have the honor to transmit herewith a copy of a communication received by this Office from the Honorable Robert B. Williamson, 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,
(Signed) JOSEPH T. EDGAR
Secretary of State

The Communication was read and with accompanying paper ordered placed on file.

House at Ease

Called to order by the Speaker.

The **SPEAKER**: The Chair calls attention to Supplement number 2.

Passed to Be Enacted Emergency Measure

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)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 133 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by

the Speaker and sent forthwith to the Senate.

Emergency Measure

An Act relating to Insurance of Mortgages under the Maine Industrial Building Act (H. P. 1348) (L. D. 1888)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 134 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent forthwith to the Senate.

Finally Passed

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)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The **SPEAKER**: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, first I want to apologize for not being here at our caucus, and when I got here it was late and I am not well informed about this important bill that we are about to enact here, and if I may, I would like to pose a question through the Chair to anyone who cares to answer.

Without any doubt, it is not probably probable, but it is possible, in the event that this order was taken by the Bath Iron Works and six months or a year afterwards something went wrong and Bath Iron Works couldn't furnish the necessary money, do we as a co-signer as the State of Maine have to pick up the tab if there are any losses?

The SPEAKER: The gentleman from Belgrade, Mr. Sahagian, poses a question through the Chair to any member who may answer if they choose. The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, in answer to the gentleman's question, I think it is important to recognize that we are merely guaranteeing a loan to be privately financed by private lending institutions acting on what I believe has in the past been conservative, good judgment, so that in the extremely unlikely event that there were a default and the Bath Iron Works were unable to pay, the question would then become, what would be the obligation of the State of Maine?

First of all, I believe the State of Maine would become a primary creditor; we would have recourse to the assets of the Bath Iron Works in a preferred creditor status and able to go against those. If all of those assets which I believe—I know, total well in the millions and millions of dollars were insufficient, then and in that event only, would the State of Maine be faced with the necessity of making up the difference, but I consider it so unlikely, a remote situation, that I don't think that it should impede the action we take today which I think has been correctly described as an act of faith, an act in support of this great industry.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, would there be any coordination between the, or liaison between the Legislature and the authorities who are going to make this advance and the State of Maine so that we can be informed?

The SPEAKER: The gentleman from Belgrade, Mr. Sahagian, poses a further question through the Chair to any member who may answer if they choose, and the Chair recognizes the same gentleman, Mr. Richardson of Cumberland.

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: The order entered in the Senate and passed a few moments ago by the House, calls upon the Legislative Research Committee to immediately examine and report to the next general session of the Legislature on the question of liaison between the Maine Industrial Building Authority and its procedures and the Legislature's participation and a concern for lending procedures and policies. It should be clear that the Maine Legislature is not passing judgment on the wisdom of the private financing package to be put together. This is a judgment that rested by law, and I think properly so, with the Maine Industrial Building Authority. It is their decision to make whether or not the financial package is a sound one, and that is an authority which they have and I think they should have, but the order that we have in is designed, in answer to your question, to allow the Legislature to really go into this and to re-examine the whole situation. It was prompted by remarks in the Republican caucus this morning by the gentleman from Lubec, Mr. Pike.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Truman.

Mr. TRUMAN: Mr. Speaker and Ladies and Gentlemen of the House: I have a few questions in my mind before I vote on this important document.

Don't we set a precedence here or don't we open the door in the future for any other industry in Maine to come before us and ask us how about us, can't we borrow a little money here? You did it for Bath. This is something that has been on my mind, and I would like to know if anyone else could answer that.

What do we do here, do we go in the banking business? I realize we are just guaranteeing this, but it is an important document. Also, this increase in this eight million limitation. I didn't get a chance to read the intent of the M.I.B.A.

but isn't this mostly for small businesses in Maine? If we get a big industry that comes in and gobbles this up, what's left for most of your small businesses here in Maine? May I have that answered?

The SPEAKER: The gentleman from Biddeford, Mr. Truman, poses a question through the Chair to any member who may answer if they choose. The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I would personally hope that the Maine Legislature would be asked many times to approve soundly financed ambitious industrial projects such as the one that it is being asked to approve today.

I want to make it absolutely clear that the eight million dollar single project limitation is not being removed by this legislation. The project limitation of eight million dollars remains in effect except as to the specifically designed exception designed to handle this problem. If we are establishing a precedent, it is that when the authority of the M.I.B.A. has to be exceeded in order to underwrite a major project, those people must come to the Legislature and secure legislative approval and I, for one, hope that there are many, many such instances.

Thereupon, this being a Constitutional Amendment and a two-thirds vote of the House being necessary, a total was taken. 138 voted in favor of same and one against, and accordingly the Resolve was finally passed, signed by the Speaker and sent forthwith to the Senate.

House at Ease

Called to order by the Speaker.

A message came from the Senate borne by Secretary Speers of that body informing the House that the Senate has transacted all business before it and was ready to adjourn without day.

Mr. Richardson of Cumberland was appointed to convey a message to the Senate informing that body that the House had acted on all matters before it and was ready to adjourn without day, and he subsequently reported he had performed the duty assigned him.

Mr. Carey of Waterville was granted unanimous consent to address the House.

Mr. CAREY: Mr. Speaker and Members of the House: Regardless of our politics, the events of the immediate past should not go unheralded in this body. One man has brought great honor upon himself, his family, his home town of Rumford, his adopted town of Waterville, and of the State. I speak of a former member of this body, a former Governor of our great State and a dedicated United States Senator.

Mr. Speaker, I ask that the Clerk of the House be instructed to offer the congratulations of this House to Vice Presidential nominee Edmund S. Muskie, the junior Senator from Maine.

The SPEAKER: The Chair would advise the gentleman that his motion is not in order because there isn't any preparation for it, it must be done through formal House order. However, the gentleman's remarks are a matter of record.

(Off Record Remarks)

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: I had distributed on your desks or to you this morning several of our brochures that the committee in my area has had printed. I speak of this measure again because it is coming before us November 5 one, and secondly, I speak again because since we have adjourned here the situation has now become to an almost intolerable point, and to attest to this, I have had several of those who had either used a laissez faire attitude towards this