

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

***One Hundred and Fifth  
Legislature***

**OF THE**

**STATE OF MAINE**

**Volume III**

**June 16, 1971 to June 24, 1971**

**Index**

**1st Special Session**

**January 24, 1972 to March 10, 1972**

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**KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**HOUSE**

Thursday, February 17, 1972

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Shane Estes of Winthrop.

The journal of yesterday was read and approved.

**Orders**

Mr. Porter of Lincoln presented the following Joint Order and moved its passage:

**ORDERED**, the Senate concurring, that the Joint Standing Committees be directed to complete their work and report out all bills, resolves and resolutions no later than 5 p.m. Tuesday, February 22, 1972 with the exception of the State Government reorganization bills and the bill entitled "An Act to Correct Errors and Inconsistencies in the Public Laws" (H. P. 1576)

The Joint Order received passage and by unanimous consent was ordered sent forthwith to the Senate.

**House Reports of Committees Ought to Pass in New Draft New Drafts Printed**

Mr. Bragdon from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds for Subsidy for Maine Students in Maine Private Colleges" (H. P. 1536) (L. D. 1996) reported same in a new draft (H. P. 1575) (L. D. 2032) under title of "An Act Establishing a Tuition Equalization Fund for Maine Students Entering Maine Private Colleges" and that it "Ought to pass"

Mr. Jalbert from same Committee on Bill "An Act Reallocating Funds for Auburn-Lewiston Airport Provided by 1967 Bond Issue" (H. P. 1539) (L. D. 1997) reported same in a new draft (H. P. 1574) (L. D. 2031) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and tomorrow assigned.

**Ought to Pass Printed Bill**

Mr. Donaghy from the Committee on State Government reported

"Ought to pass" on Bill "An Act Implementing the Reorganization of the Department of Transportation" (H. P. 1541) (L. D. 2013)

Report was read and accepted, the Bill read twice and tomorrow assigned.

**Passed to Be Engrossed**

Bill "An Act to Revise and Clarify Laws Relating to Group Life Insurance Under Maine State Retirement System" (H. P. 1518) (L. D. 1960)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

**Third Reader Tabled Later in the Day**

Bill "An Act to Authorize Bond Issue in the Amount of \$8,360,000 for the Construction and Renovation of Higher Education Facilities at the University of Maine" (H. P. 1545) (L. D. 2001)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Susi of Pittsfield, tabled pending passage to be engrossed and later today assigned.)

**Third Reader Amended**

Resolution Proposing an Amendment to the Constitution Pledging Credit of the State for Guaranteed Loans to Resident Maine Veterans of the Armed Forces of the United States of America or the Peace Corps (S. P. 755) (L. D. 2027)

Was reported by the Committee on Bills in the Third Reading and read the second time.

Mr. Lewin of Augusta offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-546) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. LEWIN: Mr. Speaker and Ladies and Gentlemen: L. D. 2027 is a new draft of L. D. 1990, a Resolution Proposing an Amendment to the Constitution Pledging Credit of the State for Guaranteed Loans to Resident Maine Veterans of the Armed Forces of the United States of America.

The purpose of L. D. 1990 originally was to recognize, in one more tangible way, the special service given to our country by residents of Maine who have completed their duty in the Armed Forces. With thousands of our new veterans unemployed and with the unemployment rate higher for these young men than other citizens, it is especially fitting at this time to suggest aiding them to become resourceful productive citizens once again by providing the State's credit to assist them in establishing their own small businesses.

The new draft, L. D. 2027, proposes a major change in the traditional recognition of service in the Armed Forces by adding former members of the Peace Corps to the bill. Service in the Peace Corps, commendable as it may be, is in no way comparable to service rendered in the Armed Forces. We must not forget that we have had a national draft law in effect in this nation since 1940. Although many veterans of the Armed Forces willingly gave of their time and service, the element of servitude was always present. We asked these young men to do what no other segment of our population was asked to do, and that includes those who voluntarily served in the Peace Corps.

If this Legislature wants to give special recognition to those who served in the Peace Corps, it is our prerogative to enact other legislation for such a purpose, but I am opposed to adding former members of the Peace Corps to this bill as it would be equating their service with service in the Armed Forces.

We are all familiar with the service and sacrifices rendered by our own sons and our neighbors' sons in the Armed Forces and it is a fact that millions of veterans will bear scars of body and mind for the remainder of their lives, and that all veterans gave years of their lives in the service of our country, years that in no way can ever be replaced.

The original bill was one attempt to recognize these facts and these facts alone. I feel that we do not

need the addition of any other group at this time.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Members of the House: I agree with much that the gentleman from Augusta, Mr. Lewin has said, and with much that he has said I do not agree. As a veteran as I believe Mr. Lewin is, I am quite aware where many many of our people that have served in the armed services have had very hazardous duties. But it is also true that many people that have served in the armed services have had very easy jobs, not hazardous at all; and I think not even as hazardous as many who have served in the Peace Corps.

I think that keeping the Peace Corps in the bill itself will be an effective thing, it will be a gesture of appreciation, and I now move that this amendment of Mr. Lewin's be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BARWN: Mr. Speaker and Ladies and Gentlemen of the House: I am a veteran. I have just heard the gentleman speak that many of these veterans had soft jobs. Maybe they did. I lost my health in the war. I went where I was put. You don't say where you are going. I did not join any Peace Corps. I was not a conscientious objector to eliminate the hazards which were to bestow me in the future.

I will go along with Mr. Lewin one hundred per cent and I hope that you will vote against the motion here of indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Whitson.

Mr. WHITSON: Mr. Speaker and Ladies and Gentlemen of the House: The aspersion has been cast on the members of the Peace Corps, I think perhaps accidentally because I don't believe that the gentleman making the statement realized what the Peace Corps is all about. I have friends in Portland who have spent years in the Peace Corps.

One in particular has spent two years in Pakistan, in the out-reaches of Pakistan, and I can compare this with service in the armed services. This particular friend lost fifty pounds from anemic dysentery. He had sundry other parasites in his body. He is dedicated in the service and in the ideals of the Peace Corps.

It is my conviction that his service is as essential to the world posture and the maintenance of the ideals of this country as service in the Armed Forces. Service can be found in different areas, not only in the Armed Forces. I ask for a roll call when the vote is taken.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I don't believe anybody who has spoken here has intended to cast any aspersions upon the Peace Corps. I certainly think very highly of the people who have served in the Peace Corps. However, Peace Corps service is voluntary, and always or frequently service in the armed services is not voluntary. It is a different type of service as Representative Lewin has expressed.

I would like to point out that at this time there are more than 4,000 Maine veterans of the Vietnam war who are unemployed, people who left the state to go into the armed services, served their country at a time when some of their counterparts were staying in the state establishing themselves in jobs and in employment, starting small businesses. At this time, however, we are faced with a crisis, or many of the returning veterans are faced with a crisis, of how to find employment.

The intent of this proposal that Representative Lewin has spoken so well to is to put the serviceman back in the same position that he would have been in if he had not been serving those years in the service of his country. The proposal to include another organization, the Peace Corps or any other one, may be a good idea but it is bad precedent to lump with the veterans' benefits.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Bustin.

Mr. BUSTIN: Mr. Speaker, I would pose a question through the Chair to the gentleman from Augusta, Mr. Lewin. Inserting in place of the words "or the Peace Corps" those words "in time of war or national emergency," would this not exclude the benefits going to the veterans of the Vietnam conflict?

The SPEAKER: The gentleman from Augusta, Mr. Bustin poses a question to the gentleman from Augusta, Mr. Lewin, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. LEWIN: Mr. Speaker, in answer to the gentleman from Augusta, Mr. Bustin, I checked with the Attorney General's office on the question of Vietnam and in the veterans' legislation recorded reference is made to the Vietnam war, and this is the definition. This includes the period from August 4, 1964 to whenever Congress declares the end of hostilities. Legislation does consider Vietnam war.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I would pose a query. It is my understanding that the veterans organizations have formed somewhat of an organization within themselves, the World War I and World War II, the American Legion, the Amvets, the VFW; and I would like to ask anybody if that duly formed organization that is representative of all the service areas have given their opinion of this?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert poses a question through the Chair to any member who may answer if they choose.

The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker, Ladies and Gentlemen: I may be able to answer Mr. Jalbert from Lewiston's question.

A lot of you have seen Mr. Leavitt, who is working for all of the veteran organizations for the State of Maine as a representative of those groups — the VFW, the American Legion, the Amvets, and the veterans of World War I. So that is a group which had been formed quite some time ago to be all inclusive; that is, of veteran representation.

Now to further take your time for just a moment, in both defense of the bill which I feel would be jeopardized if we try to include other groups in it, and also if there has been any aspersion upon members of the Peace Corps I am sure it was unintended. I have very close relatives and friends who have served in the Peace Corps, and it is a very fine group and they have accomplished a lot. But if we go to including that group of people who have volunteered for some type of foreign service, why then we will be taking in perhaps many others, those who have volunteered to work on other things on foreign soil, diplomatic service, etcetera, and possibly government girls who work overseas.

So I think that perhaps we are establishing a wrong precedent in grouping anything else with a veterans' bill. I have normally opposed the State's credit being broadened any more than it is, but this seemed to be almost an exception, a very worthy cause at this time. I will support the bill as long as we don't start hanging too many amendments on it.

Thereupon, Mr. Jalbert of Lewiston moved that the Resolution be tabled until tomorrow.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert moves that this Resolution be tabled until tomorrow pending the motion of the gentleman from Casco, Mr. Hancock that House Amendment "B" be indefinitely postponed.

Thereupon, Mr. Lewin of Augusta requested a vote.

The SPEAKER: A vote has been requested on the tabling motion. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

43 having voted in the affirma-

tive and 86 having voted in the negative, the motion to table did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker and Members of the House: Just briefly to perhaps correct a misunderstanding. I said that I did not want amendments hung on it. This amendment that would amend out the Peace Corps clause I think should be accepted and I hope that you will vote against indefinite postponement of this amendment.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen: I have also served in the Army and traveled around the world with it, and once I signed up with the Army I went where I was told; you couldn't quit and go home. If you are in the Peace Corps and you go to a country that you don't like, you can leave and go home. That is the difference.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I think Mr. Henley touched on one spot. My only reason for having wanted to vote to have this thing tabled, I would like to do the right thing. I don't know anything about this new amendment. It is not a question of taking issue with Mr. Lewin, it is not a question of taking sides with the gentleman from Casco, Mr. Hancock.

You know, we are hit with these amendments and sometimes we don't have a chance to look at them. This is a good bill. I understood that the veterans organizations favored the bill as it was. I don't know if they favor this amendment. I would like to find out from them. I also know that if these people are included others equally as warranted should be included. I want to know what I am voting about. I don't know what I am voting about here and there is nobody in this room that can tell me, because I don't want anybody in this room to tell me. I want to find out from the man

that represents the organizations of Maine. When he tells me I will listen. Until then I shall vote against this thing.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Jutras.

Mr. JUTRAS: Mr. Speaker and Ladies and Gentlemen of the House: If Mr. Jalbert wants to be informed from a veteran, I will inform him this morning. The Peace Corps has nothing to do with veterans' benefits and for this reason I shall vote against it, and that is all I am going to say.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Lewin.

Mr. LEWIN: Mr. Speaker and Ladies and Gentlemen: In answer to the gentleman from Lewiston, Mr. Jalbert, the original bill L. D. 1990, the resolution was heartily approved by the combined group of veterans organizations in the state. However, when 2027 came in, revised 1990 as it were, they were against that; and that is the reason for this amendment, in answer to Mr. Jalbert.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: I just briefly would like to make a comment on the remarks made by the gentleman from Oakland, Mr. Brawn. I too was not a conscientious objector. I too went where I was told to go. Along the line I picked up a couple of combat stars and I am not making any great point of that, because I am sure that many people in this House picked up a lot more than that and saw a lot more hazardous duty than I did. But in going where I was told I did see a lot of people in the military service, all branches, who were not occupied in any field of hazardous service; in fact, I would say that they in many cases didn't have as hazardous service as members of the Maine State Legislature upon occasion.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I don't

wish to appear as an opponent of any veterans' measure, nor do I wish to appear in opposition to any other worthy group of Maine citizens having the benefits of State guaranteed loans. I think perhaps I will make what remarks I have to make at this time. It perhaps would be better if I confined it to the bill itself after we vote on the amendment. However, I think it applies to one as much as the other.

It seems to me after the experiences we have had with State guaranteed loans, that many of us look upon this field with somewhat fear and trepidation. I did look into this matter a little bit with the Maine Industrial Building Authority. Of course my first thought was when I saw this bill, what are we talking about anyway? Certainly every Maine veteran under our present laws is entitled to a State guaranteed loan under the rules and regulations of the Maine Industrial Building Authority. So what are we talking about?

I look further at the bill and I see where the loaning agency provides 20 per cent of the risk. Under these terms I question whether we are doing much more, we will say, than making a gesture to this group or any other group which we may eventually include under this State guaranteed loan. Because in my own mind I question and if anybody wishes to enlarge on this, supposing one of these loans gets in trouble, the question I would pretty much put to the group — does the loaning agency forfeit their whole 20 per cent, which might bail out any loan which gets in trouble. This is perhaps merely a question to anybody.

Obviously, in talking with Mr. O'Connor down in the Maine Industrial Building Authority, obviously this type of a loan is not going to be handled under the Maine Industrial Building Authority because it falls into a different category from what their loans, what they are authorized to make. Obviously this would be a loan, we will say, that would fall into perhaps the — maybe I could use an illustration, we will say, the farm machinery area, where

the Maine Industrial Building Authority certainly got their feet pretty wet. They found it was a very difficult area to handle.

We are talking about, in this loan, setting people up in business, maybe buying them a tractor that costs \$10,000, and such things as that; of course I understand it does go up to \$2 million. So it does take in a wide area. Without appearing in opposition to this group or any other group who may be approved under it, I do make these remarks.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAUN: Mr. Speaker and Ladies and Gentlemen: In response to the gentleman from Casco, a soldier, he cannot quit and go home; he must do what he is assigned to do. But members of the Peace Corps can leave, they can stop off in Canada, they can stay there and evade any further duties. Or they can go to Cuba and get sugar.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker, I would basically ask for some information from some members of the committee to provide perhaps guidance on the votes. I was just trying to read the bill and the amendment this morning. I think I can understand the different positions between those who favor Mr. Lewin's amendment apparently and those who don't. But as a veteran without any battle stars of any kind and yet still being eligible for and a member of the American Legion, I am a veteran who benefits from the GI bill on a home loan and some other things, my question is this.

As I understand it, they are again making GI loans for homes and also for businesses and other purposes. Perhaps some member of the committee that heard this bill could tell us what need there is for this, when we have already federal veterans programs that do make these loans. I would question not out of any opposition to veterans organizations or to recognizing their service, I think we all favor that. But if there is

a federal program with much more in the way of funds than the State of Maine can put into it, I wonder why we should compete with the Federal Government on this.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, to answer the question that has been posed, in testimony at the hearing it became very clear that loans to obtain houses, mortgages or guaranteed loans, are entirely separate. Those loans are available at 7 per cent. There are no business loans available through the GI Bill of Rights, which we are told and understand.

The question has also been raised as to whether or not Small Business Administration loans might not be available to these people, and again the answer is no. Our Small Business Administration does not provide loans as small as the loans that are being discussed in this proposal. We are talking about the largest loan would be \$15,000.

The testimony at the hearing also indicated that there are people who have attempted to obtain commercial loans and the best arrangements that they can get from a bank would be at 10 per cent or perhaps higher, interest rate on the loans for the business that they are interested in. So there definitely appears to be a need.

Mr. Jalburt of Lewiston was granted permission to speak a third time.

Mr. JALBERT: Mr. Speaker, I would like to ask another question. I have some people in my own family who were involved in the Vista. Where are they in this thing?

I might comment also that the words MIBA, I can assure you that having looked over the loans that have been made, I am very happy that the Governmental Operations Committee the very next week that this legislature adjourns will start looking into the MIBA loans from A to Z. My confidence in the MIBA doesn't rate an A plus on my report card.

But in the meantime I will restrict myself to this one question,



what about Vista? And when that is answered I might bring up some more organizations that come directly under the Peace Corps in this program. That is why I wanted this thing to be tabled. Since I have asked for this to be tabled there have been seven different questions asked; somewhere along the line somebody is in the same position as I am. They don't know anything about this.

This no doubt has worthiness; it probably shouldn't be killed. But I am afraid the route as being taken now, unless it is tucked away for a day and we have a chance to look it over, why it might be in danger.

The SPEAKER: The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Casco, Mr. Hancock, that House Amendment "B" to Resolution Proposing an Amendment to the Constitution Pledging Credit of the State for Guaranteed Loans to Resident Maine Veterans of the Armed Forces of the United States of America, Senate Paper 755, L. D. 2927, be indefinitely postponed. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

#### ROLL CALL

YEA — Bedard, Bustin, Clemente, Dow, Doyle, Goodwin, Hancock, Hardy, Herrick, Jalbert, Label, McCloskey, McTeague, Murray, O'Brien, Orestis, Pontbriand, Slane, Smith, E. H.; Vincent, Whitson, Williams.

NAY — Albert, Ault, Bailey, Baker, Barnes, Bartlett, Bernier, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bither, Boudreau, Bourgoin, Brown, Bunker, Call, Carey, Carrier, Carter, Churchill, Clark,

Collins, Conley, Cottrell, Cummings, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Cyr, Dam, Dudley, Dyar, Emery, D. F.; Emery, E. M.; Farrington, Faucher, Fecteau, Finemore, Fraser, Gagnon, Genest, Gill, Good, Hall, Haskell, Hawken, Hayes, Henley, Hewes, Hodgdon, Immonen, Jutras, Kelleher, Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lee, Lewin, Lewis, Lincoln, Littlefield, Lizotte, Lund, Lynch, MacLeod, Maddox, Mahany, Manchester, Marsh, Martin, McCormick, McKinnon, McNally, Millett, Mills, Morrell, Mosher, Murchison, Norris, Page, Parks, Payson, Porter, Pratt, Rand, Rocheleau, Rollins, Ross, Santoro, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Stillings, Susi, Theriault, Trask, Tyndale, Webber, Wheeler, White, Whitzell, Wight, Wood, M. W.; Wood, M. E.; Woodbury.

ABSENT — Bragdon, Cooney, Cote, Crosby, Donaghy, Drigotas, Evans, Gauthier, Kelley, K. F.; Lessard, Lucas, Marsteller, Shetra, Smith, D. M.; Tanguay.

Yes, 22; No, 113; Absent 15.

The SPEAKER: Twenty-two having voted in the affirmative, one hundred thirteen in the negative, with fifteen being absent, the motion does not prevail.

Thereupon, House Amendment "B" was adopted and the Resolution was passed to be engrossed as amended and sent to the Senate.

#### Amended Bills

Bill "An Act relating to Breath-testing Equipment Used Under Implied Consent Law" (H. P. 1530) (L. D. 1973)

Resolve to Reimburse Certain Persons for Displacement Costs Because of Property Taken by State (S. P. 691) (L. D. 1872)

Were reported by the Committee on Bills in the Third Reading, Bill read the third time, Resolve read the second time, both passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

#### Passed to Be Enacted Emergency Measure

An Act Authorizing Oakfield to Withdraw from the Four Corners