

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Twelfth

Legislature

OF THE

STATE OF MAINE

VOLUME I

SECOND REGULAR SESSION

January 8 - April 2, 1986

Reading of the Journal of Tuesday, February 18, 1986.

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Friday
February 21, 1986

Out of order and under suspension of the Rules, on motion by Senator ERWIN of Oxford (Cosponsored by: Representative ERWIN of Rumford, Representative RUHLIN of Brewer, Senator MAYBURY of Penobscot, Senator BALDACCI of Penobscot, President PRAY of Penobscot, Representative DIAMOND of Bangor, Representative PARADIS of Old Town, Representative BAKER of Orrington) the following Joint Resolution.

S. P. 815

Senate called to Order by the President.

JOINT RESOLUTION IN MEMORY OF DANIEL E. LAMBERT
ADJUTANT OF THE AMERICAN LEGION OF MAINE

Prayer by Pastor Charlotte Clark of the North Windsor Baptist Church in North Windsor.

WHEREAS, The Legislature has learned with deep regret of the death of Daniel E. Lambert of Orrington, adjutant of the American Legion in Maine; and

PASTOR CLARK: It certainly is good to be with you folks here this afternoon. It is just like coming back home, and I am thankful that I have been called to a position that I can come back and share with you, every once in a while. Shall we bow our heads in a word of prayer.

WHEREAS, during World War II this honored soldier became a member of the famed "Darby's Rangers" and was wounded in action 4 times during his service in Europe, Africa, Sicily, Italy and France; and

Our dear heavenly Father, we pause at this time to thank Thee for the privilege of being here. Our Father, we thank Thee for the health and strength that we enjoy each day. We thank Thee, Lord, for the many blessings that You give to us. May we be more appreciative for what You do for us. Our Father, we thank Thee for the great State of Maine, in which we live. We thank Thee for the beauty. We thank Thee for its' location, that we do not have the problems that they have out in the West. We just thank Thee for this privilege.

WHEREAS, holding the highest decorations for service he returned to civilian life to become active in the American Legion at the local, county, district and state levels and to be elected state commander in 1968; and

Our Father, we thank Thee for our government, especially for our State Government, the Maine State Legislature. Our Father, I just pray that You will be with each one here today, as they participate in this Session. We claim the promise found in James 1-5: "If any of you lack wisdom, let him ask of God, who giveth to all men liberally, and upbraideth not; and it shall be given to you." Our Father, as we are humans, many times we do lack wisdom, and may each one of us be men and women enough to call upon Thee for divine help. Our Father, we pray for each one as they go into their various committees. We pray, especially, for the Department Heads. Be close to them, and give them wisdom as they take these bills and amend them in new drafts and so forth. Our Father, we do want to remember the many who are on staff, as well. Give them the spirit and physical strength, and the wisdom that they need to do their jobs.

WHEREAS, Daniel E. Lambert was elected adjutant of the Department of Maine of the American Legion in 1975 and became a strong advocate of veterans' rights and benefits and the voice of veterans everywhere; and

WHEREAS, among his many activities, he was a military aide to 5 governors, founder of Maine Veterans' Coordinating Committee, helped establish the Maine Veterans' Memorial Cemetery and the Maine State Veterans' Home; and

WHEREAS, Dan filled as many as 200 speaking engagements a year, was awarded 4 gold medals by the Freedoms Foundation at Valley Forge and the Humanitarian Award by the Maine American Legion; and

WHEREAS, he became editor and publisher of the Maine Legionnaire, was cited in 1980 for having the outstanding editorial in the nation and was elected president of the National American Legion Press Association; and

Our Father, whatever is accomplished here today, may it be for the betterment of our own State, the great State of Maine. We ask these things in Christ's name, and for His sake only. Amen.

WHEREAS, he was a founding member of the Keep Maine Scenic Committee, served on the Governor's Committee of Manpower Affairs, Small Business Loan Authority, Veterans' Memorial Cemetery Advisory Committee and a consultant of the Maine congressional delegation; and

WHEREAS, his outstanding record of service is seemingly without end but he will be remembered above all as one who placed the highest priority on family, religion, and country and among many God-given talents was endowed with the spark of leadership now, therefore, be it

RESOLVED: That we, the Members of the Senate and the House of Representatives pause in a moment of understanding and prayer to inscribe this token of sympathy and condolence to all who share this great loss and respectfully request that when the Legislature adjourns this date it do so in honor and lasting tribute to Daniel E. Lambert; and be it further

RESOLVED: That a suitable copy of this resolution be transmitted forthwith to his devoted wife, Elise and members of his beloved family.

Which was READ.

Senator ERWIN of Oxford was granted unanimous consent to address the Senate On the Record.

Senator ERWIN: Mr. President, ladies and gentlemen of the Senate. During the past week, our Eternal Father called one of Maine's outstanding citizens, Daniel Lambert to His kingdom. We are truly grateful for his life. Because of him, we have been made aware of the many problems facing the Veterans, their widows, their orphans, and the youth of this great State. No person was ever too big, nor no child too small for Dan to stop and to talk to.

Many people are better off today because Dan walked their way. He will be sorely missed. We pray that our Heavenly Father will give him mercy and compassion, and grant him eternal rest. We extend our prayers and sympathy and condolences to his family. Dan's funeral mass was said at 10 o'clock this morning at St. Theresa's Catholic Church in Brewer, Maine, and he will be buried approximately 1 o'clock in the Veteran's Cemetery.

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

Senator MAYBURY: Thank you, Mr. President and Members of the Senate. I would just like to add a couple of remarks in regard to the Order that was just placed. Mr. Lambert was a very active and outspoken person for the rights of Veterans of Maine. Everything he did, he did with vigor and sincerity, and he definitely will be missed. Thank you.

Which was ADOPTED.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Off Record Remarks

Senator HICHENS of York was granted unanimous consent to address the Senate On the Record.

Senator HICHENS: Thank you, Mr. President. Although this poem, this afternoon, is a little premature, we will not be in Session on Sunday, and I have noticed an elaborate bouquet with a large balloon in the Senate Secretary's office. So, I would like to share this with you at this time.

TO JOY O'BRIEN - FEBRUARY 23, 1986

We have a young lady named Joy O'Brien
 Who's proved to us all -- that to keep on trying
 Proves very successful in the end
 As through her maze of duties she doth tread
 Since assuming her duties she's come a long way
 And meets new challenges every day
 With a deftness that proves to all around
 That the capability she has found
 To handle her duties efficiently
 An example that all of us clearly see
 She's not only efficient but pretty too
 And presents to each of us a nice view
 As we see her standing there every day
 Handling each duty that comes her way
 Why some young man hasn't won her hand
 Is hard for some here to understand
 But that's her business so let's mind ours
 And keep enjoying the pleasant hours
 That we have her with us - for some day soon
 Republicans here will play the tune
 And she'll move on to another field
 And to cupid's call - may sometime yield
 So on this February morn'
 The date on which our Joy was born
 Let's all unite and give her a hand
 In a way that she will understand
 That we wish the best that God can give
 Every day that she may live.

SENATE PAPERS

Bill "An Act to Require Labeling of Coffees
 Decaffeinated with Methylene Chloride"
 S.P. 808 L.D. 2035

Presented by Senator PERKINS of Hancock
 Cosponsored by: Senator ERWIN of Oxford,
 Representative WHITCOMB of Waldo, Representative
 DAGGETT of Manchester
 Approved for Introduction by a Majority of the
 Legislative Council pursuant to Joint Rule 27

Committee on AGRICULTURE suggested and ORDERED PRINTED.

On motion by Senator VIOLETTE of Aroostook, referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Enable the Availability of Credit through Finance Companies in the State" S.P. 811 L.D. 2043

Presented by Senator MCBREAIRTY of Aroostook Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 27

Which was referred to the Committee on BUSINESS AND COMMERCE and ORDERED PRINTED.

Sent down for concurrence.

Bill "An Act to Require a Report Concerning the Consumer Advisory Board" S.P. 809 L.D. 2037

Presented by President PRAY of Penobscot Cosponsored by: Senator BUSTIN of Kennebec, Representative CARROLL of Gray, Representative NELSON of Portland Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 27

Bill "An Act Establishing Equal Revenue Calculations for all Maine Hospitals" S.P. 812 L.D. 2044

Presented by Senator GILL of Cumberland Cosponsored by: Representative ROLDE of York, Representative RYDELL of Brunswick, Representative NELSON of Portland Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26

Bill "An Act to Provide a Reasonable Increase for State Reimbursement to Boarding Care Facilities, to Allow for Periodic Cost-of-living Adjustments and for Other Purposes" S.P. 814 L.D. 2046

Presented by Sen. VIOLETTE of Aroostook Cosponsored by: Speaker MARTIN of Eagle Lake, Representative NADEAU of Lewiston, Representative CARROLL of Gray Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26

Which were referred to the Committee on HUMAN RESOURCES and ORDERED PRINTED.

Sent down for concurrence.

Off Record Remarks

Bill "An Act to Establish the Maine Small Business and Job Development Program" S.P. 810 L.D. 2038

Presented by Senator ANDREWS of Cumberland Cosponsored by: President PRAY of Penobscot, Representative HAYDEN of Brunswick, Representative HOLLOWAY of Edgecomb Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26)

Committee on STATE GOVERNMENT suggested and ORDERED PRINTED.

On motion by Senator VIOLETTE of Aroostook, Tabled 1 Legislative Day, pending REFERENCE.

Resolve, Creating a Maine Commission to Commemorate the Bicentennial of the United States Constitution (Emergency) S.P. 813 L.D. 2045

Presented by President PRAY of Penobscot Cosponsored by: Speaker MARTIN of Eagle Lake, Senator CARPENTER of Aroostook, Representative KANE of South Portland

Committee on STATE GOVERNMENT suggested and ORDERED PRINTED.

On motion by Senator VIOLETTE of Aroostook, Tabled 1 Legislative Day, pending REFERENCE.

Off Record Remarks

Ought to Pass

Senate at Ease

Senate called to order by the President.

Senator GAUVREAU for the Committee on EDUCATION on Bill "An Act to Clarify the Status of Vocational Education in Washington County" S.P. 673 L.D. 1741

Reported that the same Ought to Pass.

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

The Bill TOMORROW ASSIGNED FOR SECOND READING.

Off Record Remarks

Senator VIOLETTE of Aroostook was granted unanimous consent to address the Senate Off the Record.

Ought to Pass As Amended

Senator ANDREWS for the Committee on STATE GOVERNMENT on Bill "An Act To Create the Job Protection Act" (Emergency) S.P. 718 L.D. 1841

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-378).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-378) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

COMMITTEE REPORTS

Senate

Leave to Withdraw

The following Leave to Withdraw Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act Relating to Burial Preparations for Indigent Persons" S.P. 311 L.D. 800

Bill "An Act to Expand the Maine Job Start Pilot Program" S.P. 709 L.D. 1834

Bill "An Act to Make Survivors Benefits Mandatory for any Member of the Maine State Retirement System" S.P. 524 L.D. 1419

Off Record Remarks

SECOND READERS

The Committee on Bills in the Second Reading reported the following:

House As Amended

Bill "An Act to Allow Municipal Officers to Delegate their Authority to License Catered Off-premise Functions"

H.P. 1189 L.D. 1686 (C "A" H-507)

Bill "An Act to Clarify the Authority of Municipal Officers to Temporarily Restrict Vehicle Passage over Certain Highways"

H.P. 1203 L.D. 1710
(C "A" H-510)

Bill "An Act to Clarify the Surety Bonding Process for Contractors"

H.P. 1253 L.D. 1763
(C "A" H-505)

Which were READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended, in concurrence.

Senate As Amended

Bill "An Act Authorizing Mutual Financial Institutions to Reorganize into Mutual Holding Companies"

S.P. 560 L.D. 1489
(C "A" S-376)

Which was READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

Sent down for concurrence.

ENACTORS

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act to Establish a Maine-New Hampshire Boundary Commission

H.P. 1049 L.D. 1525
(C "B" H-499)

An Act to Clarify Set-back Requirements under the Shoreland Zoning Law

S.P. 699 L.D. 1784
(C "A" S-375)

An Act Revising the Mandatory Vaccination Requirement for Livestock

H.P. 1410 L.D. 1991

Which were PASSED TO BE ENACTED and having been signed by the President, were presented by the Secretary to the Governor for his approval.

Emergency

An Act to Permit the Transfer of Protection from Abuse Hearings from Superior Court to District Court

S.P. 655 L.D. 1693
(C "A" S-373)

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was PASSED TO BE ENACTED and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Under suspension of the Rules, the following matters were considered inclusively:

Emergency

An Act to Allow Justices of the Superior Court to Act on Requests for Preliminary Child Protection Orders

S.P. 658 L.D. 1696
(C "A" S-374)

Emergency

An Act to Permit the Electricians' Examining Board to Renew Certain Master, Journeyman and Limited Electricians' Licenses

H.P. 1252 L.D. 1762
(H "A" H-495)

Emergency

An Act to Amend the Laws Relating to Investigative Information of the State Fire Marshal's Office

H.P. 1259 L.D. 1769
(C "A" H-497)

Emergency

An Act to Resolve a Conflict in the Law Dealing with the Crime of Gross Sexual Misconduct

H.P. 1324 L.D. 1859

Emergency Resolve

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Oxford County for the Year 1986

H.P. 1404 L.D. 1984

Emergency Resolve

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Aroostook County for the Year 1986

H.P. 1405 L.D. 1985

These being Emergency Measures and having received the affirmative vote of 28 Members of the Senate, with No Senators having voted in negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, were PASSED TO BE ENACTED and FINALLY PASSED and having been signed by the President, were presented by the Secretary to the Governor for his approval.

Off Record Remarks

Out of order and under suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

Senate

Leave to Withdraw

The following Leave to Withdraw Reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Amend Certain Judicial Divisions and Districts of the Maine District Court Statutes." S.P. 657 L.D. 1695

Bill "An Act Relating to the Time of Penobscot Nation Trust Land Acquisition" S.P. 731 L.D. 1868

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

Senator PEARSON: Mr. President. I would like to move that these Bills be Tabled until Later in Today's Session.

THE PRESIDENT: The Chair would advise the Senator that these matters are not before us. They are notification pursuant to the Joint Rules. Bills that have unanimous Leave to Withdraw or Ought Not to Pass Reports are not actually before the Body for action.

The Chair recognizes that same Senator.

Senator PEARSON: Mr. President. I do not know exactly on what grounds I stand because I was told this morning by a person from the Tribal State Commission that part of the process that had to go through on these Bills, was they had to be recommended. Now, there were two Bills submitted. This is simply a way of getting rid of one of those Bills and concentrating on the other. I am just not sure if anything is suppose to be done before the Tribal State Commission has a chance to comment, and they haven't. The vehicle is still there to do what they want to do, but I do not know if we are doing this correctly.

Senate at Ease

Senate called to order by the President.

Senator PEARSON of Penobscot was granted unanimous consent to address the Senate On the Record.

Senator PEARSON: Mr. President and men and women of the Senate. There were two Bills which were submitted doing the same thing, except that one of the Bills had an added clause dealing with the City of Old Town. The one that did not have that clause dealing with the City of Old Town is the one that is under discussion. It was my understanding, from the person who came to see me this morning from the Tribal State Commission, which was a body set up by the Indian Land Claims Settlement, that they needed to statutorily review legislation and comment on it. They have 10 days to do that in. I am not really worried about this legislation because I think it is going to take the natural course anyway. I would just like to have somebody look into the status of this for the future. There still is a Bill in Committee that does the same thing that this one does, with a little added feature. I was just wondering about doing it right, according to the statute. Thank you.

Off Record Remarks

Out of order and under suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

Senate

Ought to Pass As Amended

Senator CARPENTER for the Committee on JUDICIARY on Bill "An Act to Provide Immunity from Civil Liability for Court Mediators" S.P. 700 L.D. 1785

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-380).

Which Report was READ and ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-380) READ and ADOPTED.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Off Record Remarks

Out of order and under suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

Senate

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 Exempt the Spent Nuclear Fuel Disposal Trust Fund from State Taxation" S.P. 730 L.D. 1867

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Repeal the Maine Takeover Bid Disclosure Law"

H.P. 1445 L.D. 2039

Comes from the House, referred to the Committee on BUSINESS AND COMMERCE and ORDERED PRINTED.

Which was referred to the Committee on BUSINESS AND COMMERCE and ORDERED PRINTED, in concurrence.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Control Acid Rain"

H.P. 1443 L.D. 2034

Comes from the House, referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED.

Which was referred to the Committee on ENERGY AND NATURAL RESOURCES and ORDERED PRINTED, in concurrence.

Bill "An Act to Authorize the Payment of Retention and Recruitment Stipends in State Government"

H.P. 1446 L.D. 2040

Resolve, Authorizing the Director of Parks and Recreation to Convey by Deed the Interest of the State of Maine in a Certain Parcel of Real Property in the Town of Jackman

H.P. 1452 L.D. 2049

Come from the House referred to the Committee on STATE GOVERNMENT and ORDERED PRINTED.

Which were referred to the Committee on STATE GOVERNMENT and ORDERED PRINTED, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Repeal the Sardine Inspection Tax"

H.P. 1453 L.D. 2050

Comes from the House, referred to the Committee on TAXATION and ORDERED PRINTED.

Which was referred to the Committee on TAXATION and ORDERED PRINTED, in concurrence.

Senator VIOLETTE: Mr. President. Just for explanation. This particular gentlemen was a veteran of the United States military services. He died while returning as a member of a U. N. Peace Keeping Mission in Newfoundland. According to the statute, as I understand it, that provides for those who may be interred in the Veterans Memorial Cemetery, they must have been veterans during a period of conflict, as recognized by the U. S. Government. This was not such a period, but this exception is being made in this particular case, and as this gentleman has passed away, it is of an expeditious nature that he be interred there. Thank you.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Authorize the Remains of Specialist 4th Class Richard D. Rimiller to be Buried in the Veterans' Memorial Cemetery" (Emergency)

H.P. 1451 L.D. 2048

Committee on AGING, RETIREMENT AND VETERANS suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and specially assigned matter:

Resolve, Authorizing the Sale of Certain Public Lands in Lewiston

S.P. 747 L.D. 1911

Tabled - February 18, 1986, by Senator VIOLETTE of Aroostook.

Pending - PASSAGE TO BE ENGROSSED

(In Senate, February 13, 1986, RECONSIDERED PASSAGE TO BE ENGROSSED.)

Which was PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate at Ease

Senate called to order by the President.

The Chair laid before the Senate the Tabled and specially assigned matter:

HOUSE REPORTS - from the Committee on JUDICIARY on Resolve, Authorizing Jeanette Hodgdon Brown, Administratrix of the Estate of Kenneth R. Hodgdon, to Recover Judgment Entered in Her Favor against the State in Lincoln County Superior Court

H.P. 1186 L.D. 1683

Majority Report - Ought Not to Pass

Minority Report - Ought to Pass

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Violette.

Tabled - February 18, 1986, by Senator CLARK of Cumberland.

Pending - Motion of Senator VIOLETTE of Aroostook to ACCEPT the Minority OUGHT TO PASS Report, in NON-CONCURRENCE

(In Senate, February 18, 1986, RECONSIDERED ACCEPTANCE of the Majority OUGHT NOT TO PASS Report.)

(In House, February 18, 1986, the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.)

On motion by Senator VIOLETTE Tabled Unassigned, pending motion of same Senator to ACCEPT the Minority OUGHT TO PASS Report, in NON-CONCURRENCE.

THE PRESIDENT: The Chair would request the Senators, Senator Clark of Cumberland and Senator Najarian of Cumberland to approach the Rostrum.

The Chair, at this time, would like to inform the Membership that Senator Clark and Senator Najarian are today celebrating their 1100 Legislative day. After the Session, we will be having some coffee and cake in the Presiding Officers' office, and would like to invite the Membership to celebrate the accomplishment of these two Senators.

Senator PEARSON of Penobscot was granted unanimous consent to address the Senate On the Record.

Senator PEARSON: Mr. President and men and women of the Senate. I am told that along with Representative Chonko in the House, that these three distinguished women of Maine, who are being honored today, if the two Senators had remained in the House, they would have been the longest serving women in Maine's history, in consecutive service in one Body. Representative Chonko is being honored in the House, but I believe in the Senate, if you combined the two services of the House and the Senate, they are still the longest serving women in Maine's history.

Senate at Ease

Senate called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Resolution

The Following Joint Resolution: H.P. 1442

JOINT RESOLUTION MEMORIALIZING RONALD W. REAGAN, PRESIDENT OF THE UNITED STATES OF AMERICA AND MIKHAIL S. GORBACHEV, GENERAL SECRETARY OF THE COMMUNIST PARTY OF THE SOVIET UNION TO INITIATE A JOINT SOVIET-AMERICAN MANNED SPACE FLIGHT TO THE PLANET MARS

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Twelfth Legislature, now assembled, most respectfully present and petition the Honorable Ronald W. Reagan, President of the United States of America, and Mikhail S. Gorbachev, General Secretary of the Communist Party of the Soviet Union, as follows:

WHEREAS, a citizen of the State of Maine, Samantha Smith, has paved the road to understanding and cooperation between the people of the United States and the Soviet Union; and

WHEREAS, the recent summit meeting between Ronald W. Reagan, President of the United States, and Mikhail S. Gorbachev, General Secretary of the Communist Party of the Soviet Union, has opened new and exciting avenues for peaceful exchange of culture and technology; and

WHEREAS, 75 young students from the State of Maine will be traveling to the Union of Soviet Socialist Republics in April 1986, on a mission of friendship and education, in an effort to promote greater understanding and cooperation between the people of the United States of America and the people of the Union of Soviet Socialist Republics; and

WHEREAS, the United States and the Soviet Union pledged not to introduce nuclear or other weapons of mass destruction in Earth's orbit or on any other celestial body. According to the treaty ratified in Moscow and Washington in January 1967, the nations are to "facilitate and encourage international cooperation" in the scientific exploration of the Moon and planets and "shall regard astronauts as envoys of mankind;" and

WHEREAS, joint activities on other planets are explicitly encouraged by Article I of the Treaty, which reads: "The exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind;" and

WHEREAS, further peaceful progress was made in May 1972, when United States President Richard M. Nixon and Soviet Premier Alexei Kosygin signed an agreement providing for United States-Soviet cooperation in exploring space for peaceful purposes; and

WHEREAS, joint cooperation was expanded by the Apollo-Soyuz space linkup in July 1957, between Lt. General Thomas Stafford, United States Air Force and Major General Alexei Leonov of the Soviet Air Force; and

WHEREAS, further Soviet and American joint activities in planetary exploration would contribute much toward the achievement of a lasting peace between our 2 great spacefaring nations; now, therefore, be it

RESOLVED: That We, your Memorialists, do hereby respectfully urge and petition the President of the United States of America and the General Secretary of the Communist Party of the Soviet Union to do everything within their power to commit their nations to participation in a joint Soviet-American manned space flight to the planet Mars; and, be it further

RESOLVED: That duly attested copies of the Joint Resolution be transmitted to the President of the United States of America and the General Secretary of the Communist Party of the Soviet Union.

Comes from the House, READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

WHEREAS, it would be difficult to find in any portion of our land firesides that are dearer or ancestry so rich in courage and pride as those of the good citizens of Mariaville; and

WHEREAS, now on the eve of the 150 years as a town, the proud residents, descendant's and friends have joined to pay tribute, not only to a worthy and historic past, but a bright and challenging future, now, therefore, be it

RESOLVED: That we, the members of the Senate and House of Representatives of this the 112th Legislature of the great and sovereign State of Maine, now assembled in Second Regular Session, pause in our deliberations to salute the Town of Mariaville on the occasion of this, its sesquicentennial year, and in extending our congratulations and best wishes we recall from our earliest journals that moment of triumph in Maine history when Mariaville became incorporated as the 330th Maine town; be it further

RESOLVED: That members of the legislature join this community in celebrating the successful life of this country town since February 29, 1836, by presenting this joint resolution in honor of the occasion.

Comes from the House, READ and ADOPTED.

Which was READ and ADOPTED, in concurrence.

Off Record Remarks

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Resolutions

The Following Joint Resolution: H.P. 1447

JOINT RESOLUTION COMMEMORATING THE TOWN OF MARIAVILLE ON THEIR SESQUICENTENNIAL YEAR

WHEREAS, "of all places in the world where life can be lived to its fullest and freest, where it can be met in its greatest variety and beauty, there is none to equal...the country town; and

WHEREAS, Mariaville, named in honor of Maria Matilda the accomplished daughter of that great statesman and land holder William Bingham of Philadelphia, is such a special place; and

WHEREAS, from time beyond remembering, the Union river parted the dark forests of pine, spruce and hemlock to give the gift of lumber and with it came the first settlement at Grand Falls, and the best double sawmill in Eastern Maine; and

On motion by Senator CLARK of Cumberland, ADJOURNED until Monday, February 24, 1986, at 10 o'clock in the morning, in memory of Daniel E. Lambert and Margaret O. Peterson.