

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Fifteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME I**

**FIRST REGULAR SESSION**

House of Representatives  
December 5, 1990 to May 16, 1991

ONE HUNDRED AND FIFTEENTH MAINE LEGISLATURE  
FIRST REGULAR SESSION  
19th Legislative Day  
Wednesday, February 13, 1991

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

Prayer by Father Donald MacInnis, St. Denis Catholic Church, North Whitefield.

The Journal of Tuesday, February 12, 1991, was read and approved.

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SENATE PAPERS

Bill "An Act to Continue Disability Payments to Retirees" (S.P. 205) (L.D. 532)

Came from the Senate, referred to the Committee on **Aging, Retirement and Veterans** and Ordered Printed.

Was referred to the Committee on **Aging, Retirement and Veterans** in concurrence.

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Bill "An Act to Amend the Fair Credit Reporting Laws" (S.P. 203) (L.D. 530)

Came from the Senate, referred to the Committee on **Banking and Insurance** and Ordered Printed.

On motion of Representative Mitchell of Vassalboro, was referred to the Committee on **Business Legislation** in non-concurrence and sent up for concurrence.

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Bill "An Act Pertaining to Community Corrections Programs" (EMERGENCY) (S.P. 207) (L.D. 534)

Came from the Senate, referred to the **Joint Select Committee on Corrections** and Ordered Printed.

Was referred to the **Joint Select Committee on Corrections** in concurrence.

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Bill "An Act Concerning Energy Efficiency Standards for Subsidized Housing" (S.P. 204) (L.D. 531)

Came from the Senate, referred to the Committee on **Housing and Economic Development** and Ordered Printed.

Was referred to the Committee on **Housing and Economic Development** in concurrence.

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Bill "An Act Relating to Assumption of Medical Expenses by the State in Child Protection Investigations" (S.P. 211) (L.D. 538)

Bill "An Act to Provide Access to Preventive

Dental Care Services to Adults Eligible for Medicaid" (S.P. 212) (L.D. 539)

Came from the Senate, referred to the Committee on **Human Resources** and Ordered Printed.

Were referred to the Committee on **Human Resources** in concurrence.

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Bill "An Act Relating to Eligibility for the Elderly Low-cost Drug Program" (S.P. 214) (L.D. 541)

Came from the Senate, referred to the Committee on **Human Resources** and Ordered Printed.

On motion of Representative Nadeau of Saco, tabled pending reference in concurrence and specially assigned for Thursday, February 14, 1991.

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Bill "An Act to Ban Smoking in Laundromats" (S.P. 215) (L.D. 542)

Came from the Senate, referred to the Committee on **Human Resources** and Ordered Printed.

Was referred to the Committee on **Human Resources** in concurrence.

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Bill "An Act to Create a Magistrate System within the Maine Courts" (S.P. 213) (L.D. 540)

Bill "An Act to Amend the Laws Governing Sexual Assault" (S.P. 217) (L.D. 544)

Bill "An Act to Allow the Maine Human Rights Commission to Recover Litigation Costs" (S.P. 219) (L.D. 546)

Bill "An Act to Exempt Telephone Workers Engaged in Certain Acts from the Workplace Manslaughter Laws" (S.P. 221) (L.D. 548)

Came from the Senate, referred to the Committee on **Judiciary** and Ordered Printed.

Was referred to the Committee on **Judiciary** in concurrence.

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Bill "An Act to Require Prompt Payment of Wages Due Upon Discharge for All Employees" (S.P. 220) (L.D. 547)

Bill "An Act to Exempt Certain Students from Eligibility for Unemployment Compensation Benefits" (S.P. 222) (L.D. 549)

Came from the Senate, referred to the Committee on **Labor** and Ordered Printed.

Were referred to the Committee on **Labor** in concurrence.

**COMMUNICATIONS**

Bill "An Act Concerning Liability of Persons Selling or Serving Alcohol to Minors" (S.P. 206) (L.D. 533)

Bill "An Act to Prohibit Persons Holding State, County or Municipal Office from Soliciting Election Funds from Their Employees" (S.P. 210) (L.D. 537)

Came from the Senate, referred to the Committee on **Legal Affairs** and Ordered Printed.

Were referred to the Committee on **Legal Affairs** in concurrence.

Bill "An Act to Promote the Safety of Scuba Divers" (S.P. 218) (L.D. 545)

Came from the Senate, referred to the Committee on **Marine Resources** and Ordered Printed.

Was referred to the Committee on **Marine Resources** in concurrence.

Bill "An Act to Clarify the Legislature's Intent Regarding Quitclaim Deeds" (S.P. 223) (L.D. 550)

Came from the Senate, referred to the Committee on **Taxation** and Ordered Printed.

On motion of Representative Gwadosky of Fairfield, tabled pending reference in concurrence and later today assigned.

Bill "An Act to Require the Secretary of State to Notify Owners When Motor Vehicle Registrations Are Due to Expire" (S.P. 208) (L.D. 535)

Bill "An Act Prohibiting the Driving or Parking of Vehicles on Ice-covered Bodies of Water" (S.P. 216) (L.D. 543)

Came from the Senate, referred to the Committee on **Transportation** and Ordered Printed.

Were referred to the Committee on **Transportation** in concurrence.

On motion of Representative Jacques of Waterville, the House reconsidered its action whereby Bill "An Act Prohibiting the Driving or Parking of Vehicles on Ice-covered Bodies of Water" (S.P. 216) (L.D. 543) was referred to the Committee on **Transportation** in concurrence.

On further motion of the same Representative, was referred to the Committee on **Energy and Natural Resources** in non-concurrence and sent up for concurrence.

The following Communication:

Department of  
**ECONOMIC AND COMMUNITY DEVELOPMENT**  
State House, Station 59  
Augusta, Maine 04333

February 7, 1991

The Honorable John L. Martin  
Speaker of the House  
State House Station 2  
Augusta, Maine 04333

Dear Speaker Martin:

Pursuant to MRSA Title 5, Chapter 383, section 13075, I hereby submit the Annual Report on the Economic Corridor Action Grant Program.

Sincerely,

S/Lynn Wachtel  
Commissioner

Was read and with accompanying report ordered placed on file.

**PETITIONS, BILLS AND RESOLVES  
REQUIRING REFERENCE**

The following Bills were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

**Agriculture**

Bill "An Act to Provide Administrative Oversight of Organic Food Certification in Maine" (H.P. 422) (L.D. 605) (Presented by Representative SPEAR of Nobleboro) (Cosponsored by Representative NUTTING of Leeds, Senator TITCOMB of Cumberland and Senator EMERSON of Penobscot) (Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 24.)

Ordered Printed.

Sent up for Concurrence.

**Appropriations and Financial Affairs**

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$50,000,000 for Land for Maine's Future" (H.P. 435) (L.D. 618) (Presented by Representative MITCHELL of Freeport) (Cosponsored by Senator CLARK of Cumberland, Representative NUTTING of Leeds and Representative CONSTANTINE of Bar Harbor)

Ordered Printed.

Sent up for Concurrence.

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**LATER TODAY ASSIGNED**

Bill "An Act to Redefine the Term 'Committee' in the Maine Sunset Act" (H.P. 421) (L.D. 604) (Presented by Representative MANNING of Portland)

(The Committee on Reference of Bills had suggested the Committee on Audit and Program Review.)

On motion of Representative Gwadosky of Fairfield, tabled pending reference and later today assigned.

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**Banking and Insurance**

Bill "An Act Restricting the Use of the Names of Maine Banks on Credit Cards" (H.P. 408) (L.D. 591) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Representative MITCHELL of Vassalboro and Senator KANY of Kennebec)

Bill "An Act to Amend Maine's Commercial Lines Cancellation Laws" (H.P. 427) (L.D. 610) (Presented by Representative HASTINGS of Fryeburg) (Cosponsored by Senator KANY of Kennebec, Senator BRAWN of Knox and Representative JOSEPH of Waterville) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Ordered Printed.  
Sent up for Concurrence.

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**Business Legislation**

Bill "An Act Regarding the Licensing of Nurses" (H.P. 436) (L.D. 619) (Presented by Representative SWAZEY of Bucksport) (Cosponsored by Representative PINES of Limestone, Representative CONSTANTINE of Bar Harbor and Representative DUPLESSIS of Old Town)

Bill "An Act to Improve the Regulatory Operations of the Board of Licensing of Auctioneers" (EMERGENCY) (H.P. 440) (L.D. 623) (Presented by Representative STEVENS of Sabattus) (Cosponsored by Senator RICH of Cumberland, Representative GURNEY of Portland and Senator MATTHEWS of Kennebec) (Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 24.)

Ordered Printed.  
Sent up for Concurrence.

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**Education**

Bill "An Act to Amend the Laws Concerning Postgraduate Education in the Field of Medicine" (EMERGENCY) (H.P. 430) (L.D. 613) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Senator CLARK of Cumberland, Representative NORTON of Winthrop and Representative SHELTRA of Biddeford)

Ordered Printed.  
Sent up for Concurrence.

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**Energy and Natural Resources**

Bill "An Act to Amend the Exemption of Certain Divisions from the Definition of Subdivision" (H.P. 407) (L.D. 590) (Presented by Representative HASTINGS of Fryeburg) (Cosponsored by Representative LORD of Waterboro and Representative GOULD of Greenville)

Bill "An Act to Allow Coastal Towns and Cities to Dump Snow into Intertidal Waters" (EMERGENCY) (H.P. 417) (L.D. 600) (Presented by Representative MELENDY of Rockland) (Cosponsored by Representative RAND of Portland, Representative SALISBURY of Ellsworth and Representative HOGLUND of Portland)

Bill "An Act Relating to the Use of Material-separated, Refuse-derived Fuel" (EMERGENCY) (H.P. 439) (L.D. 622) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Senator COLLINS of Aroostook, Representative McHENRY of Madawaska and Representative COLES of Harpswell)

Bill "An Act to Establish a Harbor Management Fund and Deal with Abandoned Watercraft" (H.P. 441) (L.D. 624) (Presented by Representative COLES of Harpswell) (Cosponsored by Representative LOOK of Jonesboro, Representative MARSH of West Gardiner and Senator VOSE of Washington)

Ordered Printed.  
Sent up for Concurrence.

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**Fisheries and Wildlife**

Bill "An Act Concerning Liability for Licenses, Permits or Registration Forms Lost by Agents of the Department of Inland Fisheries and Wildlife" (H.P. 428) (L.D. 611) (Presented by Representative AULT of Wayne)

Ordered Printed.  
Sent up for Concurrence.

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**Housing and Economic Development**

Bill "An Act to Increase Support for Affordable Housing" (H.P. 404) (L.D. 587) (Presented by Representative MELENDY of Rockland) (Cosponsored by Senator BRANNIGAN of Cumberland, Representative NADEAU of Saco and Senator GILL of Cumberland)

Ordered Printed.  
Sent up for Concurrence.

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**Energy and Natural Resources**

Bill "An Act to Facilitate Economic Growth Compatible with the Maine Environment" (H.P. 434) (L.D. 617) (Presented by Representative GWADOSKY of

Fairfield) (Cosponsored by Representative GOODRIDGE of Pittsfield and Representative POULIN of Oakland)

(The Committee on Reference of Bills had suggested the Committee on **Housing and Economic Development.**)

On motion of Representative Melendy of Rockland, was referred to the Committee on **Energy and Natural Resources**, ordered printed, and sent up for concurrence.

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**Human Resources**

Bill "An Act to Appropriate Funds to the Aroostook Alcohol and Drug Abuse Council" (H.P. 409) (L.D. 592) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Senator COLLINS of Aroostook, Representative PARADIS of Frenchville and Representative MacBRIDE of Presque Isle)

Bill "An Act to Continue Support for the Maine Hospice Council and to Change Certain Provisions of the Law Necessary to the Proper Operations of the Maine Hospice Council" (H.P. 412) (L.D. 595) (Presented by Representative CHONKO of Topsham) (Cosponsored by Speaker MARTIN of Eagle Lake, Representative KILKELLY of Wiscasset and Senator GAUVREAU of Androscoggin)

Bill "An Act Concerning Payment of Services for Mentally Disadvantaged Minors" (H.P. 415) (L.D. 598) (Presented by Representative KUTASI of Bridgton) (Cosponsored by Representative WENTWORTH of Arundel, Representative PENDEXTER of Scarborough and Senator TWITCHELL of Oxford)

Bill "An Act to Amend the Laws Concerning Smoking in Restaurants" (H.P. 420) (L.D. 603) (Presented by Representative MANNING of Portland) (Cosponsored by Representative HEESCHEN of Wilton, Representative RICHARDSON of Portland and Representative TREAT of Gardiner)

Ordered Printed.  
Sent up for Concurrence.

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**TABLED AND ASSIGNED**

Bill "An Act to Facilitate Policies and Procedures of the Driver Education Evaluation Program" (H.P. 425) (L.D. 608) (Presented by Representative GRAHAM of Houlton) (Cosponsored by Representative MAHANY of Easton, Representative CONSTANTINE of Bar Harbor and Senator BOST of Penobscot)

(The Committee on Reference of Bills had suggested the Committee on **Human Resources.**)

On motion of Representative Manning of Portland, tabled pending reference and specially assigned for Thursday, February 14, 1991.

**Human Resources**

Bill "An Act Concerning Deafness" (EMERGENCY) (H.P. 426) (L.D. 609) (Presented by Speaker MARTIN of Eagle Lake) (Cosponsored by Representative ANTHONY of South Portland and Senator BRANNIGAN of Cumberland)

Bill "An Act to Require the State to Administer and Finance the General Assistance Program" (H.P. 437) (L.D. 620) (Presented by Representative FARREN of Cherryfield) (Cosponsored by Senator VOSE of Washington, Representative BAILEY of Township 27 and Representative GRAY of Sedgwick)

Bill "An Act Concerning the Administration of the General Assistance Program for Migrant Workers" (H.P. 438) (L.D. 621) (Presented by Representative FARREN of Cherryfield) (Cosponsored by Representative BAILEY of Township 27, Representative LOOK of Jonesboro and Senator FOSTER of Hancock)

Ordered Printed.  
Sent up for Concurrence.

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**Judiciary**

Bill "An Act to Establish a Crime and Penalty for Killing a Person While Hunting" (H.P. 406) (L.D. 589) (Presented by Representative JACQUES of Waterville) (Cosponsored by Representative POULIN of Oakland, Representative TARDY of Palmyra and Representative MARSH of West Gardiner)

Ordered Printed.  
Sent up for Concurrence.

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**TABLED AND ASSIGNED**

Bill "An Act to Clarify Provisions Relating to the Bureau of Intergovernmental Drug Enforcement" (H.P. 423) (L.D. 606) (Presented by Representative PARADIS of Augusta) (Cosponsored by Representative O'DEA of Orono, Representative MELENDY of Rockland and Representative ADAMS of Portland) (Submitted by the Department of Attorney General pursuant to Joint Rule 24.)

(The Committee on Reference of Bills had suggested the Committee on **Judiciary.**)

On motion of Representative Paradis of Augusta, tabled pending reference and specially assigned for Thursday, February 14, 1991.

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**Judiciary**

Bill "An Act to Improve the Collection of Data by the State Bureau of Identification" (H.P. 429) (L.D. 612) (Presented by Representative RAND of Portland) (Cosponsored by Senator CONLEY of Cumberland, Representative FARNSWORTH of Hallowell and Representative HOGLUND of Portland)

Bill "An Act to Clarify Provisions Relating to

Pharmacies" (H.P. 432) (L.D. 615) (Presented by Representative CARROLL of Gray) (Cosponsored by Senator MILLS of Oxford, Representative PARADIS of Augusta and Senator GAUVREAU of Androscoggin) (Submitted by the Department of the Attorney General pursuant to Joint Rule 24.)

Ordered Printed.  
Sent up for Concurrence.

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Labor

Bill "An Act to Repeal the Student Minimum Wage" (H.P. 413) (L.D. 596) (Presented by Representative PINEAU of Jay) (Cosponsored by Speaker MARTIN of Eagle Lake and Senator ESTY of Cumberland)

Ordered Printed.  
Sent up for Concurrence.

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Legal Affairs

Bill "An Act to Amend the Public Drinking Laws" (H.P. 405) (L.D. 588) (Presented by Representative KERR of Old Orchard Beach) (Cosponsored by Representative WATERMAN of Buxton, Representative HEINO of Boothbay and Senator DUTREMBLE of York)

Bill "An Act Authorizing Sale of Liquor Outside of Exclusive Territory" (H.P. 410) (L.D. 593) (Presented by Representative DiPIETRO of South Portland)

Ordered Printed.  
Sent up for Concurrence.

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State and Local Government

Bill "An Act to Share Proportionately the Public Safety Costs for the Capitol Area" (H.P. 411) (L.D. 594) (Presented by Representative DAGGETT of Augusta) (Cosponsored by Senator BUSTIN of Kennebec, Representative PARADIS of Augusta and Representative LIPMAN of Augusta)

Bill "An Act to Provide for Local Control in the Selection of Artists and Writers for Funding" (H.P. 418) (L.D. 601) (Presented by Representative AULT of Wayne) (Cosponsored by Representative NORTON of Winthrop and Representative FARNUM of South Berwick)

Bill "An Act to Establish a Budget Advisory Committee in Oxford County" (H.P. 433) (L.D. 616) (Presented by Representative ERWIN of Rumford) (Cosponsored by Senator TWITCHELL of Oxford, Representative BENNETT of Norway and Representative BARTH of Bethel)

Ordered Printed.  
Sent up for Concurrence.

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Taxation

Bill "An Act to Raise the Property Tax Exemption for Churches" (H.P. 416) (L.D. 599) (Presented by Representative HICHENS of Eliot) (Cosponsored by Representative MURPHY of Berwick, Senator SUMMERS of Cumberland, Representative HOLT of Bath and Representative MORRISON of Bangor)

Bill "An Act to Amend the Sales and Use Tax for Installations of Data Communications Equipment" (H.P. 419) (L.D. 602) (Presented by Representative CONSTANTINE of Bar Harbor) (Cosponsored by Representative NADEAU of Saco)

Bill "An Act to Permit Counties to Promote Economic Development and Property Tax Relief Through a Dedicated Local Tax on Meals and Lodging" (H.P. 431) (L.D. 614) (Presented by Representative NADEAU of Saco) (Cosponsored by Representative HOGLUND of Portland, Representative DORE of Auburn and Senator BRANNIGAN of Cumberland)

Ordered Printed.  
Sent up for Concurrence.

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Transportation

Bill "An Act Requiring Motor Vehicle Operators to Furnish Their Date of Birth upon the Request of a Law Enforcement Officer" (H.P. 414) (L.D. 597) (Presented by Representative DUPLESSIS of Old Town) (Cosponsored by Representative RICHARDS of Hampden, Representative SAVAGE of Union and Senator HOLLOWAY of Lincoln)

Bill "An Act Regarding Amber Lights on Snowplows and Sanding Equipment" (H.P. 424) (L.D. 607) (Presented by Representative STROUT of Corinth) (Cosponsored by Representative MACOMBER of South Portland, Senator GOULD of Waldo and Representative MARTIN of Van Buren) (Submitted by the Department of Transportation pursuant to Joint Rule 24.)

Ordered Printed.  
Sent up for Concurrence.

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REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative BOUTILIER from the Committee on Transportation on Bill "An Act Concerning the Use of Headlights" (H.P. 92) (L.D. 133) reporting "Leave to Withdraw"

Representative SPEAR from the Committee on Agriculture on Bill "An Act Authorizing Certified Breeders of Domestic Animals to Administer Rabies Vaccinations" (H.P. 61) (L.D. 89) reporting "Leave to Withdraw"

Representative SPEAR from the Committee on Agriculture on Bill "An Act to Facilitate the Reimbursement of Deposits on Pesticide Containers" (H.P. 83) (L.D. 111) reporting "Leave to Withdraw"

Were placed in the Legislative Files without

further action pursuant to Joint Rule 15 and sent up for concurrence.

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(At Ease)

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The House was called to order by the Speaker.

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The Chair laid before the House the following matter: Bill "An Act to Clarify the Legislature's Intent Regarding Quitclaim Deeds" (S.P. 223) (L.D. 550) which was tabled earlier in the day and later today assigned pending reference in concurrence.

On motion of Representative Gwadosky of Fairfield, was referred to the Committee on **Judiciary** in non-concurrence and sent up for concurrence.

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The Chair laid before the House the following matter: Bill "An Act to Redefine the Term 'Committee' in the Maine Sunset Act" (H.P. 421) (L.D. 604) which was tabled earlier in the day and later today assigned pending reference.

On motion of Representative Gwadosky of Fairfield, was referred to the Committee on **State Government**, ordered printed, and sent up for concurrence.

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Representative Marsano of Belfast objected to suspending the rules for the purpose of taking Supplement No. 1 out of order.

The SPEAKER: The Chair will order a vote. The pending question before the House is suspension of the rules. This requires a two-thirds vote of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

91 having voted in the affirmative and 36 in the negative, the motion did prevail.

#### ORDERS

On motion of Representative GWADOSKY of Fairfield, the following Joint Resolution: (H.P. 455) (Cosponsors: Representative HANDY of Lewiston, Representative ANTHONY of South Portland, Representative ADAMS of Portland and Representative DAGGETT of Augusta)

#### JOINT RESOLUTION SUPPORTING THE MEN AND WOMEN OF OUR ARMED FORCES

**WHEREAS**, the President of the United States, with the authorization of the Congress of the United States, has ordered military action against Iraq in an effort to force Iraqi armed forces from occupied Kuwait; and

**WHEREAS**, 415,000 men and women of the United States Armed Forces are now involved in armed conflict; and

**WHEREAS**, 158,000 members of the Reserves and National Guard, including many men and women from Maine, have been called to active duty since August 22, 1990 and may become involved in armed conflict; and

**WHEREAS**, the members of the Legislature and the people of Maine have the greatest pride in the men and women of the United States Armed Forces and support them in their efforts; now, therefore, be it

**RESOLVED**: That, We, the Members of the One Hundred and Fifteenth Legislature of the State of Maine now assembled in the First Regular Session support the swift resolution of this conflict, with a minimum of damage and loss of life; and be it further

**RESOLVED**: That we unequivocally support the men and women of our Armed Forces who are carrying out their missions with professional excellence, dedicated patriotism and exemplary bravery; and be it further

**RESOLVED**: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George H. W. Bush, President of the United States; to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States; to the Secretary of Defense; to the Honorable John R. McKernan, Jr., Governor of the State of Maine; and to Major General Ernest C. Park.

Was read.

The SPEAKER: The Chair recognizes the Representative from Waldo, Representative Whitcomb.

Representative WHITCOMB: Mr. Speaker, Ladies and Gentlemen of the House: This Resolution addresses an issue which has been on the Table for some period of time and I think it is appropriate that we say just a few words.

Several people have come to me and asked when we would be speaking (as a body) in support of our troops and their commanders in regard to the Persian Gulf. Mr. Speaker, I think it is important that we are now able to go on the Record on this issue and so when the vote is taken, I request the yeas and nays.

I think this Resolution is intended in good faith to support our troops and I would add (on the Record) that, from this speaker's perspective, I agreed with the intent of the first Resolution that was before the body where it supported the efforts of the commanders of the troops including the efforts of the Commander in Chief.

I think we should also note that we, as citizens, have no ability to diminish the tragedy in human terms of the war that is occurring in the Persian Gulf nor can we diminish the thrust of the aggressive despot that caused us to be in the position as a nation and as a people in support of our troops.

I do think it is worthy of noting on the Record that we as a legislature and the people of the State of Maine are in support of a world community that believes we must take a stand. For once, it seems to me that the world community has decided that it will



not allow the actions of the despot to continue and have the potential of recreating the world as it was allowed to proceed in the 1930's and then have to be corrected in a more difficult war.

We stand as a body in support of our men and women who have been called to arms and those that may be called to bear those arms, unfortunately, against a people who are fighting a war that they cannot win.

Mr. Speaker, Men and Women of the House, I know that there are several members of this body who are very personally affected by this tragedy as it unfolds in the Mideast. There is a member whose son is there on the front lines. There is also a member of this body who has a brother-in-law that is there on the front lines and in some way or another, each and every person is affected in their community, if not by people that they know personally, but by people that they represent. So I think it is appropriate that we finally act on a Resolution in support of our troops in the Mideast.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

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

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Marsano.

Representative MARSANO: Mr. Speaker, Men and Women of the House: I have just received, as you have, Supplement No. 1 on my desk and, like you, I have not had an opportunity to read it in its entirety.

I was one of the cosponsors of a Joint Resolution which is a matter pending a ruling of the Speaker of the House, which has been pending since February 7, 1991. I am a bit put off because I did not have the opportunity to read this matter before having to vote on it and speak on it.

I am a veteran, consequently, I know something about wearing the uniform of this country. I had the great, good fortune to be a commissioned officer in the service and to avoid times of turmoil, different from those times which apparently lie ahead.

I also was not a veteran during the difficult days of Vietnam when our society did not support our troops. I had just been released from the service at that time and was aware that, for the first time, the United States had given some serious thought to entering upon a course of armed conflict in which it would not seek to prevail. Therefore, I did not go back into the military service but I wore the uniform of the United States proudly as a commissioned officer.

I remember the day at Brunswick in 1958 when my mother pinned my lieutenant's bars on, little gold bars that go on the shoulder of each commissioned officer. I remember telling her on that wonderful June day that she should well remember that those could be a sign of an office which would see me dead in defense of this country, and if that occurred, I wanted her to remember how happy we were that day as I became the first commissioned officer in my family.

A war is a terrible thing. I was able to be in the military when the commitment to arms was not necessary. I often jokingly remarked that the greatest conflict I was confronted by was the Cuban

missile crisis when the Russian boats steamed down the east coast. A soon to be lost President was on television in the nighttime hours telling the country how conflict might await very shortly. I was in the guided missile artillery. We had nuclear arming devices for nuclear weapons that were in missiles that were kept close to those missiles but never were the two together. That night we were told to put them together. I knew that, even though I was in New Jersey, there was the possibility that we were going to be dealing, ever so shortly, with a nuclear holocaust just off the shores of our own country. One does not forget that kind of episode.

Now we are engaged in another kind of war on a far flung perimeter. I remember the words in one of my favorite poems, "I Think About War", an early 20th Century Irish airman foreseeing his death who said, "I know that somewhere among the clouds above that I shall meet my fate. Those that I fight, those that I guard, I do not love; those that I fight, I do not hate" and it seems as though that is what war has deteriorated into. We have men and women in conflict who are constantly confronted by circumstances that call them to arms for purposes which are often not directly related to them.

I was disappointed and I objected to suspension of the rules because I would liked to have joined in the Order, which is Supplement No. 1. I was not afforded that opportunity, although I was afforded the opportunity to sign, and willingly signed, the Order supporting the Resolution that has been tabled since February 7th in this House. I don't know why I wasn't afforded that opportunity. I don't know what will happen to the Order that lies on the Table, though I expect it will be ruled out of order by the Speaker and thus never considered by this House.

I do, however, intend to vote for this Order, Supplement No. 1, because by quick reading, and I again wish I had had the opportunity to read it comprehensively, suggest there is a deletion of some language (and the Representative from Fairfield was kind enough to tell me that that was his view of it) that related to the President of the United States. I don't have the other Order so I can't tell you what it is exactly but I know from the Resolution as it appears here that we unequivocally support the men and women of our Armed Forces who are carrying out their missions with professional excellence, dedicated patriotism and exemplary bravery, to me includes all those who are in the Armed Forces. Of course, our President is the Commander in Chief. I unequivocally support the men and women of our Armed Forces, I hope that their path will be easy, but under any circumstances, I know that that is not likely to be the case. So, while I do not support and in fact abhor the procedures which are used to get an Order before us on which we can vote, I intend to vote for it because I know the difficulties and problems that these brave men and women have as they fight for our freedom and for our liberty so far from home.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Jalbert.

Representative JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I was not a commissioned officer. I was only 18 years old and, within a month of my birthday, I was drafted into the Army and my father died two weeks later. Through the intervention of the good lady who was then a Congresswoman in Washington, Margaret Chase Smith, I

was allowed to graduate from high school. I didn't fight in the war to support Franklin Delano Roosevelt. We were getting \$50 a month. I did not have a chance to go to college and I left home a widowed mother with six minor children. I think one of the most disappointing things would have been if we had heard that we were not supported by the people from home because the Resolution didn't support Franklin Delano Roosevelt.

The Generals and the Admirals and the President make the decisions but when it comes to the fighting and the dying, it is the son of a fisherman off the coast of Maine or the little boy from the tenements from Brooklyn or the farmer's son from Iowa or a sharecropper's son from the south so I feel that there is only one thing (when I saw this) and that is, I will support the young men and women over there. I think we are doing a great disservice to everyone when we say, (in any way) "We will support you but we don't like the way that the leaders did it." Far be it from me to say whether or not President Bush was right or wrong or Secretary Cheney or General Powell — the main thing is, you have young men and women who have had to alter their life to go over there to undo a scab that was growing on this country. If everybody had done the same thing with Hitler in 1936 when he walked into the Rhineland, we wouldn't have ended with the holocaust. We are dealing with a madman, the heights of which we have never seen, and there is only one thing that I am concerned about and that is to let the young men and women in the Persian Gulf know that we are behind them 100 percent.

The SPEAKER: The Chair recognizes the Representative from Nobleboro, Representative Spear.

Representative SPEAR: Mr. Speaker, Members of the House: I would like to speak in support of our troops over there in the Middle East and the Persian Gulf.

As a lot of you know and for those of you who don't know, I do have a son that is over there right now in the Persian Gulf. He is out there in the sand somewhere. When he has been in contact with us, he can't tell us where he is but it is interesting to hear some of the things that have been going on. Then again, he can't tell us a lot that is going on. We had not heard from him for over a month since the 1st of January but I did have a birthday this last week and he and a bunch of boys got together and drove 150 miles and called me about quarter of three the morning of my birthday. It was a pleasant surprise. Therefore, I do think I have a very vested interest in this whole situation.

I think we need to stop and think about what a great country we have and how we arrived at where we are today. The Arab world — the whole situation is not good and we need to stand up for what we believe in. The freedom of our country has been a very valuable asset to us over the years. I think we must remember that our servicemen are all volunteers. They have volunteered to protect the freedom of our country.

I like to stop and think (and I think we all ought to stop and think) about the words in Lee Greenwood's song, "It is great to be an American where at least I know I'm free." I won't forget the men who died to gain that right for me.

I also support our troops and I support the freedom of our country. I am looking forward to the day when we can pass a Resolution here and I can send

it over to my son in the Persian Gulf and tell him that the people here in the State of Maine support those troops.

The SPEAKER: The Chair recognizes the Representative from Cherryfield, Representative Farren.

Representative FARREN: Mr. Speaker, Ladies and Gentlemen of the House: I rise today in support of the men and women who are now serving us in the Persian Gulf. While my service to the country in the Armed Services was during peacetime, it was on foreign soil, but we were trained and ready should it be necessary to defend our country and/or assist our allies in the time of need.

I do have many friends and relatives that did serve in war time. I am sure it is safe to say none of us, including those in the Armed Services today, wanted to go to war but sometimes, as history has proven, it is necessary in the interest of world peace. There are those who are very vocal against the war and I respect their right to express their feelings. However, we must never forget that the reason we have that right in America is because of the many men and women who fought and died in the past. We all know that there are many countries where the citizens do not have that right.

I hope that we will all remember the brave men and women now serving in the Persian Gulf and their families in our prayers and will express our support for them openly.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Jacques.

Representative JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I hadn't planned on speaking on this Resolution but what I have heard this morning has, indeed, peaked my interest. There has been much discussion about our commitment in the Persian Gulf and the commitment we are making. A long time ago, this country had made a commitment to be all things to all nations. We have backed up that commitment in today's times with almost 500,000 of our finest men and women, plus hundreds of millions of dollars of financial resources that we really don't have at this current time. But our President and our Congress, at least the majority of that Congress, decided that that commitment to all the people of the world, including the people of Kuwait, because the principles and the things that we believe in were worth fighting for — that being the principles to enjoy life, to have freedom of choice, to have pride in the later years of your life and to be able to live with the comforts that we all enjoy in this country. I think we should take note of that.

The concern I have is that I heard an elected member of the legislature not too long ago say that we in the State of Maine cannot be all things to all people. I think if we can make a commitment all the way across the world to try to be all things to all nations, I would hope that everyone in this chamber would remember that somewhere along the line, we have to make that same type of commitment to the people here in the State of Maine. We cannot be all things to all people in the State of Maine but I would hope that we can follow the principles and be some of the things to some of the people who are the less fortunate, who definitely need our help and our intervention. We owe the people of the world no less and we owe the people of the State of Maine no less.

We have heard some wonderful speeches about the

commitment to the quality of life of the people across the world — I would hope the people in this chamber, when we unanimously pass this Resolution, will remember that we, indeed, owe that same kind of commitment to our own people in the State of Maine.

Those young men and women over there from this state, fighting for those principles that they are there for, I am sure expect that that same compassion and dedication will be shown to the people in their very own state, the great State of Maine. I thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is adoption. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 12

YEA - Adams, Aikman, Aliberti, Anderson, Anthony, Ault, Bailey, H.; Barth, Boutilier, Butland, Cahill, M.; Carleton, Carroll, D.; Carroll, J.; Cathcart, Chonko, Clark, H.; Clark, M.; Constantine, Cote, Crowley, Daggett, DiPietro, Donnelly, Dore, Duffy, Duplessis, Dutremble, L.; Erwin, Farnsworth, Farnum, Farren, Foss, Garland, Gean, Goodridge, Gould, R. A.; Graham, Gray, Greenlaw, Gurney, Gwadosky, Hale, Handy, Hanley, Hastings, Heeschen, Heino, Hepburn, Hichborn, Hichens, Hogle, Holt, Hussey, Jacques, Jalbert, Joseph, Kerr, Ketover, Kilkelly, Kontos, Kutasi, Larrivee, Lawrence, Lebowitz, Lemke, Libby, Lipman, Look, Lord, MacBride, Macomber, Manning, Marsano, Marsh, Martin, H.; Mayo, McHenry, McKeen, Melendy, Merrill, Michaud, Mitchell, E.; Mitchell, J.; Morrison, Murphy, Nadeau, Nash, Norton, Nutting, O'Dea, Oliver, Ott, Paradis, J.; Paradis, P.; Parent, Paul, Pendexter, Pendleton, Pfeiffer, Pines, Plourde, Poulin, Pouliot, Powers, Rand, Reed, G.; Reed, W.; Richardson, Ricker, Rotondi, Ruhlin, Rydell, Saint Onge, Salisbury, Savage, Sheltra, Simonds, Simpson, Skoglund, Small, Spear, Stevens, A.; Stevens, P.; Stevenson, Strout, Swazey, Tardy, Townsend, Tracy, Treat, Tupper, Vigue, Waterman, Wentworth, Whitcomb, The Speaker.

ABSENT - Bailey, R.; Bell, Bennett, Bowers, Cashman, Coles, Ketterer, LaPointe, Luther, Mahany, O'Gara, Pineau, Richards, Tammaro.

Yes, 137; No, 0; Absent, 14; Paired, 0; Excused, 0.

137 having voted in the affirmative and none in the negative with 14 being absent, the Joint Resolution (H.P. 455) was adopted. Sent up for concurrence.

(Off Record Remarks)

On motion of Representative MacBride of Presque Isle,

Adjourned at 12:12 p.m. until Thursday, February 14, 1991, at ten o'clock in the morning.