

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
22nd Legislative Day
Monday, February 25, 1991

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

Prayer by Reverend Conrad Edwards, Second Baptist Church of Sidney.

Pledge of Allegiance.

The Journal of Thursday, February 21, 1991, was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 300)

JOINT RESOLUTION RECOGNIZING THE ESTABLISHMENT
OF CHILDREN'S CASTLE

WHEREAS, abuse and neglect of children in Maine has reached epidemic levels; and

WHEREAS, private sector entities, in partnership with state agencies, can play ever more vital and effective roles in solving the needs of these beleaguered children; and

WHEREAS, among the new private sector initiatives is Children's Castle, to be located in the towns of Phillips and Avon, which is planned to be a sheltering village for abused, neglected, abandoned and homeless Maine boys and girls; now, therefore, be it

RESOLVED: That, We the Members of the One Hundred and Fifteenth Legislature, now assembled in the First Regular Session, welcome the emergence of this new resource for abused and neglected children; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the founders of Children's Village as a token of our esteem.

Came from the Senate, read and adopted.

Was read.

On motion of Representative Mayo of Thomaston, tabled pending adoption in concurrence and later today assigned.

The following Joint Resolution: (S.P. 249)

JOINT RESOLUTION SUPPORTING THE UNITED STATES
ARMED SERVICES IN THE PERSIAN GULF

WHEREAS, the President of the United States, with authorization of Congress, 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 this 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 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 we support the President, as Commander in Chief, in the Persian Gulf hostilities; 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.

Came from the Senate, read and adopted.

Was read.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Anthony.

Representative ANTHONY: Mr. Speaker, Ladies and Gentlemen of the House: While I support the troops in the Gulf, I do not support all the actions of the President and, consequently, I would ask for a Division on this item.

The SPEAKER: The Chair will order a vote. The pending question before the House is adoption in concurrence of Joint Resolution (S.P. 249). Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Representative Whitcomb of Waldo requested a roll call.

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 Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Men and Women of the House: We are about to consider Resolution Number 3, the item on the Persian Gulf, an issue that has been around this chamber for a period

of time. It is an issue that has been considered with a somewhat amount of controversy.

Like most wars, Operation Desert Storm, began with a spirit of common purpose and national unity. The United States, out of a multi-member coalition of countries, attempting to enforce U.N. Resolutions, the U.S. also providing 65 percent of the total troops (ironically) against a country that we have supported for the last decade. Evidence would indicate that war clearly has its own momentum. You can see this by the national polls. Clearly the perception is, now that we are war, it is the thing to do or perhaps it is the only thing we can do.

There have also been those who have sought to take advantage of our circumstances. I read with interest an article that appeared in the Science Monitor on February 11th and it was entitled "Conservatives Hope War Will Play GOP's Way in 1992." I want to share with you a portion of the article, it references Jesse Helms. It says, "Republican Jesse Helms says there is a new popular T-shirt in his home state of North Carolina that says you are either a patriot or you are a scud. Conservatives like Senator Helms bursting with pride over the Persian Gulf War feel revitalized in this third year of the Bush presidency. Leaders of the movement say that the war with Iraq gives them and the Republican Party a formidable political advantage as the United States moves toward the 1992 elections. Clearly conservatives hope to portray the 1992 elections as the battle of the patriots versus scuds, with the Republicans playing the role of the patriots who will vigorously defend American interests."

I felt after reading this...troubled. I wondered to myself, is this what we have become — that while brave young men and women in another part of the world, risking most everything on behalf of most of us who risk absolutely nothing, had we become nothing more than a gaggle of politicians willing to wrap ourselves in the flag to exploit the war for political purposes? I hoped and prayed that somehow perhaps our own state would resist the temptation to involve ourselves in the politics of war, the propaganda of war and those hopes were dashed, obviously, as we considered one, two and now three expressions of Legislative Sentiment.

As you know, the original Resolution had been tabled in this body pending a ruling of the Chair because there was a technical violation of that particular Resolution because the sponsors had never signed it prior to it appearing on the calendar. The second Resolution was adopted unanimously in this House and was tabled in the other body for another technical violation.

I talked to the Minority Party after we considered the Resolution last week and a couple expressed concern that we couldn't have dealt with this in a non-partisan fashion and were concerned that it did become political and other people wanted to speak on it but were too emotional about the topic to speak at that time. I relate to them the circumstances prior to our consideration of the second Resolution last week. I met with the Minority Leader, Representative Whitcomb, behind the glass and inquired as to whether or not he thought there would be debate if we were to consider the first Resolution. He indicated that people felt strongly about it and very likely people would be debating that issue. I had no problem with that. I think

Representative Spear and others who spoke, spoke eloquently about their feelings on that issue.

I tried to be as honest as I could with Representative Whitcomb and I indicated to him that, frankly, while many members of our caucus had concerns about our involvement or invasion and would have preferred to see sanctions, allow the option for diplomatic breakthroughs, they were concerned about the inconsistency with our foreign policy in the Middle East for a number of years but that we were willing to move forward on this Resolution in spite of that because we recognize that it was a Joint Resolution.

As you know, this particular Resolution does not memorialize Congress to do anything, it is essentially a formalized expression of Legislative Sentiment and we were ready to accept that as being just that. My concern was, if there was going to be an attempt during the course of debate to manipulate the debate to the extent that it would be very difficult to support the expression of Legislative Sentiment, that I had a difficult time putting some of my members in a position of having to actually oppose a Resolution that, in fact, supported the troops. So I suggested to Representative Whitcomb — why don't we resolve this, we have a lot of issues to deal with this year? Why don't you allow me, Representative Whitcomb, to suspend the rules to consider the first Resolution and members of your caucus can discuss it and members of my caucus can discuss it. Then we will adopt it under the hammer. Representative Whitcomb said, "Well, I feel strongly that my members are going to want to have a recorded vote." I asked, "Why?" He said, "Well, they are going to be speaking to groups and they want to be able to pass this out and show that they supported it." I said, "Doesn't adopting this (unanimously) achieve that goal?" He said, "I think my members really would want a recorded vote." So I asked Representative Whitcomb if the possibility existed that there might be members of his caucus who were trying to achieve something other than adoption? I think we both knew the answer to that question. That was reenforced later on when we adopted the second Resolution and the Governor of this state indicated that the Majority Party had just slapped the President of the United States in the face.

I believe that most Americans fully support the troops in the Persian Gulf. Go to any back country road or city street and you will see the yellow ribbons on trees, mailboxes and lapels of children going to school showing their support of our troops. I also suggest that while many Americans are completely in support of the troops that there are still many who are concerned about the war itself and our goals to be achieved, be they national security, control of oil, jobs or whatever. For as long as our objectives are unclear, it becomes difficult to reach a goal.

Before the war began, people in this state and around the country debated the Persian Gulf, debated our involvement in the Persian Gulf — we did that at church, at the grocery stores and probably the only place where it really counted was in the Halls of Congress. We debated the possibility of sanctions, the opportunity for a diplomatic breakthrough and whether or not our actions in the Middle East over the last ten years have been consistent and may have actually contributed to the event. We debated about the human cost of war and most agreed that Iraq's

aggression over Kuwait was brutal and illegal and that Iraq must leave Kuwait and by force if necessary. The difference was and always has been, not in the goals to be achieved, but in the means to achieve those goals, whether or not force should be used immediately or only as a last resort. As Senator Mitchell and so many others have pointed out, we will never know whether or not that course of action might have worked because now we are at war.

Now that the war has begun, obviously we pray for the swift resolution of this. We pray, hopefully, for minimum loss of life and damage. There will be, however, loss of life. I think our amazement with the technology of this war has so far masked the primitive nature of its violence, particular now as we head into the ground war in the last day or so.

I think most people would agree in this chamber (I hope they would agree) that this is a war we need to fight on our own terms and that Saddam Hussein is a cold-blooded murderer. I think most people would agree that he is perfectly willing to sacrifice 10 Iraqis for one American, hoping that casualties will turn U.S. public opinion against the war or break up the allied forces. He knows that U.S. casualties will lead the news and what is on top of the headlines in newspapers. He also knows that that is his only hope of avoiding complete defeat. Make no mistake about it, there has never been any doubt that Americans and America will win this war — the question has always been — at what cost and what price are we willing to pay?

Our hearts go out to those prisoners of war who have had to endure brutality and who have been exploited. We care for their families and we honor their bravery. People such as these who risk everything should feel secure that a grateful nation cares for them, not only during but after the war. After the war is over, I would suggest that we all have a responsibility to reexamine our foreign policy as a nation and that is a unique responsibility that each of us has in this aspect.

In response to the State of the Union address, Senator Mitchell said, "Out of the tragedy of war, we seek a world where the force of law is more powerful than the force of arms. We seek the world where justice and human rights are respected everywhere." We seek a world where human rights are respected everywhere, not just in some places and that gets at the root of many of whom have opposed our involvement in this war because clearly the United States has sent mixed signals to the Middle East and several other countries over the years and is it unreasonable for people to question if you accept the premise that we invaded Iraq with the U.N. forces and the allied forces because of their invasion of Kuwait? Is it unreasonable for people to question why we didn't go after China when they invaded Tibet? Is it unreasonable to question why we supported Iraq in its unprovided aggression of Iran or Morocco's savage occupation of the Western Sahara? Is it unreasonable to question whether or not Israel's occupation of the West Bank is fair and reasonable? Were not the priests that were murdered in Central America or the demonstrators who were gunned down (in my ancestors home country of Lithuania) wrong? Is Iraqi soldiers killing civilians wrong? I would ask the members of this body, (with respect) can we oppose aggression in one place and overlook it in another? I would suggest that such inconsistency is no basis for the foreign policy of a truly great nation.

I support President Bush as our President and I support him as our Commander in Chief. I am proud, frankly, that we have a connection with the President of the United States, a Maine connection. I have to believe that he believed that he was doing the right thing when he did the action that led to the U.N. involvement that led to the allied invasion. At the same time, I fully reserve my right to disagree with him from time to time and will, over the years, continue to do that.

I do hope that we can keep our consideration of these expressions of Legislative Sentiment in perspective. If there is debate today, let us not attempt to betray as unamerican those people who might disagree with this war or who may disagree with the actions of the United States in getting to this point because in our society, a Democratic society, we cherish the ability of reasonable people to openly disagree. We celebrate the diversity of our citizens as a country of caring people.

Senator Cohen in his comments on the Senate floor regarding the prospects of an Iraqi invasion said, "No one should question the motives of patriotism or political aspirations of those who choose to disagree with the President because war or the best way of achieving peace is the business of each of us."

I support the Resolution before us understanding that it is an expression of Legislative Sentiment. What we accomplish or don't accomplish by adopting this is best left to individual interpretation by the members of this body. I support the Resolution before us understanding it will have little positive impact on improving the condition of our fighting men and women. I support the Resolution understanding that it is time for us to move on and deal with issues that we can have an impact on. There is a tremendous task ahead of us this year in the legislature and we need to move on and deal with those issues.

I would hope that we could collectively offer our support for the sons and daughters, mothers and fathers, brothers and sisters and relatives who are in the Persian Gulf and pray, indeed, for their swift and safe return and would urge your adoption of the following Resolution.

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

Representative WHITCOMB: Mr. Speaker, Men and Women of the House: I rise today in support of the Resolution as I have arisen in support of the Resolution that we had before us in the past. It is certainly my intent and I suspect the intent of the vast majority of the members of this body to vote in favor of this Resolution and I certainly would not want to suggest that anyone who chose not to was in any way making a statement that is unamerican. Obviously, one of the reasons that we have fought this war and other wars is to protect the right of those who wish to make such statements.

I would like to add a little bit to the comments of the Majority Leader concerning the conversation that he and I had in the back of the hall of the House before we had our previous vote. It was a very open and honest conversation and one that perhaps could have led to a quicker resolution of this matter which has been pending before the body now for so many weeks. It is clearly the feeling of many in our caucus that the reason the Resolution was not passed or even brought before the House to be passed was that the original version included a reference to the

Commander in Chief. When it is suggested that somehow Republicans want to initiate a process of making this a political statement, I would only respond that maneuvering to try to remove the name of the Commander in Chief, the Republican President, could be interpreted by some also as a political effort.

I was very honest with the Representative from Fairfield in saying that our people (many of those who did come to me) did want to go on Record. In my mind, it is a very clear and simple statement, those who choose to vote another way have that perfect right and those individuals, I know, will be treated fairly by myself and by anyone else.

Other issues regarding this matter that have been before this House — if I recall, there was an issue a year or two ago concerning the flag. Frankly, I am not aware that that made a campaign issue in any contest. We truly believe that it is the right of each individual to express their own opinion.

I understand, although the Representative from Fairfield didn't tell me when we had that conversation, from press accounts the substitute Resolution which we voted unanimously through this body was something (at least in part) crafted with assistance from Senator Mitchell's office. Two press accounts have made that comment, I would assume that to be correct. That was the version that deleted the reference to the Commander in Chief. We supported any Resolution through this body that will be a clear statement because in my mind it is only appropriate that we now stand or that we can now vote for a Resolution that includes support of our President and his position in regard to our troops in that part of the world as well as the troops themselves.

Each individual member must choose to vote their own conscience and as they feel their constituents would wish them to vote. It is, as I said before, a clear and simple statement. It is not an attempt to any further politicize this issue but to simply move it along so it could be a true expression of our sentiment.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Lord.

Representative LORD: Mr. Speaker, My Learned Colleagues: In Time magazine towards the end of the year, there was an article, "Is Kuwait Worth Dying For?" In the January 14th issue of that magazine, a fellow by the name of Ben Barney from Spokane, Washington states, "The real justification for being in Saudi Arabia is to stop World War III before it starts."

I am not speaking to you as a veteran because I was a 4-F during World War II. As a matter of fact, I went to the Draft Board to be examined, I wanted to raise some chickens but before I started another brood, I requested from the Draft Board to afford a ruling. I went over to Dr. Cobb's office in Sanford, walked in the door and he noticed I limped a little bit and he said, "What's the matter with your leg?" I said, "I've got a stiff knee." He said, "Do you mind if I look at it?" I said, "Heck no." He looked at it and said, "4-F." I said, "Well, I can drive a truck, I can be in the supply office, there are a lot of things that I can do." He said, "You stay home and take care of the women." That's what I did.

You know, history has a habit and historians tell us that history repeats itself — let's look at what happened before World War II. In 1933, President Von Hindenburg appointed Hitler the Chancellor of

Germany. The first thing that Hitler did was to withdraw from the League of Nations. In 1935, he started an Air Force, which was in direct violation to the Treaty and the surrender that they did. In 1938, he went into Austria. The League of Nations did nothing, nothing at all when he started his Air Force. They did nothing at all when he went into Austria, they sat on their hands. In 1938, Franklin Delano Roosevelt, President of this country said, "You can't appease anybody like that." But they still appeased them. In 1939, he went into Czechoslovakia and nothing was done. Finally, on 9-1-39 he went into Poland and that was when England declared war on Germany.

Now, what has happened over there in the Persian Gulf? We have a man that came into power and he has done about the same thing that Hitler did. He built up an Army, a big Army, fourth largest Army in the world. He didn't build this size Army just to go into little Kuwait and drive them off, he had the same designs as Hitler had. If somebody hadn't stopped him, probably we would be in World War III. We had a bunch of politicians, statesmen I call them, that said no, we can't allow this to happen. The man that really stood up in the forefront was the President of the United States. He and Secretary of State Baker got together a coalition of 30 countries (I won't name them off, they are here in this article I have) who have participated in it. There are another 18 countries that have given economic and humanitarian assistance also so it isn't just the United States.

I am very proud that we had a man in this country that had the guts and the intestinal fortitude to stand up and be counted because if he hadn't done it, there is a possibility that the same thing would have happened as it happened in World War II. I think by him doing this, we have done something that has really gotten the nation together. I don't believe I have ever seen people in my town or in the area that I represent who are so highly in back of him. So I thank God that we do have a President, I don't care whether he is a Democrat or Republican, we have a man who will stand up to be counted and because he stood up to be counted, possibly in a few short weeks we will eliminate any possibility of a World War III.

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

Representative JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: As we meet here this moment, some young man or young woman, American boy or girl, is either wounded or being killed at this very moment. The last couple of days we have been very fortunate that such a small casualty report has come back.

I have seen six times, in my lifetime, where this country had to take up arms to defend itself or defend what they believed in. This is not the first time that the Commander in Chief has been condemned for the action he took. They condemned Franklin Delano Roosevelt for not stepping forward earlier in World War II. They condemned Harry Truman for the action that he took in Korea. They condemned Dwight Eisenhower, John Kennedy, Lyndon Johnson and Richard Nixon for the action that they took in Vietnam — why didn't they act before, why didn't they act this way or that way?

They have since condemned Ronald Reagan for the action he took in Panama. They condemned even our own Allies. England condemned President Reagan for

the action that he took in Grenada. They condemned him for the action he took in Lebanon. No one in this country would want to swap jobs with George Bush this morning, at least not I. He is a good man and a kind man, a family man. George Bush is a true American who fought in World War II. He did not sit back home like a rich boy could but was a fighter pilot. To put him in the same category as Saddam Hussein is a personal vendetta and to say that it is some kind of a personal engrossment — that is out.

My main concern right now is what is going through the minds of these young men and young women who are in the deserts of Saudi Arabia and Kuwait. We complain about the weather here — no time in the history of this country has young men and women had to fight a war under the conditions which has never been imposed on any Armed Forces in any foreign country before. I can't imagine (in World War II) living under the conditions of the government of Saudi Arabia with their strict religious beliefs, which have been imposed on the American boys and girls. My concern is that we have these young people there this morning — they should know that we are behind them 100 percent and we should convey to them that we like what they are doing, we appreciate it, but we don't appreciate what the President did. I would ask you to support it unanimously.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Heesch.

Representative HEESCHEN: Mr. Speaker, Members of the House: I am very much saddened by this war which seemed so avoidable; yet perhaps it was inevitable. While we honor our young men and women, our friends, neighbors, our children, it would be instructive, perhaps sobering for us to reflect on our current predicament and how we got there, how our nation and we ourselves have contributed to this tragedy.

I won't mention the arms buildup that we, as a nation, contributed to. I am mentioning the warnings that we received over the last 20 years or so in the form of the various oil crisis starting in the early '70's. These crises started us thinking about energy but over the past ten years, as we prepared for war and we start preparing for peace, we've dismantled the far-sided energy conservation and renewable energy programs and policies that were started. I can't help but think, very sadly, that if we had continued these programs, we could have eliminated our dependency on oil. Persian Gulf sources, any sources, would not have been important, not just to us, but to those around the world who would have benefited from alternative technologies. Therefore, individual tyrants would not have been able to take advantage of the current situation all out of proportion to their own power. I think we could have avoided war.

The just released national energy policy, the President's national energy policy, is a sham. It doesn't mention renewable energy, it doesn't mention conservation, it is a producer's energy policy. I find it very hard to accept that we, in addition to the sacrifices over the last ten years of our infrastructure in this country, of our social programs, are now prepared to sacrifice the lives of our kids (in part) for the lack of an energy policy.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Holt.

Representative HOLT: Mr. Speaker, Ladies and Gentlemen of the House: To be sure, yes we do

support our troops, they are our families and our country people. They have pledged to support our Constitution and they have given up certain civil rights in order to be in a position to defend us against aggression and to guard our nation.

Many of our young people enlisted in the military, only superficially conscious of the idea of giving up their lives or their limbs or their mental health. Many, and I know some personally, were beguiled by the offer of jobs and their education they could not otherwise afford. This, after all, has been (for a long time) pictured as the age that is getting beyond war.

We know gunboat diplomacy must be resolved into something better sooner or later or, as has been said before, if we do not put an end to war, war will put an end to us. To that end, our military has been pictured as peacekeepers, not as war makers. Nevertheless our troops, when called upon, go obediently and bravely wherever they are ordered to go. Of course we support our troops and care for them deeply, we have said that unanimously in this House. They are constantly in our prayers. It is right that we should say so and it is fitting that we should say so here in the Maine State Legislature. They, in turn, have a right to expect even more of us. They have a right to expect of us as a nation with ideals and a President with ideals to live up to those ideals.

When we tell them we will deter injustice and aggression against others, it is understood that we must deter injustice and aggression wherever it rears its ugliness without going to war, if humanly possible, and not just when our policymakers see it as an advantage to our country or our allies. As we proclaim our support of human rights and freedom, we must support those rights and freedoms everywhere, not just where we may see it as to the advantage of great powers in the world.

Our troops have been brought up in their families and schools from sea to shining sea to believe in the United States of America as a morally upright nation and our Resolution must be never to let them down. This Resolution before us leaves little room for people like me who believe that we did not do enough in negotiating for peace in a dangerous world. I want you to know that I have prayed for our President, daily, but I cannot support him in these hostilities.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative McHenry.

Representative MCHENRY: Mr. Speaker, Ladies and Gentlemen of the House: I want to start off by saying that I do support the troops and I don't think there is a person in the United States of America that does not support the troops, allies or ours. I cannot support the President. I will tell you plainly, I just cannot.

Back in August, I told the press up home that I thought what the President was doing was threefold: he was taking care of the S&L, which his son is involved in, covering it up and our good Senators and Congressmen, some of them have something to gain by covering that up and putting it on the backs of the taxpayers of the United States of America. That is one. The other one is that he was paying off his oil people, that the price of oil was going out of sight — what for? Ten percent of that oil from Kuwait was going to the United States and 90 percent was going to our competitors, Germany and Japan, and we are out

there fighting for them. Great! Another thing that just came in is that our great contractors already have \$18 or \$19 billion of contracts that they are going to be receiving to rebuild Kuwait. I think it is awful. Another thing I said at that time was, how else with the peace that we were experiencing with Russia, who was operating with the United States, the defense budget was going down through the floor — how else could he build it up to go through the ceiling? I ask you, using brain logic, not being brainwashed by the press, not being brainwashed by what you hear, using your own judgment — I, for one, have not heard anything from this President of the United States that would tell me that I should send my son or daughter to die for the cause. He has not explained anything to me that would put me in that position.

Representative Heesch has alluded to the energy crisis that we have in this state — yes, a few years ago, we could have spent \$1 billion — right now we are spending \$2 billion a day. For \$1 billion, we could have had Dickey-Lincoln, which would have been millions of gallons of oil, millions of barrels of oil, to help this nation but we just put it away because of one little flower. You ask the veterans of the United States of America how the United States Congress is helping them, those that have served already. I have received letters after letters saying that they are not being treated well. Where is the United States Congress when our people need help, once they have served and were injured? Where are they, these fine Congressmen, these fine United States Senators that are supposed to be there representing us?

There is another plan that we are going to spend million and millions and millions and billions of dollars of the taxpayers money, not only to the S&L but now this war — are we ever going to have a health plan that is going to help everybody? No. We do have one for our Congress people and our Senators, our military personnel — yes, they have one, but we are not going to have one for our constituents. They will make sure that we don't have the money to do it.

I do not support the President one bit, were he Democrat or Republican or Independent, because I don't believe that our United States Congress is doing what is right for the people. I don't believe that. It is big business, big business, big money and we ignore our constituents. I don't ignore them. I have received letters after letters from veterans and I am sure that most of the people in Aroostook have — they are being ignored. They are not only being ignored by the federal government but also by the State of Maine, so I don't support him.

Politicians are very, very generous with other people's money and other people's lives but ask them to put their hands in their pocket to help these people, ask them to put their children lives on line for these people, they will not. I have a son-in-law who has been there and was fortunate enough to come back the day before Christmas but apparently he is going back in March. I have two nephews who are there so don't tell me I don't know what I am talking about. I feel for people, I don't feel very much for politicians. Like I said, they are very generous with other people's lives, other people's money.

The SPEAKER: The Chair recognizes the Representative from Mexico, Representative Luther.

Representative LUTHER: Mr. Speaker, Ladies and Gentlemen of the House: Whether it was a good idea

or not, we have decided to debate the Joint Resolution supporting the United States Armed Services in the Persian Gulf and part of that Resolution supports the President of the United States. I don't see how we can support our troops without supporting our President. This action in the Persian Gulf is not akin to the action of the Spanish Civil War when citizens of the United States used their own money to go fight fascism before World War II.

I, too, would have much preferred the sanctions to work and I, too, marched and I, too, prayed but it didn't happen, we are over there. I don't like what I see on the other side of the coin here. While no one has suggested that if you don't support this Resolution you are unpatriotic — are you suggesting that those of who do, like war?

In the Rumford-Mexico area, we have 50 people, 50 young men and women, who are over there. Either we support them or we do not. I support these troops, I don't see how we can support the troops and not support the President who sent them there. They didn't hitchhike over there, they were sent there by the President of the United States.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Richardson.

Representative RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry to speak today, I didn't want the first time I spoke on the floor of this House to be on an issue that is so full of potential misunderstanding.

As I listened to Representative Jalbert discuss this motion before us, I thought back that, as I agreed with him and voted with him on the previous motion on this matter that came before this body — why are we discussing the matter a second time? Why was it brought before us a second time?

Fundamentally and I don't want to tread through my perspectives on this, I do not want to talk about the fact that I believe that sanctions had demolished Mr. Hussein's attempts, which were essentially to gain control of that oil and build up greater armaments. He had lost the ability to, not only sell Kuwait's oil, but to sell his own on the world market and it was only a matter of time until his economy collapsed. I don't want to get into that discussion. The instinct is too hard to go into those serious and important policy issues.

There is one primary point that I keep coming back to — if we voted in favor of this, if in fact we support our troops and support our country in a time of trouble — why are we, once again, casting a vote on that issue?

I come back to the motion before us, there is one statement which has classically been used to co-mingle and confuse the discussion of serious issues in the United States. In fact the Section that goes: "Resolved: That we support the President, as Commander in Chief, in the Persian Gulf hostilities" and then it goes on — this is the classic instance in which we have confused the President, who is the symbol of our country, and the President as policymaker, to demand adherence because we love our country to the specific policies of that particular President in any serious matter. We have a serious matter in the Gulf and many of us have a variety of perspectives on that. I am impressed, over and over, that the only reason that in effect this issue was brought back before us is to try to

deal with the issue of, in a sense, us because we all support our President in the broad generic sense that he is the leader of our country and we are all patriotic and that we thereby agree with all of his particular points of view on a given issue.

I see myself as having to vote against this. I voted for the earlier Resolution that was brought before this House because I believed in it but in this effort which seems to me to be almost a cynical attempt to turn a defense of particular policies into a questioning of patriotism about our concern for the well-being of our young men and women in the Gulf. It is almost an attempt to try to put us on the horns of a dilemma that though we don't want to, those of us who believe that we recognize the difference between the President as policymaker and the President as a symbol of our country, have to acknowledge.

The British political system has always made that differentiation between the Prime Minister and the King or Queen. You always could criticize the Prime Minister and nobody could fault your patriotism or integrity because you did and were loyal to the King or Queen, the symbol of your country. We have always mixed that up in this country because we put the symbol of our country into chief policymaker of our country and that confusion has constantly raised emotions.

I empathize terribly with the people who have been through war. I have seen violent death and I have not seen it in the form of a uniform. I empathize terribly with those people who have been through violent death or seen violent death as it is connected to our service members in any particular conflict and the deep emotions they feel. But Mr. Speaker, if we are being asked to say that we agree that the particular policy stances and I can think of two or three with which I have disagreement — if those are the true agenda that is before us and not the fact that we have supported and do support our young men and women over there, which we said we did about two weeks ago — if this is the new agenda that is brought before us and we are being asked to pass a policy judgment on the particular decisions with which we disagree and the consequences of which we will live with (I think for years) as we turn Saddam Hussein into something of an emotional hero in that part of the world, there will very serious consequences for future wars where we failed to follow through on the discipline of the sanctions that would have taken two or three years to bring that cruel regime down. If we pass judgments like those on this situation and if, in fact, this section on supporting the President as the Commander in the decision that he has made in the Gulf, then one is put formally on the horns of that dilemma since that seems to be the real agenda and it does bring me to the point voting against my instincts in the matter, which are to support the young men and women there and to reflect the fact that I, too, like Representative Jalbert, Representative Lord and all the other members of this body, do care a great deal about this country and its welfare in the world and care a great deal about the cause of peace in the long run.

I did not want to stand up on an emotional issue like this at the start of my involvement in this body and I apologize for that. I think we have to discipline ourselves to separate, which has not been done today, the distinction of the President as a

person who holds the most important office that makes policy judgments and the symbol of our country. We can rest confident that we voted for the President as the symbol of our country in the earlier Resolution that was before this body and, in this one, we can say that in some particular way, yes we dissent, because that section is clearly the different section that is being brought before us today. Otherwise, it would be the same Resolution that has been brought forth before us twice.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Farnum.

Representative FARNUM: Mr. Speaker, Members of the House: I speak to you as an individual more than I do as a Republican or a Democrat. My family has fought in every major war in this country. They fought on Bunker Hill, you will find a Farnum that fought on Bunker Hill. The only wars that we have not fought in is the last two small ones in South America.

I backed President Roosevelt. In fact, I voted for President Roosevelt because I thought he was right in what he was doing. I voted for Truman because I thought he was right in what he was doing. I voted for Ronald Reagan also because I thought he was right in what he was doing. They were backing the protection of the world, they weren't backing oil, they weren't backing industry or anything else.

If you had watched TV last night about one o'clock in the morning, I am sorry to say I was up that late, they brought out a book that Saddam had written, the same as Mein Kampf by Hitler. In that book, it stated that he was going to conquer the world and how he was going to do it. If we don't back our President and don't back our troops, we deserve the fate that Europe got when they didn't back Roosevelt when he wanted to step in and when they didn't back Chamberlain when he wanted to step in. We have got to look at the facts, not emotions.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Hichens.

Representative HICHENS: Mr. Speaker, Members of the House of Representatives: I did not realize that the first speech I made this year would be on this issue but I feel that I must rise to my feet and express my opinions on what has been said and what may be the thoughts of many in this House today.

Not too many of us here lived back in the thirties and saw the aggression of Adolph Hitler as he moved from one country to another and always used the excuse, "This is all I wanted, I want no more." Then the following year, he would move into another country. He began to oppress the people and finally we went to war and lost thousands of men and women because he wasn't stopped in the first place.

I visited the memorial in Jerusalem of the Holocaust and saw the pictures and read of the accounts of what happened to those Jewish people under Hitler's persecution. Then we saw Mr. Saddam Hussein start moving the same way.

We have a President who went through World War II and he knew what was coming and knew that it had to be stopped. There is no comparison, as I can see it, with what the Majority Leader said comparing this to the West Bank on the Gaza Strip and what has happened to South America and places — this is an altogether different situation. I commend the man, who after he agonized so much over it as I know our President did, and then decided of what he had to do with the

approval of Congress, with the approval of the coalition of nations — they gave Saddam Hussein all sorts of opportunities to withdraw and not to force us into these hostilities in which we are now engaged.

I was filled yesterday when I heard on television how our President had called his Cabinet together to go to church yesterday morning to pray for this issue. I thank God that we have a praying President and we have leaders in other nations who are praying along with him, not relying upon themselves, but upon the Almighty to help in this situation.

We should support our President, we should support our troops and so I hope you will vote for this Resolution today.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Oliver.

Representative OLIVER: Mr. Speaker, Ladies and Gentlemen of the House: I have a nephew on the front line there, Tim Oliver. Every night, my wife and I and children (like you) are watching CNN and we are fearful. I would like to take my personal fear, my concern for family, a little further than that. I think the fear that I have now, as it settles in, is the fear for people.

As a low income advocate, I see this state and this nation slipping into being a third world state and a third world country, not being able to supply adequate medical care, not being able to supply adequate homes for our people, unemployment lines that are growing. As a low income advocate, I would have to stand and raise the issue of the war here at home, the war on the streets of Kittery and Bangor and Portland, the war against crime, the war against poverty, the war against illiteracy and the war against unemployment. It is hard for me to believe that a missile costing \$1.6 million (the figure I heard the other day) could solve our budget crisis here in the State of Maine.

I think it was very well stated by the French Ambassador the other day who you saw on television and he said it with a very sad tone — that this is not a success, that war itself is a failure of foreign policy. If you heard the debate with Father Drynan on television in which he went back to 600 years of church history and they had defined war as "just war" or "unjust war" and there are seven criteria — Father Drynan says this does not meet two of those seven criteria. The one criteria does not mean that options, all alternatives, were fully explored. They were not. The other criteria is that the destruction of war is worth more than the victory and it is hard for me to believe that we are creating a new world order on top of thousands of deaths that will mean hundreds of years of hatred in that area, of destruction of irreplaceable historical sites along the Tigris and Euphrates Rivers, cradle of democracy, cradle of civilization. It is hard for me to believe the ecological damage that is going to be in that area for hundreds of years was worth it.

I think we have an obligation to hope for the speedy and safe return of our troops and I do that. We also have a further human obligation to think of all people, our brothers and sisters who may not speak the same language and may have a different color skin, but who also have the right for life, liberty, and the pursuit of happiness. I think it was stated, "Blessed Be the Peacemakers for They Shall Inherit the Earth", a very powerful statement.

When I think of this great, powerful, and noble country of ours, I think of a country that should

have had more wisdom and more patience and more insight and more diplomacy because the truly great nation is not the powerful one by arms, but by its ideals. I would like us, instead of exploiting war, exploit our Constitution and help to create constitutional democracy in that area.

When I look at the results of that monster in the Middle East, Saddam, I know who has created it. The Germans built the chemical factories to get those scud missiles into Israel. The French and British built the bunkers and our arms dealers sold the arms. Whatever comes out of this war and, hopefully, it ends in the next week or so, we have to reevaluate who we are as human beings on this small planet and value all human life and value all the beauty that history and people have created through the various civilizations, history that we are now destroying.

I pray for peace. I will not support this Resolution. I think the President of the United States should have heeded the Senator from Maine who wanted more time for sanctions to work. Blessed be the peacemakers.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Handy.

Representative HANDY: Mr. Speaker, Ladies and Gentlemen of the House: I had the distinct honor and privilege to cosponsor the Resolution that we voted for on February 13th. I support the men and women who serve in the Persian Gulf and put themselves in jeopardy as well as their families. Make no mistake about it that we can support the men and women who serve our country and oppose the policy. It can be done and I can clearly give you one simple example why.

As you may recall, last weekend efforts were being made by neutral countries, although countries who supported the United States in its efforts to rid the world of the torturous, repressive, exploitive and murderous regime of Saddam Hussein, these efforts were ongoing last weekend but I cannot support a President who will commit a sin of omission to its people while peace initiatives are ongoing. A decision had been made to launch a ground defensive two weeks earlier, two weeks earlier. That is not giving a chance for diplomacy to work. Those sanctions were working, and if you think back, not to the history cited earlier but were equally important by Representative Lord, look back to the sanctions that were sought to be imposed upon the country of South Africa, a similar regime that existed then to that which exists in Iraq today and you will find, if you look closely at the facts, the countries that sought to subvert the sanctions that were imposed by numerous United Nations Resolutions, the United States, Great Britain, France and Canada lead the list. We had all of those countries working and forming a seal around the country of Iraq and the regime of Saddam Hussein and was crippling that nation in a manner that did not put our own people at risk. That is how I separated the policy from the President and I cannot support the President whose policy is that of war.

A couple of weeks ago, I was reading a book that I was familiar with in my school days by Carl Sandburg and his collection of poetry called, "The People Yes" and I would like to read a passage from that. As a parent who looks down at his desk at his young children and I envisioned my five year old daughter saying these words: A little girl saw her first troop parade and asked, what are those?

Soldiers. What are soldiers? They are for war, they fight and each tries to kill as many as the other side he can. The girl held still and studied. Do you know...I know something. Yes, what is it that you know? Sometimes they will give a war and nobody will come. As I envisioned my daughter saying those words and living them — just last week, it kind of came true for me. On one of those sunny mornings that we had last week, the chickadees were out in the white pines in my front yard singing away, I told my daughter to go out in the driveway and listen to the chickadees singing and flitting about and she did. She was out there for a good ten minutes and came back in and said, "Daddy, you know what they are singing? They are singing, give peace a chance."

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Treat.

Representative TREAT: Mr. Speaker, Men and Women of the House: I am sorry that the issue of these Resolutions supporting our troops in the Gulf has turned into a big debate.

Earlier this month I voted for, and in fact helped draft, a compromise Resolution that this House already passed unanimously which supported unequivocally the men and women of the Armed Forces who have been called to active duty in this conflict. I believe it is possible and, for me, it is absolutely necessary to both disagree with some of the decisions of President Bush concerning the Gulf war and, at the same time, be proud of, care about, and support the men and women who are risking their lives in this war. I can only hope that as many of these young people as possible will survive this war and will return home to their families and to their lives here in Maine. Unfortunately, I believe that President Bush's decisions, some of them, may have hastened just the opposite results.

I also believe that it is equally important that we as legislators support our troops and their families here at home and I implore the members of this body to spend at least as much time and effort as we are spending debating these Resolutions to accomplish these goals, goals such as providing for education, health care, decent housing, child care for their children, and to make sure they do not face discrimination as veterans of previous wars have faced when they came home.

I will vote against this particular Resolution but I believe my vote is a vote for peace and for the people who serve in our Armed Forces and for the families that they have left here at home.

The SPEAKER: The Chair recognizes the Representative from Frenchville, Representative Paradis.

Representative PARADIS: Mr. Speaker, Men and Women of the House: When Saddam Hussein talked to our ambassador to Iraq, Madam April (I am not sure of her last name) about this foray he was planning here, she told him that the position of the Bush administration was not to interfere between Arabs...it was an Arab-Arab issue. Then the next thing we know, we are deploying off the Kennebunkport golf course a quarter of a million troops to go and interfere with this Arab-Arab issue.

I am voting today to protest that flawed communication and I am wearing yellow because I do support our troops but this really bothers me that we are so out of touch with our ambassadors that they would make such a flawed communication to a madman like Hussein.

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Goodridge.

Representative GOODRIDGE: Mr. Speaker, Men and Women of the House: A previous speaker suggested that we base our decision on facts and not emotions. I am extremely uncomfortable with that suggestion. Are you really comfortable with allowing this decision to be made without emotion?

I, too, did not expect my first speech on the floor of this House to be made on this issue. When I decided to run for this office last year, it was the last thing on my mind, given that the Berlin Wall was down and Nelson Mandela was free. I am not really old enough to remember much of the Vietnam War so this is my first exposure to armed conflict and it is an experience that I hope I never go through again.

It is not a black and white issue, there are many gray areas. The policies that got us there are perfect examples. The absolute issues are that, yes Hussein must be stopped and yes the troops deserve and have our support to get their jobs done and get them home safely — the question is whether this is the right solution. Having no previous experience with war, I am not prepared to support it as the only solution; therefore, I cannot support the President and will vote against this Resolution, having previously voted in support of our troops.

The SPEAKER: The Chair recognizes the Representative from Palmyra, Representative Tardy.

Representative TARDY: Mr. Speaker, Ladies and Gentlemen of the House: I have three sons and a daughter and I consider them vulnerable. Their mother and I talk a lot about this issue. I am going to vote in favor of this Resolution and I am going to vote to support the President. When I do that, I think about my towheaded nephew who is in the Middle East and the picture I have of him is as a young towhead swinging at a 3 and 0 pitch while I was tearing the sweatband out of my baseball cap — I can't picture him swinging an M16 but that is what he is doing.

I am going to vote for this Resolution and I am going to leave it for history to judge whether we have traded political expediency for casualties and if that is the verdict and I am still here, I am going to pray that God will forgive George Bush because those who die on the field of battle won't be able to.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Aliberti.

Representative ALIBERTI: Mr. Speaker, Men and Women of the House: I am really emotional about this debate that is taking place here. I looked around the House and there may be half a dozen here of us that served with great pride in World War II. We didn't ask any questions, we knew our background, we knew what the cause was. There are similarities today.

I, too, will vote for this Resolution. Have any of you heard of Malmedy Spa, the Bulge? I personally served in an area that, relatively speaking, was identical with the scud. I knew of the Buzz Bomb also known as the Doodle Bug, rather sophisticated to the V-2 of which I have some collective parts in my cellar at home. Have you heard of the Beast of Belsen? These are the things that brought about what is going on in the Middle East today. We have a Beast of Belsen right there. We have a person that is identified with the same thing that happened in

Malmedy Spa, the complete annihilation of our great soldiers who didn't even have a chance.

I just can't conceive of what the benefits are of debating this motion here today. I just conceive of it. I am not accusing anyone but I find it a very emotional issue and I cannot understand how anyone can vote against this Resolution.

The SPEAKER: A roll call has been ordered. The pending question before the House is adoption of S.P. 249, Joint Resolution Supporting U.S. Armed Services in the Persian Gulf. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 13

YEA - Adams, Aikman, Aliberti, Anderson, Ault, Bailey, H.; Bailey, R.; Barth, Bell, Bennett, Boutilier, Bowers, Butland, Cahill, M.; Carroll, D.; Carroll, J.; Chonko, Clark, H.; Coles, Cote, Crowley, Daggett, DiPietro, Donnelly, Duffy, Duplessis, Dutremble, L.; Erwin, Farnum, Farren, Foss, Garland, Gould, R. A.; Greenlaw, Gwadosky, Hale, Hanley, Hastings, Heino, Hepburn, Hichborn, Hichens, Hussey, Jacques, Jalbert, Kerr, Ketover, Kilkelly, Kontos, Kutasi, Lawrence, Lebowitz, Lemke, Libby, Look, Lord, Luther, MacBride, Macomber, Manning, Marsano, Marsh, Martin, H.; Mayo, Melendy, Merrill, Michaud, Mitchell, E.; Morrison, Murphy, Nadeau, Nash, Norton, Nutting, O'Gara, Paradis, P.; Parent, Paul, Pendexter, Pendleton, Pineau, Pines, Plourde, Poulin, Pouliot, Powers, Reed, G.; Reed, W.; Richards, Ricker, Rotondi, Ruhlin, Salisbury, Savage, Sheltra, Simpson, Skoglund, Spear, Stevens, A.; Stevenson, Strout, Swazey, Tamaro, Tardy, Townsend, Tracy, Vigue, Waterman, Whitcomb, The Speaker.

NAY - Anthony, Cathcart, Clark, M.; Dore, Farnsworth, Gean, Goodridge, Gray, Handy, Heeschen, Hoglund, Holt, Joseph, Larrivee, McHenry, McKeen, O'Dea, Oliver, Paradis, J.; Pfeiffer, Rand, Richardson, Rydell, Saint Onge, Simonds, Stevens, P.; Treat, Wentworth.

ABSENT - Carleton, Cashman, Constantine, Graham, Gurney, Ketterer, LaPointe, Lipman, Mahany, Mitchell, J.; Ott, Small, Tupper.

Yes, 110; No, 28; Absent, 13; Paired, 0; Excused, 0.

110 having voted in the affirmative and 28 in the negative with 13 being absent, S.P. 249 was adopted in concurrence.

Bill "An Act to Provide Equitable Representation on the Board of Trustees of the Maine State Retirement System" (S.P. 283) (L.D. 765)

Resolve, to Create the Commission to Study a Long-term Disability Program for the Maine State Retirement System Members (EMERGENCY) (S.P. 288) (L.D. 770)

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

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

Bill "An Act Relating to Health Insurance" (S.P. 265) (L.D. 742)

Bill "An Act to Provide Coverage for Chiropractic Services under Health Maintenance Organization Plans" (S.P. 289) (L.D. 771)

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

Were referred to the Committee on **Banking and Insurance** in concurrence.

Bill "An Act to Remove the Sunset Provision of the Journeyman-in-training Electrician's Licensure Laws" (EMERGENCY) (S.P. 278) (L.D. 737)

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

Was referred to the Committee on **Business Legislation** in concurrence.

Bill "An Act Providing a Procedure for the Termination of the Degree-granting Authority of Educational Institutions" (S.P. 273) (L.D. 732)

Bill "An Act to Provide Funding for Volunteer Literacy Services for Maine Citizens" (S.P. 291) (L.D. 773)

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

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

Bill "An Act to Provide Assistance to Small Business Owners of Underground Oil Storage Tanks" (S.P. 262) (L.D. 721)

Bill "An Act to Amend the Growth Management Program Laws" (S.P. 267) (L.D. 726)

Bill "An Act to Allow Fort Knox State Park in Prospect to Retain All or Part of Its Admission Fees" (S.P. 272) (L.D. 731)

Bill "An Act to Eliminate the Maine Land Use Regulation Commission" (S.P. 281) (L.D. 740)

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

Were referred to the Committee on **Energy and Natural Resources** in concurrence.

Bill "An Act to Conform the State Endangered Species Protection Laws with Those of the Federal Government" (S.P. 264) (L.D. 723)

Bill "An Act Concerning Surveys Conducted by the

Department of Inland Fisheries and Wildlife" (S.P. 270) (L.D. 729)

Bill "An Act Regarding Moose and Antlerless Deer Permits for People Who Have Been Called to Active Duty" (S.P. 280) (L.D. 739)

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

Were referred to the Committee on **Fisheries and Wildlife** in concurrence.

Bill "An Act Pertaining to the Licensing of Boarding Care Facilities" (S.P. 269) (L.D. 728)

Bill "An Act to Reestablish the Board of Visitors of State Institutions, except for the Augusta Mental Health Institute and the Bangor Mental Health Institute" (S.P. 279) (L.D. 738)

Bill "An Act to Amend the Laws Governing the Bath Children's Home" (S.P. 282) (L.D. 741)

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

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

Bill "An Act Relating to the Definition of Gross Sexual Assault under the Maine Criminal Code" (S.P. 274) (L.D. 733)

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

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

Bill "An Act Concerning the Retention of Power Packs Used in Ballot Counting Machines" (S.P. 271) (L.D. 730)

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

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

Bill "An Act to Direct the State to Adjust Its Computer Systems so that the Names of Individuals or Corporations Are Written as They Are Legally Stated" (S.P. 266) (L.D. 725)

Bill "An Act to Amend the Laws Concerning Removal or Destruction of Landmark Locations by State Departments" (S.P. 276) (L.D. 735)

Bill "An Act to Clarify the Voting Requirements for a Board Containing 3 or More Members" (S.P. 285) (L.D. 767)

Bill "An Act Relating to the Knox County Budget Process" (EMERGENCY) (S.P. 290) (L.D. 772)

Resolve, to Rename Pickle Island to Woodie Wheaton Island (S.P. 284) (L.D. 766)

Came from the Senate, referred to the Committee on **State and Local Government** and Ordered Printed.

Were referred to the Committee on **State and Local Government** in concurrence.

Bill "An Act to Provide that Income Data for Maine State Retirement System Retirees be Made Available to the Maine State Retirement System" (S.P. 286) (L.D. 768)

Bill "An Act to Require a Current Tax Map Reference on a Declaration of Value" (S.P. 287) (L.D. 769)

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

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

Bill "An Act to Amend the Laws Concerning the Aeronautical Functions Investigation" (S.P. 277) (L.D. 736)

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

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

Bill "An Act Concerning Certain Personnel Records" (S.P. 263) (L.D. 722)

Bill "An Act to Provide Customer Option to Block Access to Specific Charge Call Services" (S.P. 268) (L.D. 727)

Bill "An Act Authorizing Measured Telephone Service for Business Customers" (S.P. 275) (L.D. 734)

Resolve, to Establish the Commission on Electric Utilities and Long-range Energy Production Planning (EMERGENCY) (S.P. 292) (L.D. 774)

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

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

Unanimous Leave to Withdraw

Report of the Committee on **Taxation** reporting "**Leave to Withdraw**" on RESOLUTION, Proposing an

Amendment to the Constitution of Maine to Define "Just Value" (S.P. 54) (L.D. 84)

Report of the Committee on Taxation reporting "Leave to Withdraw" on Bill "An Act to Provide Incentives for Senior Citizens to Remain Residents of Maine" (S.P. 100) (L.D. 185)

Report of the Committee on reporting "Leave to Withdraw" on Bill "An Act to Provide an Income Tax Exclusion for Income Earned by Service in the Maine National Guard" (S.P. 109) (L.D. 206)

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 in concurrence.

Non-Concurrent Matter

Bill "An Act to Provide for Local Control in the Selection of Artists and Writers for Funding" (H.P. 418) (L.D. 601) which was referred to the Committee on State and Local Government in the House on February 13, 1991.

Came from the Senate referred to the Committee on Education in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act to Make a Technical Correction in the Enabling Legislation of the St. Croix International Waterway Commission" (EMERGENCY) (H.P. 553) (L.D. 790) which was passed to be engrossed in the House on February 21, 1991.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-22) in non-concurrence.

The House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1991 and to Change Certain Provisions of the Law" (EMERGENCY) (H.P. 192) (L.D. 274) which was passed to be engrossed as amended by House Amendments "A" (H-11), "B" (H-12), "C" (H-13), "D" (H-14) and "F" (H-16) in the House on Thursday, February 7, 1991.

Came from the Senate passed to be engrossed as amended by Senate Amendment "I" (S-21) in non-concurrence.

On motion of Representative Gwadlosky of Fairfield, tabled pending further consideration and later today assigned.

COMMUNICATIONS

The following Communication:

DEPARTMENT OF CONSERVATION
STATE HOUSE STATION 22
AUGUSTA, MAINE 04333

February 22, 1991

The Honorable Charles P. Pray
President of the Senate
Senate Chambers
State House Station #3
Augusta, Maine 04333

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

Dear President Pray and Speaker Martin:

Pursuant to Title 12 MRSA, sub-section 8612, I have submitted to the Joint Standing Committee on Energy and Natural Resources a report on "Activities Under the Field Forester Program." I send you the enclosed copy for your information.

Additional copies of the report are available from the Forest Management Division of the Maine Forest Service.

Sincerely,

S/C. Edwin Meadows, Jr.
Commissioner

Was read and with accompanying report ordered placed on file.

The following Communication: (H.P. 568)

STATE OF MAINE
DEPARTMENT OF STATE
AUGUSTA, MAINE 04333

February 20, 1991

Honorable John L. Martin
Speaker of the House
115th Maine State Legislature
State House Station #2
Augusta, Maine 04333

Dear Mr. Speaker:

In accordance with the provisions of Title 30-A, Section 701 of the Revised Statutes, as amended, I have the honor to transmit herewith the budget estimates of expenses of the counties within the State for the year 1991.

Received to date and attached: Androscoggin
Aroostook
Franklin

Oxford
Penobscot
Sagadahoc
Washington
York

Sent up for Concurrence.

Respectfully,

S/G. William Diamond
Secretary of State

Was Read and Referred to the Committee on State and Local Government and sent up for concurrence.

**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 Allow the State Harness Racing Commission to Allocate Dates for a Period of 3 Years" (H.P. 547) (L.D. 784) (Presented by Representative TARDY of Palmyra)

Ordered Printed.
Sent up for Concurrence.

Appropriations and Financial Affairs

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$10,000,000 to Provide Funds for the Municipal Capital Investment Fund" (H.P. 549) (L.D. 786) (Presented by Representative MICHAUD of East Millinocket) (Cosponsored by Representative COLES of Harpswell, Senator PEARSON of Penobscot and Representative LORD of Waterboro)

Bill "An Act to Authorize a General Fund Bond Issue in the Amount of \$35,000,000 for Construction, Planning, Purchasing and Renovation of Correctional Facilities" (H.P. 559) (L.D. 802) (Presented by Representative MAYO of Thomaston) (Cosponsored by Representative ANTHONY of South Portland, Representative GWADOSKY of Fairfield and Representative McKEEN of Windham)

Ordered Printed.
Sent up for Concurrence.

Banking and Insurance

Bill "An Act to Amend the Law Concerning the Maine High-Risk Insurance Organization" (H.P. 546) (L.D. 783) (Presented by Representative RAND of Portland) (Cosponsored by Representative MITCHELL of Vassalboro, Representative KETOVER of Portland and Representative CARLETON of Wells)

Ordered Printed.

Education

Bill "An Act to Permit Students to Take Tests for Credit for Certain Classes" (H.P. 556) (L.D. 799) (Presented by Representative AULT of Wayne) (Cosponsored by Senator McCORMICK of Kennebec)

Bill "An Act to Amend the School Approval Standards" (H.P. 558) (L.D. 801) (Presented by Representative NORTON of Winthrop) (Cosponsored by Senator LUDWIG of Aroostook, Representative AULT of Wayne and Representative DAGGETT of Augusta)

Bill "An Act to Amend the Laws Relating to Funding of Education" (H.P. 560) (L.D. 803) (Presented by Representative HEINO of Boothbay) (Cosponsored by Representative KERR of Old Orchard Beach, Senator BRAUN of Knox and Representative ANTHONY of South Portland)

Ordered Printed.
Sent up for Concurrence.

Energy and Natural Resources

Bill "An Act to Improve Energy Efficiency in Buildings" (H.P. 561) (L.D. 804) (Presented by Representative HEESCHEN of Wilton) (Cosponsored by Representative COLES of Harpswell, Representative MITCHELL of Freeport and Senator McCORMICK of Kennebec)

Bill "An Act to Put a Moratorium on the Closing of Landfills" (H.P. 562) (L.D. 805) (Presented by Representative GRAY of Sedgwick) (Cosponsored by Representative LORD of Waterboro, Representative GOULD of Greenville and Senator MILLS of Oxford)

Bill "An Act to Amend the Law Relating to Road Dust" (H.P. 564) (L.D. 807) (Presented by Representative LORD of Waterboro) (Cosponsored by Senator LUDWIG of Aroostook, Senator TITCOMB of Cumberland and Representative GOULD of Greenville)

Ordered Printed.
Sent up for Concurrence.

Human Resources

Bill "An Act to Clarify Certain Provisions of the Hospital Care Financing System and Provide for Systematic Consideration of Consumer Viewpoints by the Maine Health Care Finance Commission" (H.P. 550) (L.D. 787) (Presented by Representative MANNING of Portland) (Cosponsored by Senator GAUVREAU of Androscoggin) (Submitted by the Maine Health Care Finance Commission pursuant to Joint Rule 24.)

Bill "An Act to Protect the Public Health by Strengthening Maine's Radiation Protection Program" (H.P. 557) (L.D. 800) (Presented by Representative HOLT of Bath) (Cosponsored by Representative KILKELLY

of Wiscasset, Representative COLES of Harpswell and Senator FOSTER of Hancock)

Ordered Printed.
Sent up for Concurrence.

Joint Select Committee on Corrections

Bill "An Act to Correct Language in the Laws Governing Intensive Supervision" (H.P. 545) (L.D. 782) (Presented by Representative COTE of Auburn) (Cosponsored by Representative MELENDY of Rockland, Senator MILLS of Oxford and Senator GAUVREAU of Androscoggin) (Submitted by the Department of the 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, was referred to the **Joint Select Committee on Corrections**, ordered printed, and sent up for concurrence.

Judiciary

Bill "An Act to Amend the Power of Sale Foreclosure Laws" (H.P. 555) (L.D. 798) (Presented by Representative MARSANO of Belfast) (Cosponsored by Senator HOLLOWAY of Lincoln, Representative OTT of York and Representative HASTINGS of Fryeburg)

Bill "An Act to Amend Maine's Antitrust Laws" (H.P. 566) (L.D. 809) (Presented by Representative STEVENS of Bangor) (Cosponsored by Senator GAUVREAU of Androscoggin, Representative PARADIS of Augusta and Representative OTT of York)

Ordered Printed.
Sent up for Concurrence.

Labor

Bill "An Act to Encourage Health Insurance in Public Contracts" (H.P. 541) (L.D. 778) (Presented by Representative McKEEN of Windham) (Cosponsored by Senator CONLEY of Cumberland)

Ordered Printed.
Sent up for Concurrence.

Legal Affairs

Bill "An Act Relating to Credit Terms for Retail Liquor Licensees" (H.P. 539) (L.D. 776) (Presented by Representative DiPIETRO of South Portland)

Bill "An Act to Amend the Election Laws" (H.P. 542) (L.D. 779) (Presented by Representative OTT of York)

Ordered Printed.

Sent up for Concurrence.

Marine Resources

Bill "An Act to Amend the Dates for Scallop Fishing in the Damariscotta River" (H.P. 544) (L.D. 781) (Presented by Representative HEINO of Boothbay) (Cosponsored by Representative SPEAR of Nobleboro, Senator HOLLOWAY of Lincoln and Representative MITCHELL of Freeport)

Bill "An Act to Improve Grading and Inspection of Maine Sardines" (EMERGENCY) (H.P. 552) (L.D. 789) (Presented by Representative TOWNSEND of Eastport) (Cosponsored by Senator VOSE of Washington, Representative MITCHELL of Freeport and Senator BRAUN of Knox)

Bill "An Act Regarding Siting, Monitoring and Husbandry Practices in Aquaculture" (H.P. 567) (L.D. 810) (Presented by Representative STEVENS of Bangor) (Cosponsored by Representative HOLT of Bath, Representative MITCHELL of Freeport and Representative MARSH of West Gardiner)

Ordered Printed.
Sent up for Concurrence.

State and Local Government

Bill "An Act to Improve the Disbursement of Wages to Municipal Employees" (H.P. 538) (L.D. 775) (Presented by Representative HEESCHEN of Wilton) (Cosponsored by Representative ST. ONGE of Greene, Representative LOOK of Jonesboro and Senator BRAUN of Knox)

Bill "An Act to Clarify the Laws Relating to the Election or Appointment of Assessors" (H.P. 548) (L.D. 785) (Presented by Representative LARRIVEE of Gorham) (Cosponsored by Representative WENTWORTH of Arundel and Representative GOODRIDGE of Pittsfield)

Bill "An Act to Provide Information to Persons Voting on Municipally Bonded Indebtedness Proposals" (H.P. 565) (L.D. 808) (Presented by Representative ANTHONY of South Portland) (Cosponsored by Senator BERUBE of Androscoggin, Representative LOOK of Jonesboro and Representative WATERMAN of Buxton)

Ordered Printed.
Sent up for Concurrence.

Taxation

Bill "An Act to Require That Property Taxed under the Maine Tree Growth Tax Law and the Farm and Open Space Tax Laws Be Recorded in the Registry of Deeds" (H.P. 540) (L.D. 777) (Presented by Representative CARLETON of Wells)

Bill "An Act to Provide Comprehensive Property Tax Relief" (H.P. 563) (L.D. 806) (Presented by Representative CASHMAN of Old Town) (Cosponsored by

Speaker MARTIN of Eagle Lake, Senator COLLINS of Aroostook and Representative HOGLUND of Portland)

Ordered Printed.
Sent up for Concurrence.

Transportation

Bill "An Act to Provide Operating Funds for the Casco Bay Island Transit District" (H.P. 543) (L.D. 780) (Presented by Representative RAND of Portland) (Cosponsored by Senator BRANNIGAN of Cumberland, Representative ADAMS of Portland and Senator CONLEY of Cumberland)

Bill "An Act to Amend the Gross Vehicle Weight Limits of Commercial Vehicles" (H.P. 551) (L.D. 788) (Presented by Representative MITCHELL of Freeport) (Cosponsored by Senator CLARK of Cumberland)

Ordered Printed.
Sent up for Concurrence.

ORDERS

On motion of Representative HICHBORN of Howland, the following Order:

ORDERED, that Representative B. Carolyn T. Mahany of Easton be excused February 26 to March 13 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Donald H. Gean of Alfred be excused February 27 to March 1 for personal reasons.

Was read and passed.

REPORTS OF COMMITTEES

Unanimous Ought Not to Pass

Representative NORTON from the Committee on Education on Bill "An Act to Require That Phonics Be Taught from Kindergarten to Grade 3" (H.P. 63) (L.D. 91) reporting "Ought Not to Pass"

Representative GURNEY from the Committee on Business Legislation on Bill "An Act to Require that Measurable Material Sold at Retail Be Less Expensive Per Unit of Measurement as the Package Size Increases" (H.P. 11) (L.D. 14) reporting "Ought Not to Pass"

Representative CLARK from the Committee on Fisheries and Wildlife on Bill "An Act to Prohibit Shooting from or across an Accepted Road" (H.P. 62) (L.D. 90) reporting "Ought Not to Pass"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Unanimous Leave to Withdraw

Representative O'DEA from the Committee on Education on Bill "An Act to Require that Handwriting be Taught from Kindergarten to Grade 6" (H.P. 64) (L.D. 92) reporting "Leave to Withdraw"

Representative LAWRENCE from the Committee on Legal Affairs on Bill "An Act to Authorize Trained Police Officers to Take Blood Samples in Operating-under-the-influence Cases" (EMERGENCY) (H.P. 50) (L.D. 70) reporting "Leave to Withdraw"

Representative RICKER from the Committee on Transportation on Bill "An Act to Amend the Law Governing Abandoned Vehicles" (H.P. 122) (L.D. 167) reporting "Leave to Withdraw"

Representative HALE from the Committee on Transportation on Bill "An Act to Authorize the Issuance of State Identification Cards to People Under the Age of 21" (H.P. 76) (L.D. 104) reporting "Leave to Withdraw"

Representative MITCHELL from the Committee on Banking and Insurance on Bill "An Act to Amend the Automobile Insurance Anti-group Laws" (H.P. 312) (L.D. 442) reporting "Leave to Withdraw"

Representative MITCHELL from the Committee on Banking and Insurance on Bill "An Act Regarding the Acceptance of Certain Checks" (H.P. 57) (L.D. 85) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

Refer to the Committee on Agriculture

Representative STROUT from the Committee on Agriculture on Bill "An Act to Appropriate Emergency Funds for the Maine Potato Breeding Program" (EMERGENCY) (H.P. 394) (L.D. 568) reporting that it be referred to the Committee on Appropriations and Financial Affairs.

Report was read and accepted.

On motion of Representative Tardy of Palmyra, was recommitted to the Committee on Agriculture and sent up for concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H.P. 130) (L.D. 186) Bill "An Act to Continue Milk Pool Payments to Dairy Farmers Affected by the Newport Plant Closure" (EMERGENCY) Committee on Agriculture reporting "Ought to Pass"

(H.P. 65) (L.D. 93) Bill "An Act to Authorize Certified Reserve Officers to Enforce Motor Vehicle Registration Laws" Committee on Transportation reporting "Ought to Pass"

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, February 26, 1991 under the listing of Second Day.

CONSENT CALENDAR

Second Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the Second Day:

(H.P. 154) (L.D. 239) Bill "An Act to Shorten the Tax Abatement Application Period"

(H.P. 90) (L.D. 131) Bill "An Act to Regulate Further Ozone-depleting Products" (C. "A" H-18)

No objections having been noted at the end of the Second Legislative Day, the House Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

PASSED TO BE ENGROSSED

Bill "An Act to Conform the Maine Income Tax Law for 1990 with the United States Internal Revenue Code" (EMERGENCY) (H.P. 8) (L.D. 11)

Was reported by the Committee on **Bills in the Second Reading**, read the second time, Passed to be Engrossed, and sent up for concurrence.

(Off Record Remarks)

On motion of Representative Mayo of Thomaston, Adjourned at 1:30 p.m. until Tuesday, February 26, 1991, at ten-thirty in the morning.
