

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

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1977

SELECTED
MEMORIALS
AND
JOINT RESOLUTIONS

State of Maine

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Six

JOINT RESOLUTION IN OBSERVANCE OF THE BICENTENNIAL
OF THE FIRST NAVAL ENGAGEMENT OF THE
AMERICAN REVOLUTION

Whereas, on June 12, 1775, angry settlers at Machias, Maine, with pitchforks, fowling pieces and sickles, attacked and captured His Royal Britannic Majesty's Schooner *Margaretta*; and

Whereas, this event was the first naval battle between the American colonists and an armed British vessel during the War for Independence; and

Whereas, the news of this victory traveled rapidly and boosted the morale of Americans when they were about to challenge the world's greatest naval power; now, therefore, be it

Resolved: That We, the Members of the 107th Legislature on behalf of the People of Maine and our Nation of States take this opportunity to honor the proud history and heritage of this event and through appropriate celebrations in communities throughout the State join constituents in rededicating ourselves to the blessings of freedom for which this battle was fought two hundred years ago; and be it further

Resolved: That suitable copies of this Joint Resolution be prepared and transmitted forthwith by the Secretary of State to the National and State Bicentennial Commissions for the purpose of calling this important event to the attention of all citizens.

IN CONVENTION

Read and Adopted

February 26, 1976

State of Maine

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Six

JOINT RESOLUTION IN OBSERVANCE OF THE BICENTENNIAL OF COLONEL BENEDICT ARNOLD'S MARCH TO QUEBEC

Whereas, a small army of 1100 patriots inspired and fired with love of liberty and their country struggled up this very valley of Kennebec in the fall and winter of 1775; and

Whereas, this force led by Colonel Benedict Arnold traveled through some 600 miles of wilderness in 8 weeks in one of the most heartbreaking and most grueling military expeditions of our War for Independence; and

Whereas, history records this daring but ill-fated attempt to wrest Quebec from the British as a campaign without parallel in the American Revolution; now, therefore, be it

Resolved: That We, the Members of the 107th Legislature, now assembled in Special Session in this Bicentennial Year, on behalf of the People of Maine, recognize and commemorate in appropriate ceremony at this time the anniversary of this great historic event and in doing so, pause to reflect and to rededicate ourselves, like those patriots of the past who marched to Quebec so long ago, to the cause of liberty which led to the founding of our great nation; and be it further

Resolved: That suitable copies of this Joint Resolution be prepared and transmitted forthwith by the Secretary of State to the National and State Bicentennial Commissions for the purpose of calling this important event to the attention of all citizens.

IN CONVENTION

Read and Adopted

February 26, 1976

State of Maine

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Six

JOINT RESOLUTION IN OBSERVANCE OF THE BICENTENNIAL OF THE BURNING OF FALMOUTH

Whereas, a naval expedition was designed and ordered to sail on October 6, 1775 to "chastise," by burning, nine New England towns for embarrassing incidents involving the Royal Navy; and

Whereas, the savage and barbaric plan was designed to punish rebels and thereby, hopefully, break their will to resist Britain's colonial policies; and

Whereas, on October 18, 1775, Falmouth, a small commercial town nestled near the tip of a narrow, three-mile long peninsula that jutted out into island-dotted Casco Bay, was left in a heap of ashes following an eight-hour bombardment; and

Whereas, this unheard of cruelty contributed significantly to the desire for independence and as word spread seemed to effectually unify colonists in opposition to the tyranny of Great Britain; now, therefore, be it

Resolved: That We, the Members of the 107th Legislature now assembled in Special Session in this Bicentennial Year, on behalf of the citizens of the State of Maine, take this opportunity to join the townspeople of Falmouth and their descendants in rededicating ourselves to this tragic historic event and like those patriots of the past, unify in appropriate recognition of that cherished principle of freedom so often taken for granted; and be it further

Resolved: That suitable copies of this Joint Resolution be prepared and transmitted forthwith by the Secretary of State to the National and State Bicentennial Commissions for the purpose of calling this important event to the attention of all citizens.

IN CONVENTION

Read and Adopted

February 26, 1976

State of Maine

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Six

JOINT RESOLUTION PROTESTING
THE THREATENED REDUCTIONS AT
LORING AIR FORCE BASE

Whereas, the Legislature has learned that the Air Force is recommending inactivation of the 42nd Strategic Air Command Wing of the 69th Bomb Squadron at Loring Air Force Base and, in addition, is recommending severe cuts in the manning levels of the base; and

Whereas, grave doubts have been publicly raised about the strategic wisdom of inactivating the 42nd Strategic Air Command Wing; and

Whereas, it is estimated that 83% of the Air Force personnel stationed at Loring Air Force Base would be transferred because of this recommended cut and that 70% of the civilians employed at Loring Air Force Base would lose their jobs at the base; and

Whereas, the inactivation of the 42nd Strategic Air Command Wing and the cut back in personnel would be an extremely damaging blow to the economy of Aroostook County and the State of Maine; and

Whereas, the Air Force has indicated that the decision concerning this reduction is not yet final; and

Whereas, if these reductions are necessary to the federal defense budget they should be equitably apportioned among all Air Force bases in the United States rather than concentrated at Loring Air Force Base; and

Whereas, federal law requires the Council on Environmental Quality and the Air Force to weigh carefully evidence of environmental and economic damage which these reductions might cause; now, therefore, be it

Resolved: That We, the Members of the 107th Legislature assembled in Special Session, do hereby respectfully protest the recommended reductions at Loring Air Force Base and urge and request the Members of the Maine Congressional Delegation to use every means possible to bring the Air Force to a reconsideration of the strategic, economic and environmental wisdom of instituting these reductions; and be it further

Resolved: That duly attested copies of this Resolution be immediately transmitted to those congressional delegates with our thanks for their prompt attention to this important matter.

House of Representatives

Read and Adopted

March 12, 1976

Sent Up For Concurrence

EDWIN H. PERT,

Clerk

In Senate Chamber

Read and Adopted

In Concurrence

March 15, 1976

HARRY N. STARBRANCH,

Secretary

H. P. 2188

A True Copy

Attest

Secretary of the Senate of Maine

State of Maine

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Six

JOINT RESOLUTION MEMORIALIZING THE HONORABLE BENJAMIN F. BAILAR,
POSTMASTER GENERAL OF THE UNITED STATES AND THE CITIZENS
STAMP ADVISORY COMMITTEE TO ORDER THE ISSUANCE OF A
SPECIAL STAMP COMMEMORATING GENERAL HENRY KNOX.

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the Special Session of the One Hundred and Seventh Legislative Session now assembled, most respectfully present and petition the Honorable Benjamin F. Bailar and the Citizens Stamp Advisory Committee, as follows:

Whereas, the American cause was in mortal danger in the winter of 1775-76. The Americans had the British penned up in Boston, with the Redcoats being unaware of the artillery shortages existing within the rebel ranks; and

Whereas, America might have lost its fight for nationhood in its infancy if General Henry Knox, a bookseller turned soldier, had not delivered the guns which allowed George Washington to strengthen his fledgling army and liberate Boston; and

Whereas, with the big guns from Fort Ticonderoga, Washington could defend his own siege positions, command Boston, and prevent the arrival of British supplies from the seas; and without them, the English would have massed enough men and equipment and sallied forth and crushed the Revolution; and

Whereas, Knox, a military amateur at that time, who had helped engineer the fortifications, came to Washington with a plan to go after the guns captured from the British at forts on Lake Champlain; and

Whereas, it is recognized that General Knox performed a monumental deed by hauling 60 tons of artillery and supplies from Fort Ticonderoga in New York, across the length of Massachusetts to Boston in the dead of winter that numbed horses and oxen and terrified men; and

Whereas, for more than 300 miles they pulled and pushed their cargo on rough-hewn sledges over treacherous mountain trails, through deep woods, across frozen lakes and rivers which often cracked under the weight, and through smothering snow; and

Whereas, when animals refused to struggle on, men pulled an impossible load, and when men hesitated, Knox's own assurance and courage kept them going and rallied the countryside to their aid; and

Whereas, it was impossible, but Knox, with a new Colonel's commission, and just 25 years old, set out for New York on November 17, 1775, racing as best he could on horseback over frozen roads, and thus he and his brother, William, reached Fort Ticonderoga on December 5th; and

Whereas, Knox selected 59 guns captured the previous spring by Ethan Allen and Benedict Arnold with total weight of 120,000 pounds which were loaded onto 3 boats; and

Whereas, Knox hurried south to prepare the land route, while William, meanwhile, began the 33-mile voyage down Lake George through a channel in the ice, which stretched a mile from each shore of the narrow lake, and on the first day out a boat struck a sunken rock and was freed only after exhausting labor; and

Whereas, halfway down the lake, the big scow struck again and sank in shallow water, and the guns were lifted from icy water by freezing hands and repairs to the scow were made in the middle of the lake, which allowed the priceless artillery to arrive at the southern end of the lake; and

Whereas, everything was transferred to 42 sledges pulled by 80 teams of oxen, and along crude roads, Indian trails, or none at all, through 3 feet of fresh loose powder; and they made no better than 2 miles a day, all at so great a strain that oxen and horses gave out and were aban-

doned with men often pushing the sleds; and

Whereas, while crossing the Mohawk River above Albany, one of the sledges crashed through the ice and sank and the precious cargo was fished out by frozen men; and

Whereas, when things seemed unendurable, Knox rallied the people of the countryside who came forth with fresh horses and men but only to be stalled again in Albany with thin ice; and

Whereas, Knox spent the first days of 1776 cutting holes in the ice to force up water which froze in layers, thickening the ice on the Hudson River until it could bear the weight of heavy guns; and

Whereas, south of Albany a sleigh shattered under its load and detained the column, but Knox plunged east into the Berkshires and reached Monterey, Massachusetts, on January 10th, and in his words, "after having climbed mountains from which we might almost have seen all the kingdoms of the earth;" and

Whereas, when the teamsters feared to descend the mountain with their heavy load, it was Knox who rallied them again and again through the snow, the icy winds and the thick forests; and

Whereas, Knox arrived at Washington's camp with an advance contingent on January 18th, and "the noble train of artillery," as he called it, was delivered on January 24, 1776, 47 days after leaving Ticonderoga; and

Whereas, on March 2nd, Knox's guns began shelling Boston, and on March 17th the British evacuated the city, a date still celebrated annually by Bostonians; and

Whereas, "the Tories were repelled; the rebels were relieved and the cradle of liberty was free;" and

Whereas, the man who performed this herculean task and perhaps saved his country was the least likely person in Washington's command to receive such a trust. When he was only 9 years old, Henry was forced to leave school and support his mother and 3-year old brother with a job at a bookstore where he continued his education; and

Whereas, with nothing but book-learning to guide him, Knox aided in designing and building siege fortifications about Boston to which George Washington expressed great pleasure and surprise; and

Whereas, eventually, Knox became chief of artillery for the Continental Army and one of Washington's closest friends and trusted lieutenants and became active in most of the major battles of the Revolution; and

Whereas, Knox showed a facility at artillery warfare which continually amazed his learned British opponents and French allies alike and he designed a new gun carriage which enabled him to engage guns in greater number and mobility than Europeans had done; and

Whereas, it was Knox who personally directed the transport of Washington's troops across the Delaware on Christmas night, 1776, with "stentorian lungs and extraordinary exertions," for which he was awarded the rank of Brigadier General; and

Whereas, Knox was with Washington at Valley Forge and at Yorktown, he organized a military academy for the new army and he was the first to embrace Washington in farewell at war's end; and

Whereas, this self-taught bookseller-soldier became a Major General and succeeded Washington as Commander of the Army after the war; and

Whereas, Knox became the country's first Secretary of War in Washington's Cabinet, and later enjoyed success as a businessman and country squire on his estate in Thomaston, Maine; and

Whereas, it was Henry Knox who represented young America, this self-made general, too unsophisticated to be cowed by the impossible, and with that exquisite American capacity to do what couldn't be done, simply because it was there, and he was there, and it needed doing, and he knew he could do it when few others would dare try; now, therefore, be it

Resolved: That We, your Memorialists, in view of this outstanding General and his record of accomplishments, recommend and urge the Honorable Benjamin F. Bailar, Postmaster General of the United States and the Citizens Stamp Advisory Committee to take appropriate action by ordering the issuance of a special stamp commemorating General Henry Knox; and be it further

Resolved: That copies of this Memorial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Honorable Benjamin F. Bailar, Postmaster General, and the Honorable Members of the Citizens Stamp Advisory Committee, Mr. Ernest Borgnine, Dr. James Mutejka, Dr. Virginia Noelke, Mr. John Sawyer, Mr. John Thomas, Dr. Dorothy Worcester, Mr. Belmont Faries, Mr. Stevan Dohanos, Mr. Bradbury Thompson, Mr. James Conlon, Mr. J. Carter Brown, Mr. Franklin Bruns, Mr. Emerson Clark and Mr. James Wyeth; and be it further

Resolved: That the Secretary of State be directed to transmit forthwith suitable copies of this Memorial to the Vice President of the United States, to the Speaker of the House of Representatives and the President of the Senate of the United States Congress and to each Member of the Maine Congressional Delegation.

House of Representatives

Read and Adopted
March 17, 1976
 Sent Up for Concurrence
 EDWIN H. PERT,
 Clerk
 Ordered Sent Forthwith

H. P. 2201

In Senate Chamber

Rules Suspended
 Read and Adopted
 In Concurrence
March 17, 1976
 HARRY N. STARBRANCH,
 Secretary

State of Maine

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Six

JOINT RESOLUTION CONCERNING
 THE DECISION OF THE UNITED STATES DEPARTMENT OF DEFENSE
 TO AWARD THE CONTRACT FOR THE MANUFACTURE OF
 THE M-60 MACHINE GUN TO A BELGIAN FIRM INSTEAD OF
 TO THE MAREMONT CORPORATION OF SACO, MAINE

Whereas, the largest single employer in York County is the Maremont Corporation of Saco, Maine; and

Whereas, the continued employment of the workers of Maremont is a grave concern to the State of Maine at a time when the state unemployment rate is 10%; and

Whereas, the Department of Defense has now officially declared that a contract to manufacture the M-60 machine gun will not be awarded to the Saco firm but instead will be awarded to a Belgian firm; and

Whereas, the taxpayers of the United States will pay \$14,700,000 more to the Belgians for this contract than they would have paid to the Maremont Corporation; and

Whereas, 18,000 Maine citizens have signed petitions protesting the possible loss of the Maremont contract, which protests have been personally delivered to President Gerald Ford; now, therefore, be it

Resolved: That we, the Members of the 107th Legislature in Special Session assembled, do hereby express our consternation and dismay at the decision of the Department of Defense to award the M-60 machine gun contract to a Belgian firm instead of to the Maremont Corporation; and be it further

Resolved: That we urge and request the members of the Maine Congressional Delegation to convey our sentiments to the President and to the Department of Defense and to use every possible means to bring the Department of Defense to a reconsideration of its ill-advised action; and be it further

Resolved: That duly attested copies of this Resolution be immediately transmitted to those Congressional Delegates with our thanks for their prompt attention to this important matter.

House of Representatives

Read and Adopted

March 31, 1976

Sent up for Concurrence

EDWIN H. PERT,
Clerk

Rules Suspended

In Senate Chamber

Read and Adopted

In Concurrence

March 31, 1976

HARRY N. STARBRANCH,
Secretary

H. P. 2267

A True Copy

Attest _____
Secretary of the Senate of Maine

State of Maine

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Six

JOINT RESOLUTION CONCERNING THE NEED FOR RAIL PASSENGER SERVICE IN MAINE

Whereas, the State of Maine is the most northerly and easterly state of the contiguous 48 states; and

Whereas, the State of Maine is now the only state of the 48 contiguous states which does not have any rail passenger service; and

Whereas, AMTRAK, "The National Rail Passenger Corp.," was created by the Congress to reestablish rail passenger service to all of the 48 contiguous states; now, therefore, be it

Resolved: That We, the Members of the 107th Legislature assembled in special session, do hereby urge and request the Members of the Maine Congressional Delegation to use their best efforts to persuade "AMTRAK" to reestablish rail passenger service into Maine during 1977; and be it further

Resolved: That duly attested copies of this Resolution be immediately transmitted to those Congressional Delegates with our thanks for their prompt attention to this important matter.

House of Representatives

Read and Adopted

April 6, 1976

Sent up for Concurrence

EDWIN H. PERT,
Clerk

Rules Suspended
In Senate Chamber

Read and Adopted

In Concurrence

April 6, 1976

HARRY N. STARBRANCH,
Secretary

H. P. 2286

A True Copy

Attest _____
Secretary of the Senate of Maine

State of Maine

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Six

JOINT RESOLUTION CONCERNING THE POSSIBLE
DISCONTINUANCE OF THE NAVAL RESERVE OFFICERS
TRAINING CORPS PROGRAM AT THE MAINE MARITIME ACADEMY

Whereas, the Secretary of the Navy has indicated his intention to discontinue the Naval Reserve Officers Training Corps Program at the Maine Maritime Academy; and

Whereas, the cost savings which are projected by this discontinuance are questionable at best, as United States Naval personnel, will remain in Castine to teach Naval Science courses as required by federal statute and as Naval Reserve Officers Training Corps scholarships which are presently held by Maine Maritime Academy students will, in the future, be awarded to students of other institutions having this Naval program; and

Whereas, there are presently 60 Maine Maritime Academy students enrolled in this program, and there is a potential for growth of this program to include up to 140 Maine Maritime Academy students; and

Whereas, the Maine Maritime Academy, situated in the outstanding natural harbor of Castine, has a marine science and engineering curriculum which, combined with the constant availability of the training ship "State of Maine," can provide invaluable maritime training to potential United States Naval Officers who will hold regular Navy commissions; now, therefore, be it

Resolved: That We, the Members of the 107th Legislature in special session assembled, do hereby protest the discontinuance of the Naval Reserve Officers Training Corps Program at the Maine Maritime Academy and respectfully urge and request the Maine Delegation to the Congress of the United States to attempt to persuade the Secretary of the Navy to reconsider and reverse his decision; and be it further

Resolved: That duly attested copies of this Resolution be immediately transmitted to those congressional delegates with our thanks for their prompt attention to this important matter.

House of Representatives

Read and Adopted

April 12, 1976

Sent up for Concurrence

EDWIN H. PERT,
Clerk

In Senate Chamber

Read and Adopted

In Concurrence

April 12, 1976

HARRY N. STARBRANCH,
Secretary

H. P. 2321

A True Copy

Attest _____
Secretary of the Senate of Maine

State of Maine

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Six

**JOINT RESOLUTION CONCERNING
THE INDISCRIMINATE CLOSING
OF RURAL POST OFFICES**

Whereas, the Postal Service is presently considering closing many rural post offices across the country in the name of cost efficiency; and

Whereas, for a generation, Federal and State leaders have urged the dispersal of over-crowded population and commercial activities of urban to rural areas, while new policies of the postal service continue to concentrate employment and enterprise in urban centers; and

Whereas, the policy of pressing for closure of post offices upon the retirement of present postmasters, a policy which the Postal Service is now carrying out in Owls Head, indicates the Postal Service has not carefully evaluated the needs of its patrons and has not taken the trouble to plan to satisfy those needs; and

Whereas, much of the State of Maine is not suited for rural delivery and many Maine citizens, for varying reasons such as vandalism and prolonged absences, require alternatives to rural delivery; now, therefore, be it

Resolved: That we, the Members of the 107th Legislature in Special Session assembled, do hereby record our extreme dissatisfaction with the present policy of the United States Postal Service of closing as many rural post offices as possible; and be it further

Resolved: That we respectfully request the Members of the Maine delegation to the United States Congress to prevail upon the United States Postal Service to discontinue its policy of indiscriminate closing of rural post offices without careful consideration of each individual situation and in particular to suspend its proposed closure of the Owls Head Post Office pending a comprehensive review of the necessity of this closure; and be it further

Resolved: That duly attested copies of this Resolution be immediately transmitted to those congressional delegates with our thanks for their prompt attention to this important matter.

House of Representatives

Read and Adopted

April 13, 1976

Sent up for Concurrence

EDWIN H. PERT,
Clerk

In Senate Chamber

Read and Adopted

In Concurrence

April 13, 1976

HARRY N. STARBRANCH,
Secretary

H. P. 2327

A True Copy

Attest _____
Secretary of the Senate of Maine