

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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SELECTED
MEMORIALS
AND
JOINT RESOLUTIONS

State of Maine

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

JOINT RESOLUTION MEMORIALIZING THE
HONORABLE RONALD W. REAGAN,
PRESIDENT OF THE UNITED STATES,
AND THE UNITED STATES SENATE TO
REFUSE TO RATIFY THE UNITED STATES/CANADIAN
EAST COAST FISHERIES TREATY

We, your Memorialists, the Senate and the House of Representatives of the State of Maine in the One Hundred and Tenth Legislative Session now assembled, most respectfully present and petition President Ronald W. Reagan and the United States Senate, as follows:

Whereas, the boundary between the United States and Canada over the Georges Bank is still in dispute; and

Whereas, the territory in dispute is a very productive fishing area, of vital interest to Maine fishermen; and

Whereas, in order to reach agreement to arbitrate the boundary dispute, the United States and Canada signed a comprehensive East Coast Fisheries Treaty; and

Whereas, as signed, the treaty would require management of every commercially valuable fisheries species in the Gulf of Maine with little biological justification; and

Whereas, this management would lead to extensive over-regulation of Maine's fishing industry during a critical period in its development; and

Whereas, the treaty has serious adverse consequences for Maine fishermen's interests in certain fisheries, while it ignores their legitimate interest in others; and

Whereas, the provisions of the treaty are permanent and this permanence aggravates the serious adverse impact to Maine fishermen and ignores the need for flexibility in responding to changing biological and economic circumstances; now, therefore, be it

Resolved: That We, your Memorialists, respectfully urge and request that the Honorable Ronald W. Reagan, President of the United States, withdraw the United States/Canadian East Coast Fisheries Treaty in its present form from consideration by the United States Senate; and be it further

Resolved: That a copy of this Memorial, duly authenticated by the Secretary of State, be transmitted forthwith by the Secretary of State to President Ronald W. Reagan and to the Members of the United States Senate from the State of Maine.

House of Representatives

Read and Adopted

February 6, 1981

Sent Up for Concurrence

Ordered Sent Forthwith

EDWIN H. PERT,
Clerk

In Senate Chamber

Rules Suspended

Read and Adopted
in Concurrence

February 6, 1981

MAY M. ROSS,
Secretary

State of Maine

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

JOINT RESOLUTION MEMORIALIZING THE CONGRESS
OF THE UNITED STATES TO ENACT LEGISLATION
ALLOWING THE VETERANS' ADMINISTRATION TO
FURNISH OUTPATIENT MEDICAL SERVICE TO
ATOMIC VETERANS

We, your Memorialists, the House of Representatives and Senate of the State of Maine of the One Hundred and Tenth Legislative Session assembled, most respectfully present and petition the United States Congress, as follows:

Whereas, H.R. 7585, a bill to amend the United States Code, Title 38, to allow the Veterans' Administration to furnish outpatient medical services to any veteran exposed to ionizing radiation as a result of atmospheric testing of nuclear weapons, was introduced into the second session of the 96th Congress; and

Whereas, under H.R. 7585, atomic veterans will be awarded an automatic 50% service-connected disability; and

Whereas, the Defense Nuclear Agency, since the start of its outreach program, has been contacted by 41,500 atomic veterans, of whom 4,040 have reported cancers, and since 1,259 have subsequently died from unknown causes; and

Whereas, the United States Supreme Court has ruled that atomic veterans may not sue for damages because of national security questions; and

Whereas, the cost of private medical treatment is creating a staggering financial burden for families of these veterans; and

Whereas, the U.S. House of Representatives Subcommittee on Oversight and Investigations has stated that the only victims of America's nuclear weapons testing program have been her own people; now, therefore, be it

Resolved: That we, your Memorialists, do hereby respectfully urge that Congress immediately enact H.R. 7585; and be it further

Resolved: That a copy of this resolution, duly authenticated by the Secretary of State, be transmitted by the Secretary of State to the President of the Senate and the Speaker of the House of Representatives in the Congress of the United States and to each Member of the Maine Congressional Delegation.

House of Representatives

Read and Adopted

February 6, 1981

Sent Up for Concurrence

EDWIN H. PERT,

Clerk

In Senate Chamber

Read and Adopted
in Concurrence

February 9, 1981

MAY M. ROSS,

Secretary

State of Maine

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

JOINT RESOLUTION MEMORIALIZING THE HONORABLE JOHN R. BLOCK,
 SECRETARY OF AGRICULTURE OF THE UNITED STATES,
 TO GRANT A GENERAL MORATORIUM ON PRINCIPAL
 AND INTEREST PAYMENTS ON FARMERS HOME
 ADMINISTRATION FARM OWNERSHIP
 AND OPERATING LOANS OWED BY
 BROILER GROWERS IN THE
 STATE OF MAINE

We, your Memorialists, the Senate and House of Representatives of the State of Maine now assembled in the First Regular Session of the One Hundred and Tenth Legislature, most respectfully present and petition the Secretary of Agriculture of the United States as follows:

Whereas, the broiler chicken industry of the State of Maine is vitally important to the economy of the whole State and in 1979 ranked thirteenth in production among the fifty states and represents twenty percent of the cash farm income of all Maine farmers; and

Whereas, the broiler industry of the State of Maine is facing a major economic crisis and, as a result, the number of broiler growers is being sharply reduced due to closings or reductions in operations in broiler processing plants in the State, threatening the livelihood of these growers and their families; and

Whereas, Maine broiler growers currently are indebted to the Farmers Home Administration for \$15,000,000 in farm ownership loans and \$3,800,000 in operating loans; and

Whereas, the present crisis in the state's broiler industry renders it difficult, if not impossible, for Maine broiler growers to make timely payments on their Farmers Home Administration indebtedness; now, therefore, be it

Resolved: That We, your Memorialists, hereby respectfully urge and petition the Secretary of Agriculture of the United States, by the power vested in him by the Congress of the United States under the United States Code, Title 5, Section 301, to grant a general moratorium, or other such relief, on the payment of principal and interest on Farmers Home Administration farm ownership loans and operating loans owed by broiler growers in the State of Maine for a period of twelve months, unless, due to individual circumstances, a shorter period is deemed appropriate; and be it further

Resolved: That a duly authenticated copy of this Memorial be immediately submitted to the Honorable John R. Block, Secretary of Agriculture of the United States.

House of Representatives

Read and Adopted

April 16, 1981

Sent Up for Concurrence

EDWIN H. PERT,
Clerk

In Senate Chamber

Read and Adopted
in Concurrence

April 21, 1981

MAY M. ROSS,
Secretary

State of Maine

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

JOINT RESOLUTION MEMORIALIZING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO CONTINUE THE PUBLIC WORKS PROGRAM OF THE ECONOMIC DEVELOPMENT ADMINISTRATION SO AS TO PERMIT FUNDING OF PROJECTS NECESSARY TO THE FUTURE WELL-BEING OF THE STATE AND NATION

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Tenth Legislature, now assembled, most respectfully present and petition the Honorable Ronald W. Reagan, President of the United States, as follows:

Whereas, this body commends the efforts of the Administration and Congress to reduce inflationary pressures in the economy by recommending budget cuts as well as tax incentives for private capital investments; and

Whereas, this body supports reductions of the various federal programs to achieve these objectives; however, there is great concern over the proposed elimination of future funding for the Economic Development Administration and the rescission of the remaining appropriations of fiscal year 1981 of the agency; and

Whereas, the Public Works and Economic Development Act of 1965, by which the Economic Development Administration was established, has resulted in \$131,684,993 being spent in Maine, amounting to 429 grants and loans; and

Whereas, a large proportion of the EDA investment in Maine has been to those industries that have their basis in the state's natural resources—food processing facilities and forest product manufacturing or to assist declining industries such as textiles and shoes in some of the state's smaller towns and more isolated regions; and

Whereas, investments in the private sector have created 8,570 permanent jobs and countless temporary jobs involved in the construction or expansion of industry in the State and local public works' projects have created over 25,000 temporary jobs and 17,050 permanent positions in the State; and

Whereas, it has been our experience in Maine that the benefits from this program far outweigh the public cost whenever the increased economic activities resulting from investments have been thoroughly examined; and

Whereas, over \$25,000,000 worth of projects in Maine are pending funding at this time, \$10,400,000 was being counted on for the development of 2 cargo ports and over \$2,000,000 was anticipated for planning and technical assistance and for development of a statewide Revolving Loan Fund; and

Whereas, included in the \$25,000,000 are the fish piers for which the citizens of Maine have already approved a bond issue and only \$2,000,000 of the anticipated \$7,500,000 was received before the funding cut; and

Whereas, projects with applications pending were notified by EDA that they should not expect to receive EDA assistance since fiscal year 1981 funds were sufficient to cover only those projects for which full approval had been given prior to the Administration's rescission proposal; now, therefore, be it

Resolved: That we, your Memorialists, express our strong support for the Public Works Program of the Economic Development Administration and respectfully urge the Congress and the Honorable Ronald W. Reagan, President of the United States, to continue the funding of this program so as to permit the continued development of job-generating projects so necessary to the future well-being of this State and Nation; and be it further

Resolved: That duly authenticated copies of this resolution be transmitted forthwith by the Secretary of State to the Honorable Ronald W. Reagan, President of the United States, the President of the Senate and Speaker of the House of Representatives of the United States Congress and to each member of the Maine Congressional Delegation.

In Senate Chamber

Read and Adopted

Sent Down for Concurrence

May 13, 1981

MAY M. ROSS,

Secretary

Ordered Sent Forthwith

House of Representatives

Special Sentiment
Calendar

May 14, 1981

Adopted

Ordered Sent Forthwith

EDWIN H. PERT,

Clerk

State of Maine

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

JOINT RESOLUTION TO COMMEMORATE THE 50TH ANNIVERSARY OF THE ESTABLISHMENT OF BAXTER STATE PARK

Whereas, on March 3, 1931, the former Governor Percival P. Baxter deeded to the State of Maine 5,960 acres of land, which included Mount Katahdin, the highest mountain in the State of Maine and "the most picturesque area of the State;" and

Whereas, in the 31 years that followed, Governor Baxter acquired an additional 195,058 acres which were given to the people of Maine as a public park and "a fitting memorial to the past century and an inspiration to the new;" and

Whereas, Governor Baxter viewed the creation of this park through his deeds as "continuing, evolving trusts," which "shall forever be retained and used for state forest, public park and recreational purposes;" and

Whereas, during his lifetime he donated over \$1,500,000 to maintain this land and, on his death, he left the bulk of his estate, a trust of over \$10,000,000, to forever assist in maintaining the park, and to assure it "shall forever be kept in the natural wild state;" and

Whereas, the acquisition and deeding to the State of over 200,000 acres was an achievement unparalleled by any individual in the United States; now, therefore, be it

Resolved: That We, the Members of the 110th Legislature, pause in our deliberations to recognize and commemorate the deeds and actions of Governor Percival Proctor Baxter on this the 50th anniversary of this magnificent gift to the people of the State of Maine; and be it further

Resolved: That suitable copies of this Joint Resolution be sent forthwith to John L. Baxter, Sr., the living nephew of Governor Baxter, and the Baxter State Park Headquarters at Millinocket, Maine.

House of Representatives

Read and Adopted

May 14, 1981

Sent Up for Concurrence

EDWIN H. PERT,

Clerk

Ordered Sent Forthwith

In Senate Chamber

Read and Adopted

In Concurrence

May 14, 1981

MAY M. ROSS,

Secretary

State of Maine

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

JOINT RESOLUTION
MEMORIALIZING THE CONGRESS OF THE
UNITED STATES TO ESTABLISH A HELICOPTER
SEARCH AND RESCUE UNIT IN MAINE

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Tenth Legislative Session, now assembled, most respectfully present and petition your Honorable Body as follows:

Whereas, Maine has the longest coastline of any continental state, with an extensive maritime heritage, and its social and economic well-being is dependent on its 3,000 miles of coastline; and

Whereas, many activities take Maine citizens onto coastal waters, including fishing, coastal commerce and trade, recreational boating and airline traffic; and commercial fishing is the State's 3rd leading industry; and

Whereas, the recent enactment of the 200-mile limit, and promotion and investment by the State and private industry have expanded the fishing industry, with more vessels going further off shore for longer trips; and

Whereas, the waters of the North Atlantic are notoriously treacherous, with frequent fog, gales and dangerously cold waters, particularly in wintertime; and

Whereas, each year there are many incidents of ships, boats and planes in distress or lost at sea, imperiling many lives and because of the cold, harsh waters, making quick rescue vitally important; and

Whereas, while the Coast Guard has provided search and rescue services to the best of its ability, it takes more than 1½ hours for a Coast Guard helicopter to reach our mid-coast region from the nearest base at Cape Cod, Massachusetts, and it takes even longer to reach areas further Down East; and

Whereas, many lives might be saved and the peace and security of Maine citizens increased if helicopter assistance were available within the State of Maine; now, therefore, be it

Resolved: That We, your Memorialists, respectfully recommend and urge the Congress of the United States to establish a Coast Guard Helicopter Rescue Unit in Maine, and take any other actions that may help safeguard the safety and security of our fishermen; and be it further

Resolved: That a duly authenticated copy of this Memorial be immediately submitted by the Secretary of State to the President of the Senate and the Speaker of the House of the Congress of the United States and to each Member of the Senate and House of Representatives in the Congress of the United States from this State.

House of Representatives

Read and Adopted

June 3, 1981

Sent Up for Concurrence

EDWIN H. PERT,

Clerk

Ordered Sent Forthwith

Rules Suspended

In Senate Chamber

Read and Adopted
in Concurrence

June 3, 1981

MAY M. ROSS,

Secretary

Ordered Sent Forthwith

State of Maine

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

JOINT RESOLUTION MEMORIALIZING CONGRESS
TO ENDORSE THE CONCEPT OF PROVIDING HEALTH CARE
SERVICES IN A CENTRAL FACILITY IN AROOSTOOK COUNTY,
UNDER THE AUSPICES OF THE VETERANS ADMINISTRATION CENTER
IN TOGUS

We, your Memorialists, the House of Representatives and Senate of the State of Maine of the One Hundred and Tenth Legislature, now assembled, most respectfully present and petition your Honorable Body, as follows:

Whereas, as early as 1946, Aroostook County veterans have felt the need for the establishment of a specific Veterans Medical Care Facility centrally located in Aroostook County, but in spite of numerous efforts and proposals such a facility has not yet come to pass; and

Whereas, utilization of the Veterans Administration Medical Facility at Togus by Aroostook County Veterans is 1/3 that of veterans throughout the remainder of the State; and

Whereas, the cost and personal hardship of driving 600 or more miles, many times in dangerous weather conditions, from Aroostook County to Togus for outpatient work, post-operative work, physical examinations, prehospital physicals, physical therapy, or other outpatient services, is most substantial; and

Whereas, a satellite facility located within an existing medical facility in central Aroostook County would show a substantial savings in travel expenses paid to veterans, while at the same time making the services more available to the veteran; and

Whereas, hospitals in Aroostook County, such as Cary Medical Center, are equipped with adequate medical technology, physician specialists and medical equipment to provide quality medical care on an outpatient basis for the veterans; now, therefore, be it

Resolved: That We, your Memorialists, respectfully recommend and urge the Congress of the United States to consider and approve provisions for health care services to veterans in a central facility in Aroostook County, State of Maine, under the auspices of the Veterans Administration Center, Togus, Maine; and be it further

Resolved: That a duly authenticated copy of this Memorial be immediately submitted by the Secretary of State to the President of the Senate and Speaker of the House of the Congress of the United States and to each member of Congress from this State.

House of Representatives

Read and Adopted

June 9, 1981

Sent Up for Concurrence

EDWIN H. PERT,
Clerk

Ordered Sent Forthwith

Rules Suspended

In Senate Chamber

Read and Adopted
in Concurrence

June 9, 1981

MAY M. ROSS,
Secretary

Ordered Sent Forthwith

State of Maine

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

JOINT RESOLUTION ACCEPTING THE CAPITOL PLANNING COMMISSION REPORT AND INDICATING A WILLINGNESS TO UTILIZE THE CAPITOL COMPLEX PLAN AND PUBLIC IMPROVEMENT PROPOSALS AS A GUIDE FOR ALL FUTURE LEGISLATION PERTAINING TO THE CAPITOL COMPLEX.

Whereas, the Capitol Planning Commission has been given the responsibility of establishing and maintaining a master plan for the orderly development of future state buildings and grounds in the Capitol Complex of the City of Augusta; and

Whereas, the Capitol Planning Commission has submitted to the Legislature a report, proposed public improvements, and recommendation that the master plan be revised; and

Whereas, the Legislature has reviewed this plan; now, therefore, be it

Resolved: That We, the Members of the 110th Legislature in regular session assembled, acknowledge receipt of the Capitol Planning Commission report dated April, 1981 and the fulfillment by the commission of its legislative mandate contained in the Public Laws of 1967, chapter 458; and be it further

Resolved: That the Legislature gives its general support to the basic concepts of the existing Capitol Planning Commission plan, and indicates its willingness to utilize this plan together with any supplements to it as a guide for all future legislation concerning public improvements or other matters in the Capitol Complex; and be it further

Resolved: That suitable copies of this resolution be sent forthwith to the Capitol Planning Commission.

House of Representatives

Read and Adopted

Ordered Sent Forthwith

June 10, 1981

Sent Up for Concurrence

EDWIN H. PERT,

Clerk

In Senate Chamber

Read and Tabled by

Senator Perkins of Hancock

June 10, 1981

Pending Adoption

MAY M. ROSS,

Secretary

In Senate

Taken From Table by
President and on

June 10, 1981

Adopted
in Concurrence

Ordered Sent Forthwith