

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

**SELECTED
MEMORIALS
AND
JOINT RESOLUTIONS**

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADOPT LEGISLATION RELATING TO THE UNITED STATES SOCIAL SECURITY ACT

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

Whereas, at the present time under the United States Social Security Act, individuals who became eligible for benefits in or after 1979 receive reduced benefit levels compared to individuals who became eligible prior to 1979, due to changes made in 1977 in the benefit computation formula; and

Whereas, this disparity in benefit levels has been referred to as the “notch” and has resulted in the award of reduced benefits to approximately 1.3 million persons; and

Whereas, any remedy for narrowing the gap in benefits is complicated because the notch has been in use since 1979; and

Whereas, H.R. 4093 has been introduced in the 98th session of the United States Congress by Representative Roybal, the Chairman of the House Committee on Aging, in an effort to eliminate the notch; and

Whereas, it is appropriate that the Legislature of the State of Maine take a stand in support of this legislation to protect the rights of the citizens of our State; now, therefore, be it

Resolved: That We, your Memorialists, do hereby respectfully urge the Congress of the United States to adopt H.R. 4093 or similar legislation to eliminate the disparity in benefit levels awarded under the United States Social Security Act with respect to benefits awarded prior to 1979 and in and after 1979, so as to provide equitable benefits for retirees; 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 Honorable Ronald W. Reagan, President of the United States; 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
January 8, 1986
Sent up for Concurrence

EDWIN H. PERT
Clerk

In Senate Chamber
Read and Adopted
In Concurrence
January 8, 1986

JOY J. O'BRIEN
Secretary

H.P. 1263

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

IN MEMORIAM

Whereas, on the morning of January 28, 1986, the space shuttle Challenger, on its remarkable reach for the stars, carrying six N.A.S.A. astronauts and America's first civilian ended abruptly and tragically as America shuddered in disbelief; and

Whereas, prior to that gripping moment this brave and daring crew of gifted men and women, representing the very finest of this Nation, were eagerly on their way toward making another historic triumph in our quest to explore the wonders of outer space; and

Whereas, school children and educators of Maine and the Nation were especially proud that the first private citizen selected to go into space was Christa McAuliffe, a teacher at Concord High School in our neighboring state of New Hampshire; and

Whereas, Christa McAuliffe epitomized the very best characteristics of a classroom teacher; her enthusiasm and intelligence sparked the interest of the Nation in the Teacher in Space Program and brought great honor to the teaching profession; and

Whereas, Christa and the crew of the space shuttle Challenger made the ultimate sacrifice while trying to unlock the dark ocean of space and for that their lives shall forever stand as a monument to human achievement, more safely guiding those pioneers to follow in the most challenging adventure of our age; and

Whereas, Christa's courage, leadership and risk-taking will serve as an example to all who carry on the work she loved and died for; her dream in reaching for the stars to broaden the horizons of her students and the world, a dream which we will continue to nurture, to build upon and to help grow in her memory; now, therefore, be it

Resolved: That, We, the Members of the Senate and the House of Representatives of the One Hundred and Twelfth Legislature, now assembled in Second Regular Session pause in our deliberations to pay this tribute to: Francis R. Scobee; Michael J. Smith; Ronald E. McNair; Ellison S. Onizuka; Judith A. Resnik; Gregory B. Jarvis; and Sharon Christa McAuliffe and at this moment join all the people of the State of Maine in expressing to the families of the deceased our deepest understanding and prayer and to inscribe upon our journals this token of sympathy and condolence to all who share this great loss; and be it further

Resolved: That, We, respectfully request that when the Legislature adjourns this date that it do so in honor and lasting tribute to each of the deceased; and be it further

Resolved: That the suitable copies of this Joint Resolution be prepared and presented forthwith to these beloved families on behalf of the Legislature and the people of Maine.

House of Representatives
Read and Adopted
February 3, 1986
Sent up for Concurrence

EDWIN H. PERT
Clerk

H.P. 1393

In Senate Chamber
Read and Adopted
In Concurrence
February 3, 1986

JOY J. O'BRIEN
Secretary

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORIALIZING RONALD W. REAGAN,
PRESIDENT OF THE UNITED STATES AND JOHN S. HERRINGTON,
SECRETARY OF THE UNITED STATES DEPARTMENT OF ENERGY TO
OPPOSE LOCATING HIGH LEVEL RADIOACTIVE WASTE DUMP SITES
AT THE SEBAGO LAKE BATHOLITH AND BOTTLE LAKE COMPLEX
WITHIN THE STATE OF MAINE

We, Your Memorialists, the House of Representatives and Senate of the State of Maine of the 112th Legislature, now assembled, most respectfully present and petition the Honorable Ronald W. Reagan, President of the United States, and John S. Herrington, Secretary of the United States Department of Energy, as follows:

Whereas, the federal government is searching for places to dump the Nation's high level radioactive wastes which must be isolated from the population and food chain for at least 10,000 years; and

Whereas, two of 12 proposed sites in 7 states under consideration are located in Maine, one covering 385 square miles in parts of Cumberland, Oxford and Androscoggin Counties and the other covering 92 square miles in parts of Hancock, Penobscot and Washington Counties; and

Whereas, the citizens of Maine have reason for serious concern over the limited period for response to the Government's recommendations which precludes the necessary time for research and formulation of sound reasons to prevent Maine from becoming a possible nuclear waste dump site; and

Whereas, little or no consideration has been given to the transportation factor, the hostile climate and the fact that neither of the proposed sites can be safely accessed by truck or rail without exposing densely populated areas along the way to great risk; and

Whereas, location of vast quantities of high level nuclear wastes in Maine would threaten Indian lands, Canadian lands and have a great negative impact on the tourist industry of this State fostering uncertain usage of large tracts of vacation lands which are so vital to the State's economy; and

Whereas, beyond the nightmare of possible contamination of Portland's water supply and other waters, serious geological questions have been raised such as faulting and fracturing of crystalline rock which could provide pathways for unacceptable levels of ground water at the depths proposed; now, therefore be it

Resolved: That We, your Memorialists, do hereby respectfully urge and petition the President of the United States and the Secretary of Energy to do everything within their power to strenuously oppose the location of a high level radioactive waste dump at either the Sebago Lake Batholith or Bottle Lake Complex within the State of Maine; and be it further

Resolved: Considering the magnitude of the issue involved, that the President and the Secretary of Energy give the citizens of Maine adequate

opportunity to fully address the many concerns relating to the designation of the Sebago Lake Batholith and Bottle Lake Complex as potential sites for a national high level nuclear waste dump; and be it further

Resolved: That duly attested copies of this Joint Resolution be immediately transmitted by the Secretary of State to the President of the United States, to the Secretary of the United States Department of Energy and to Members of the Maine Congressional Delegation.

In Senate Chamber
Read and Adopted
February 10, 1986
Sent down for Concurrence

JOY J. O'BRIEN
Secretary

House of Representatives
Read and Adopted
In Concurrence
February 10, 1986

EDWIN H. PERT
Clerk

S.P. 799

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

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

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

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

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

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

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

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

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

Whereas, joint cooperation was expanded by the Apollo-Soyuz space linkup in July 1975, between Lt. General Thomas Stafford, United States Air Force and Major General Alexei Leonov of the Soviet Air Force; and

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

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

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

House of Representatives

Read and Adopted

February 21, 1986

Sent up for Concurrence

EDWIN H. PERT

Clerk

In Senate Chamber

Read and Adopted

In Concurrence

February 21, 1986

JOY J. O'BRIEN

Secretary

H.P. 1442

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORIALIZING
THE HONORABLE RONALD W. REAGAN,
PRESIDENT OF THE UNITED STATES, AND
MEMBERS OF THE UNITED STATES CONGRESS
TO OPPOSE TAXES ON IMPORTED OIL

We, your Memorialists, the House of Representatives and Senate of the State of Maine of the One Hundred and Twelfth Legislature, now assembled in Second Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

Whereas, imported oil represents $\frac{2}{3}$ of the energy consumed in New England and a tax on imported oil would dramatically increase heating costs in the State of Maine; and

Whereas, an import tax on oil would have a severe negative impact on consumers and businesses in the State, particularly low-income and middle-income citizens, the State's elderly citizens and on energy-intensive industries dependent upon oil as an energy source; and

Whereas, an import tax on oil would disproportionately and unfairly hurt oil-consuming states; and

Whereas, the current glut in the world oil supply has lowered the price of oil and made an import tax attractive. We do not believe that the current glut will last. Prices are due to rise again soon, thus making an import tax even more harmful to consumers and industries; now, therefore, be it

Resolved: That We, your Memorialists, concur with the Federal Reserve Board Chairman, Paul Volcker, that this is an unsound and unwise method of deficit reduction and in expressing our opposition to any plan which would bail out the energy producing states at the expense of the New England states, we hereby respectfully urge the Honorable Ronald W. Reagan, President of the United States and Members of the United States Congress to oppose taxation on imported oil; 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 Honorable Ronald W. Reagan, President of the United States and to the United States Congress and each Member of the Maine Congressional Delegation.

In Senate Chamber

Read and Adopted

March 4, 1986

Sent down for Concurrence

House of Representatives

Read and Adopted

In Concurrence

March 5, 1986

JOY J. O'BRIEN

Secretary

EDWIN H. PERT

Clerk

S.P. 845

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORIALIZING THE SECRETARY OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION TO SELL ALL CONRAIL STOCK HELD BY THE GOVERNMENT ON THE FREE MARKET

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

Whereas, the management of Conrail has converted a bankrupt railroad system on public subsidy into a \$500,000,000 per year profit-making transportation operation; and

Whereas, the United States Department of Transportation has chosen to accept the proposal of the Norfolk Southern Railroad to purchase the Conrail transportation system; and

Whereas, the Maine Legislature is concerned about the potential impact of the proposed Conrail purchase by Norfolk Southern Railroad on Guilford Industries, the parent company of Maine Central Railroad; and

Whereas, the Maine Legislature accepts the recommendation of the United States Department of Transportation that it is in the best interest of the public that Conrail be sold to private enterprise; now, therefore, be it

Resolved: That We, your Memorialists, do hereby respectfully urge the Secretary of the United States Department of Transportation to offer for sale on the free market all Conrail stock currently held by the Federal Government to afford all taxpayers the opportunity to purchase stock in the Conrail transportation system, which has previously been subsidized by and benefitted from federal tax dollars; and be it further

Resolved: That a suitable copy of this Joint Resolution, duly authenticated by the Secretary of State, be transmitted by the Secretary of State to the Secretary of the United States Department of Transportation and to each Member of the Maine Congressional Delegation.

House of Representatives

Read and Adopted

March 5, 1986

Sent up for Concurrence

In Senate Chamber

Read and Adopted

In Concurrence

March 5, 1986

EDWIN H. PERT
Clerk

JOY J. O'BRIEN
Secretary

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORALIZING THE MAINE STATE RETIREMENT SYSTEM TO MAKE FURTHER LIMITATIONS ON INVESTMENT AND DIVESTITURE OF PUBLIC FUNDS IN THE REPUBLIC OF SOUTH AFRICA AND NAMIBIA

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Twelfth Legislative Session, now assembled, most respectfully request and petition the Board of Trustees of the Maine State Retirement System, as follows:

Whereas, the Republic of South Africa practices a policy of racial segregation, known as apartheid, which discriminates against Blacks, persons of mixed race and persons of Asian origin, who comprise more than 80% of the population of the Republic of South Africa; and

Whereas, this practice results in these groups being denied South African citizenship; places severe restrictions on freedom of speech and movement; and restricts access to education, housing and public facilities; and

Whereas, apartheid and the policies associated with apartheid are used to separate non-white family members from each other, to justify the torture of and destruction to Blacks, Asians and persons of mixed races; and to deprive non-whites of a decent standard of living; and

Whereas, many citizens of the State have expressed concern regarding these inequities and injustices and are of the opinion that corporations in which public funds are invested should treat all of their employees in a socially responsible manner; and

Whereas, most of the recent "reforms" of the government of the Republic of South Africa are not substantive reforms and are intended only to give the appearance of reform; and

Whereas, the Joint Resolution of the First Regular Session of the One Hundred and Twelfth Legislature has been complied with by the Board of Trustees of the Maine State Retirement System and the Treasurer of the State of Maine to the extent that each has divested their accounts of all securities issued by companies and corporations doing business in South Africa and Namibia which have not signed the Sullivan Principles; and

Whereas, the situation in South Africa has worsened and more aggressive divestment is justified; now, therefore, be it

Resolved: That We, your Memorialists, respectfully request and petition the Board of Trustees of the Maine State Retirement System and all other persons who serve as trustees for public funds to reduce their total accounts, consistent with the requirements of the "prudent man rule," in securities issued by companies and corporations doing business in South Africa and Namibia by $\frac{1}{3}$ of their current total holdings and to accomplish this divestment by concentrating upon companies and corporations doing business in South Africa

and Namibia and who are not in Categories I, II or V according to the most recent report of the Sullivan Program; and be it further

Resolved: That the Executive Director of the Maine State Retirement System and the Treasurer of the State of Maine report the results of their divestment efforts to the Joint Standing Committee on State Government on January 1, 1987; and be it further

Resolved: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Board of Trustees of the Maine State Retirement System, the Treasurer of the State of Maine, the Members of the Maine Congressional Delegation, the Secretary of State of the United States, the President of the United States, Prime Minister P.W. Botha of the Republic of South Africa and Ambassador Bernadus G. Fourie, Ambassador of South Africa to the United States.

House of Representatives

Read and Adopted

As Amended by
House Amendment A

April 1, 1986

Sent up for Concurrence

EDWIN H. PERT
Clerk

In Senate Chamber

Read and Adopted

As Amended by
House Amendment A

In Concurrence

April 2, 1986

JOY J. O'BRIEN
Secretary

H.P. 1623

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORIALIZING THE PUBLIC UTILITIES COMMISSION TO REVIEW THE NEW ENGLAND POWER POOL AGREEMENT

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the Second Regular Session of the One Hundred and Twelfth Legislature, now assembled, most respectfully present and petition the Public Utilities Commission, as follows:

Whereas, the New England Power Pool Agreement includes provisions governing the joint planning, operation and dispatch of generating facilities, the setting of capacity requirements and the setting of charges and credits for energy transactions among member utilities; and

Whereas, the members of NEPOOL consist of various New England utilities, including Central Maine Power Company and Bangor Hydro-electric Company, which are minority participants; and

Whereas, NEPOOL has considerable control over the physical day-to-day operation of Central Maine Power Company's and Bangor Hydro-electric Company's generating units and the economics associated therewith; and

Whereas, NEPOOL recently voted without justification to increase the reserve capacity requirements of its members over the objections of Central Maine Power Company and Bangor Hydro-electric Company; and

Whereas, Central Maine Power Company and Bangor Hydro-electric Company has commenced internal studies of whether remaining in NEPOOL is in their interest and in the interest of their customers; and

Whereas, the Public Utilities Commission has already commenced an informal process to review the utilities' studies of NEPOOL and may commence its own formal investigation; and

Whereas, the utilities, customers and the general public of the State of Maine should be entitled to the benefit of a complete study of this matter and consideration of what actions if any should be taken; now, therefore, be it

Resolved: That the Public Utilities Commission and the 2 utilities shall continue their investigation of whether the Maine utilities' participation in NEPOOL is in the public interest; and be it further

Resolved: That the Maine utilities provide all necessary information and cooperation to the commission in its investigation; and be it further

Resolved: That the commission report to the Legislature at the beginning of the next regular session of the results of its investigation; and be it further

Resolved: That the commission take any other actions necessary within their statutory authority to protect the public interest with respect to Maine utilities' participation in NEPOOL; and be it further

Resolved: That a duly authenticated copy of this Joint Resolution be transmitted immediately by the Secretary of State to the Chairman of the Public Utilities Commission.

In Senate Chamber

Read and Adopted

April 2, 1986

Sent down for Concurrence

House of Representatives

Read and Adopted

In Concurrence

April 3, 1986

JOY J. O'BRIEN

Secretary

EDWIN H. PERT

Clerk

S.P. 931

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO INTRODUCE AND SUPPORT CERTAIN SANCTION INITIATIVES AGAINST SOUTH AFRICA

We, your Memorialists, the House of Representatives and Senate of the State of Maine of the One Hundred and Twelfth Legislature, now assembled in the Second Regular Session, most respectfully present and petition the Members of the United States Congress, as follows:

Whereas, South Africa's apartheid is unjust and immoral and an affront to humanity; and

Whereas, the State of Maine is outraged and affronted by the atrocities in South Africa; and

Whereas, much can be accomplished by the United States Senate and House of Representatives; now, therefore, be it

Resolved: That We, your Memorialists, do hereby respectfully urge our United States Senate and House of Representatives to introduce and support sanction initiatives against South Africa, including those which may be introduced in the new Congress to limit the landing rights of South African Airways in the United States and to limit the freedom from double taxation which permits United States corporations to operate in South Africa; and be it further

Resolved: That a copy of this Joint 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 United States Congress and to each Member of the Maine Congressional Delegation.

House of Representatives

Read and Adopted

April 3, 1986

Sent up for Concurrence

EDWIN H. PERT

Clerk

In Senate Chamber

Read and Adopted

In Concurrence

April 4, 1986

JOY J. O'BRIEN

Secretary

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO REDUCE CERTAIN FUEL ADJUSTMENT RATES

Whereas, in 1985 the Public Utilities Commission approved fuel adjustment rates for Maine Public Service Company, Central Maine Power Company and Bangor Hydro-electric Company to take effect respectively April 1, 1985, September 1, 1985; and November 1, 1985; and

Whereas, each of the adjustments were based on an assumed price for residual oil of over \$20 per barrel and the Central Maine Power Company adjustment assumed a cost of \$24 per barrel through August 1, 1986, for low-sulphur residual oil; and

Whereas, since 1985, residual oil prices have declined substantially and dropped below \$17 a barrel by the end of February 1986 and further decreases have occurred since then; and

Whereas, as of the end of February 1986, Central Maine Power Company had collected \$13,000,000 more than anticipated from ratepayers, and the overcollections of fuel costs continue to grow at a substantial rate. Each of the utilities has overcollected from its customers due to falling oil prices; and

Whereas, the people of Maine should have an immediate reduction in the fuel cost rate to reflect declining oil prices and the growing overcollections; now, therefore be it

Resolved: That We, the Members of the 112th Legislature on behalf of the people of the State of Maine, request that the Public Utilities Commission order the prompt reduction in the fuel adjustment rates of the Central Maine Power Company, Bangor Hydro-electric and Maine Public Service and that this reduction be reflected in customer rates by May 19, 1986; and be it further

Resolved: That copies of this Joint Resolution, be immediately submitted to the Maine Public Utilities Commission.

House of Representatives

Read and Adopted

As Amended by
Senate Amendment A

April 11, 1986

Sent up for Concurrence

In Senate Chamber

Read and Adopted

As Amended by
Senate Amendment A

In Concurrence

April 12, 1986

EDWIN H. PERT
Clerk

JOY J. O'BRIEN
Secretary

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION REQUESTING THE BUREAU OF PURCHASES AND STATE AGENCIES TO GIVE PREFERENCE TO GOODS MANUFACTURED OR PRODUCED IN MAINE AND THE UNITED STATES

Whereas, Maine and the United States are confronted with products manufactured or produced outside the United States in nations, many of which, significantly subsidize their producers to a much greater extent than subsidies provided to producers in the United States; and

Whereas, subsidized foreign manufacturers and producers are marketing products in the United States and Maine at prices, that in many cases, are significantly less than the prices that United States manufacturers and producers can charge; and

Whereas, the price differential in United States markets between foreign produced goods and United States produced goods is achieved by the size of foreign subsidies and the subsistence wages paid to foreign workers; and

Whereas, statutory preference requirements for Maine and United States produced goods have encountered challenges in the courts for violation of the interstate and foreign commerce clauses in the United States Constitution; and

Whereas, a previous statutory preference given to Maine producers resulted in the retaliation of other states against Maine producers which seriously hurt producers in this State; and

Whereas, a statutory preference provision would also result in retaliation by foreign nations against Maine goods sold or marketed in international trade; and

Whereas, there is a need to help Maine businesses to compete in the Maine market with foreign producers; and

Whereas, there are many cases in which the necessary increase in cost to purchase Maine produced goods or goods produced in the United States are not substantive and the benefits significantly outweigh any disadvantages; now, therefore, be it

Resolved: That We, the Members of the 112th Legislature, recommend and urge the Governor, the State Purchasing Agent, all departments and agencies of State Government and the University of Maine System, to the greatest extent possible, to give preference in their purchase of goods, materials and supplies, first to goods produced or manufactured in Maine and second to goods produced or manufactured in the United States; and be it further

Resolved: That suitable copies of this resolution be prepared and transmitted forthwith by the Secretary of State to the Governor, the Commissioner of Finance and Administration, the State Purchasing Agent, the directors and commissioners of departments and agencies of State Government and to the Chancellor and Board of Trustees of the University of Maine System.

House of Representatives
Read and Adopted
April 15, 1986
Sent up for Concurrence

EDWIN H. PERT
Clerk

In Senate Chamber
Read and Adopted
In Concurrence
April 15, 1986

JOY J. O'BRIEN
Secretary

H.P. 1708

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO ESTABLISH AN EMERGENCY BOARD TO SETTLE THE RAILROAD WORKERS' STRIKE IN MAINE

We, Your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Twelfth Legislative Session, now assembled, most respectfully request and petition the President of the United States and the Congress of the United States, as follows:

Whereas, during the protracted railroad workers' strike, resulting from irreconcilable differences between Guilford Transportation Industries, Inc., and members of the Brotherhood of Maintenance of Way Employees; and

Whereas, mounting safety problems exist, resulting from trains carrying toxic material passing through rural and urban countryside, which threatens the safety of the citizenry; and

Whereas, the economic situation has worsened and the railroad strike is having a direct and detrimental effect on Maine businesses and industries, to the extent that one large paper company has laid off a substantial number of employees; and

Whereas, the harmful effect on the railroad workers is as substantial as the harm on Maine's industry as a whole, causing a detrimental economic and psychological impact on almost 1,000 railroad workers; and

Whereas, this group of Maine union members, a union consisting of only 110 employees, has provided the impetus for a possible nationwide strike; now, therefore, be it

Resolved: That We, your Memorialists, respectfully request and petition that the state governments of all states affected and the Federal Government apply pressure on the Guilford Transportation Industries, Inc., to bargain in good faith with the respective unions involved in this dispute, and to reach an agreement in order to resolve this difficult and tension-filled situation; and be it further

Resolved: That copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable Ronald W. Reagan, President of the United States, the Honorable George Bush, President of the Senate, and the Honorable Thomas P. O'Neill, Jr., Speaker of the House of Representatives of the Congress of the United States, and each Member of the Senate and House of Representatives in the Congress of the United States from this State; the United States Department of Transportation; and the New England Governors.

In Senate Chamber
Read and Adopted
April 15, 1986
Sent down for Concurrence

JOY J. O'BRIEN
Secretary

House of Representatives
Read and Adopted
In Concurrence
April 15, 1986

EDWIN H. PERT
Clerk

S.P. 962

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION REGARDING OFFERING 4-YEAR BACCALAUREATE PROGRAMS AT VARIOUS CAMPUSES OF THE UNIVERSITY OF MAINE

Whereas, the Legislature now has before it for consideration L.D. 2311, "AN ACT to Authorize a General Fund Bond Issue in the Amount of \$7,700,000 for Various Projects at the University of Maine," which as amended, provides for a General Fund Bond issue of \$12,000,000; and

Whereas, there is an amendment to L.D. 2311 to increase the bond issue by \$4,400,000 for construction of classroom and laboratory facilities in the Lewiston-Auburn area to house programs administered by the University of Southern Maine; and

Whereas, there is sentiment to offer 4-year baccalaureate programs in the Lewiston-Auburn and York County areas and additional 4-year programs in the Augusta area; and

Whereas, the costs involved in providing such new and additional 4-year baccalaureate programs is not known at this time; and

Whereas, the 112th Legislature will be meeting in special session later this year; now, therefore, be it

Resolved: That We, the Members of the 112th Legislature now assembled, do hereby respectfully request that the Board of Trustees of the University of Maine conduct a study of the capital costs involved in offering 4-year baccalaureate programs at locations in the Lewiston-Auburn and York County areas and of the Feasibility of designating the University of Maine at Augusta as a baccalaureate institution offering 2-year and 4-year programs; and be it further

Resolved: That the Board of Trustees report its findings to the 112th Legislature at the next meeting of the Legislature in special session this year; and be it further

Resolved: That the Legislature will make its decision on the university bond issue to be submitted to the voters at that time after having received the necessary information on which to base its decision.

In Senate Chamber

Read and Adopted

April 15, 1986

Sent down for Concurrence

JOY J. O'BRIEN

Secretary

House of Representatives

Read and Adopted

In Concurrence

April 15, 1986

EDWIN H. PERT

Clerk

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT
OF THE UNITED STATES, THE VICE PRESIDENT OF
THE UNITED STATES, MEMBERS OF THE UNITED STATES
CONGRESS AND THE SECRETARY OF THE UNITED
STATES DEPARTMENT OF ENERGY TO OPPOSE POLICIES
TO BOLSTER THE PRICE OF OIL

We, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Twelfth Legislative Session, now assembled, most respectfully request and petition the President of the United States, the Vice President of the United States, Members of the United States Congress and the Secretary of the United States Department of Energy as follows:

Whereas, the Maine Legislature has learned of efforts by the Federal Government to artificially bolster the price of oil; and

Whereas, these efforts by the administration have an adverse impact on the northeastern states which are dependent upon this source of energy; and

Whereas, it was the northeast that helped support the oil producing states during the high priced energy crisis of the seventies; and

Whereas, the northeast has paid its dues and should not be called upon again now that prices are more affordable through some artificial policy; now, therefore, be it

Resolved: That We, your Memorialists, do hereby respectfully urge and petition the President of the United States, Vice President of the United States, Members of the United States Congress and the Secretary of the United States Department of Energy to oppose any policy which will artificially bolster the price of oil to the detriment of the northeastern states; and be it further

Resolved: That copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the President of the United States and Vice President of the United States, the President of the Senate and the Speaker of the House of Representatives in the United States Congress, the Secretary of the United States Department of Energy and to each Member of the Maine Congressional Delegation.

In Senate Chamber

Read and Adopted

April 15, 1986

Sent down for Concurrence

House of Representatives

Read and Adopted

In Concurrence

April 16, 1986

JOY J. O'BRIEN
Secretary

EDWIN H. PERT
Clerk

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORALIZING CONGRESS TO
EVALUATE FURTHER THE HEALTH RISK FROM THE PRESENCE OF
METHYLENE CHLORIDE AS A RESIDUE FROM ITS USE AS A
SOLVENT IN THE EXTRACTION OF CAFFEINE
FROM GREEN COFFEE BEANS

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

Whereas, certain brands of coffee are decaffeinated by a method which uses methylene chloride as a solvent, leaving a residue of methylene chloride in the dry coffee product; and

Whereas, the United States Food and Drug Administration has determined that methylene chloride is carcinogenic when used in aerosol products such as hair sprays; and

Whereas, the United States Food and Drug Administration has determined that methylene chloride may be present in coffee as a residue from its use as a solvent in the extraction of caffeine from green coffee beans at a level not to exceed 10 parts per million; and

Whereas, the methodologies used by the Environmental Protection Agency to evaluate cancer risks from methylene chloride have projected a risk that is 26 times greater than the United States Food and Drug Administration projections; now, therefore, be it

Resolved: That We, your Memorialists, respectfully urge and request the Congress of the United States to take immediate action to request further testing and evaluation of the safety and advisability of the acceptable level, if any, of methylene chloride allowed in coffee as a residue from its use as a solvent in the extraction of caffeine from green coffee beans; and be it further

Resolved: That the disparity between safe levels of methylene chloride as recognized by the United States Food and Drug Administration and the Environmental Protection Agency be reevaluated and explained; 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 Congress of the United States.

In Senate Chamber

Read and Adopted

April 16, 1986

Sent down for Concurrence

JOY J. O'BRIEN

Secretary

House of Representatives

Read and Adopted

In Concurrence

April 16, 1986

EDWIN H. PERT

Clerk

S.P. 966

State of Maine

In the Year of Our Lord Nineteen Hundred and Eighty-Six

JOINT RESOLUTION MEMORALIZING CONGRESS TO
EVALUATE FURTHER THE HEALTH RISK FROM THE PRESENCE OF
METHYLENE CHLORIDE AS A RESIDUE FROM ITS USE AS A
SOLVENT IN THE EXTRACTION OF CAFFEINE
FROM GREEN COFFEE BEANS

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Resolved: That the disparity between safe levels of methylene chloride as recognized by the United States Food and Drug Administration and the Environmental Protection Agency be reevaluated and explained; 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 Congress of the United States.

In Senate Chamber

Read and Adopted

As Amended by
House Amendment A

May 30, 1986

Sent down for Concurrence

JOY J. O'BRIEN

Secretary

**House of
Representatives**

Read and Adopted

As Amended by
House Amendment A

In Concurrence

May 30, 1986

EDWIN H. PERT

Clerk

S.P. 985