

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

**FIRST REGULAR SESSION**

December 3, 1986 to June 30, 1987

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987

**SECOND REGULAR SESSION**

January 6, 1988 to May 5, 1988

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

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**SELECTED  
MEMORIALS**

AND

**JOINT RESOLUTIONS**

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# State of Maine

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

## JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES CONCERNING THE HARDSHIP CREATED BY DENIALS OF HOME HEALTH SERVICES' BENEFITS BY MEDICARE

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

**Whereas**, many of Maine's citizens are in ill health and in need of care but do not need or desire hospitalization; and

**Whereas**, home health care is often the best medically advised care for these citizens; and

**Whereas**, Medicare is a major payor of home health care; and

**Whereas**, in recent years, the Health Care Finance Administration, without any change in the law, has administratively reduced the amount of home health care which should be funded by Medicare; and

**Whereas**, Medicare home health visits have currently been reduced by  $\frac{1}{3}$  and one out of every 3 of those visits is still being denied Medicare reimbursement; and

**Whereas**, this unilateral, administrative action has been arbitrary, unpredictable, capricious and in open defiance of established regulations and laws; and

**Whereas**, a number of home health care providers have elected to discontinue providing services under Medicare certification; and

**Whereas**, the result is that many Maine citizens who need and are entitled to home health services are unable to receive the necessary treatment; now, therefore, be it

**Resolved**: That We, your Memorialists, respectfully recommend and urge the Congress of the United States to take immediate corrective action including, but not limited to:

1. The declaration of a moratorium on the Medicare home health benefit denials process until a responsible system or review can be developed; and
2. Enactment of strong legislation which will prohibit the Health Care Finance Commission's ability to act inconsistently with the established laws and the Congressional intent in regard to Medicare reimbursement for home health services; and be it further

**Resolved**: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted 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.

**In Senate Chamber**  
Read and Adopted  
October 9, 1987  
Sent down for Concurrence  
JOY J. O'BRIEN  
Secretary

**House of Representatives**  
Read and Adopted  
October 9, 1987  
In Concurrence  
EDWIN H. PERT  
Clerk

S.P. 677

# State of Maine

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

## JOINT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES, DIVISION OF MATERNAL AND CHILD HEALTH, TO BROADEN THE ELIGIBILITY REQUIREMENTS FOR PRENATAL CARE PROGRAM

**Whereas**, since, under emergency rules which took effect on August 25, 1987, eligibility requirements for prenatal care under the Prenatal Care Program are limited to women whose family income does not exceed 125% of the poverty level; and

**Whereas**, it is estimated that these emergency rules will deny between 150 and 175 women vitally needed prenatal care; and

**Whereas**, it is the desire of this Legislature that no needy women are denied essential prenatal care and that the current unacceptable limitations be remedied; now, therefore, be it

**Resolved**: That We, the members of the One Hundred and Thirteenth Legislature in the First Special Session, respectfully request and urge the Department of Human Services, Division of Maternal and Child Health, to change the limitations of the existing eligibility guidelines so that more women who are deemed to truly need essential prenatal care may receive this valuable service; and be it further

**Resolved**: That the department provide the necessary funds for implementing this change by the transfer from other accounts and that the department aggressively seek federal support for this extension of services; and be it further

**Resolved**: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Commissioner of Human Services.

**In Senate Chamber**

Read and Adopted

October 9, 1987

Sent down for Concurrence

JOY J. O'BRIEN

Secretary

**House of Representatives**

Read and Adopted

October 9, 1987

In Concurrence

EDWIN H. PERT

Clerk

S.P. 687

# State of Maine

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

## JOINT RESOLUTION RESPECTFULLY URGING GOVERNOR JOHN R. McKERNAN, JR. TO TAKE CERTAIN ACTION TO PREVENT THE LOSS OF WORKERS' COMPENSATION COVERAGE IN MAINE

**Whereas**, the potential of mass withdrawal of workers' compensation insurance carriers from the State threatens to prevent the State from fulfilling its social and economic obligations to protect its workers; and

**Whereas**, the Superintendent of Insurance has authorized the withdrawal of 13 companies comprising approximately 60% of the market effective December 31, 1987, apparently on the grounds that he has no alternative in light of a recent decision of the Kennebec County Superior Court with regard to Docket Number CR-87-253; and

**Whereas**, the decision of the Kennebec County Superior Court is on appeal before the Maine Supreme Judicial Court and will be heard in November, 1987, with a decision likely to be issued during the Second Regular Session of the 113th Legislature; and

**Whereas**, an ongoing legislative study committee has almost finished its evaluation of the Workers' Compensation Commission; now, therefore, be it

**Resolved**: That We, the Members of the 113th Legislature now assembled respectfully urge the Governor of the State of Maine to intervene with the Superintendent of Insurance and request that the superintendent rescind his withdrawal authorization, or delay the authorizations until the Maine Supreme Judicial Court has decided on the ruling of the Kennebec County Superior Court with regard to Docket Number CR-87-253 and the legislative study committee has issued its recommendations to the Second Regular Session of the 113th Legislature; and be it further

**Resolved**: That a duly authenticated copy of this resolution be sent forthwith by the Secretary of State to the Honorable John R. McKernan, Jr.

**In Senate Chamber**

Read and Adopted

October 9, 1987

Sent down for Concurrence

JOY J. O'BRIEN

Secretary

**House of Representatives**

Read and Adopted

October 9, 1987

In Concurrence

EDWIN H. PERT

Clerk

S.P. 690



# State of Maine

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

## JOINT RESOLUTION MEMORIALIZING CONGRESS TO REINSTATE THE BANGOR, MAINE OFFICE OF THE FEDERAL RAIL ADMINISTRATION AND TO ADOPT LEGISLATION TO IMPROVE RAILROAD OCCUPATIONAL SAFETY AND HEALTH CONDITIONS

**We**, your Memorialists, the Senate and the House of Representatives of the State of Maine in the Second Special Session of the 113th Legislature, now assembled, most respectfully present and petition the Congress of the United States, as follows:

**Whereas**, the Maine Legislature enacted 1985 Public Law, chapter 813, which established the Legislative Task Force on Railroads and charged the task force with identifying the most effective role for the State in retaining and enhancing rail transportation in Maine; and

**Whereas**, the Legislative Task Force on Railroads has learned that the Federal Rail Administration has chosen to eliminate their Bangor, Maine Office and move their only Maine-based track inspector to their regional office in Cambridge, Massachusetts; and

**Whereas**, during the deliberations of the task force it was found that there are no rules or regulations enforceable by any state or federal agency that establish basic standards of sanitation on rolling stock in which railroad employees work; and

**Whereas**, the Congress of the United States is currently considering proposed amendments to the Railroad Safety Act of 1970; now, therefore, be it

**Resolved**: That We, your Memorialists, do hereby respectfully urge and request the Congress of the United States to vote to reinstate the Bangor, Maine Office of the Federal Rail Administration, to staff this office with motive power and equipment and hazardous-material experienced personnel in addition to the current track inspector, and to improve railroad occupational safety and health conditions; and be it further

**Resolved**: That a duly authenticated copy of this resolution be immediately submitted by the Secretary of State to the Honorable Ronald W. Reagan, President of the United States, the Honorable George Bush, President of the Senate, and the Honorable Jim Wright, Speaker of the House of Representatives of the Congress of the United States, and to the members of the United States Senate and the United States House of Representatives from the State of Maine.

House of Representatives

Read and Adopted

November 19, 1987

Sent up for Concurrence

EDWIN H. PERT

Clerk

In Senate Chamber

Read and Adopted

November 19, 1987

In Concurrence

JOY J. O'BRIEN

Secretary

# State of Maine

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

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## JOINT RESOLUTION IN SUPPORT OF INCREASED SOVIET CONSIDERATION OF HUMAN RIGHTS

**Whereas**, hundreds of thousands of Jewish people seek the freedom to emigrate from the Soviet Union; and

**Whereas**, many more yearn for a reassuring affirmation that the new Soviet "Glasnost" will extend its openness to include greater cultural and religious freedom for its citizens; and

**Whereas**, we are encouraged by the direction taken by General Secretary Gorbachev, as demonstrated by the number of high-profile "refuseniks" who have been released, the increase in the monthly number of Jewish people who have left the Soviet Union, and the liberation of the last Jewish Prisoner of Conscience; now, therefore, be it

**Resolved**: That We, the Members of the House of Representatives and the Senate of the 113th Legislature, express our hope that the Soviet Union will meet the call for freedom and human rights. We offer our support to the citizens of Maine who will be in Washington, D.C., on December 6, 1987, to convey to the Soviet Union that its sincerity and commitment in all bilateral issues will be judged by and held accountable to its upholding of the Helsinki Human Rights Accord. We encourage the Soviet Union to express an obligation to allow unrestricted emigration for Jewish people in the Soviet Union; and be it further

**Resolved**: That suitable copies of this Joint Resolution, duly authenticated by the Secretary of State, be transmitted to the Soviet embassy in Washington, D.C., with the intent that this message be forwarded to General Secretary Gorbachev and the appropriate Soviet authorities.

In Senate Chamber  
Read and Adopted  
November 19, 1987  
Sent down for Concurrence  
JOY J. O'BRIEN  
Secretary

House of Representatives  
Read and Adopted  
November 20, 1987  
In Concurrence  
EDWIN H. PERT  
Clerk

S.P. 708

# State of Maine

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

## JOINT RESOLUTION ENCOURAGING MUNICIPALITIES TO FLY PRISONER-OF-WAR AND MISSING-IN-ACTION FLAGS

**Whereas**, the whereabouts of many American military personnel who served in the Vietnam War are still unknown; and

**Whereas**, these veterans served their country with distinction and deserve our deepest gratitude; and

**Whereas**, at times Vietnam veterans have not received appropriate recognition for their services and memory of their service can fade with the passing of time; and

**Whereas**, the unknown status of Prisoners-of-War and Missing-in-Action personnel is a continuing source of sorrow to their families; and

**Whereas**, the current government of Vietnam needs to be reminded of the continuing concern of the American people with these missing veterans; now, therefore, be it

**Resolved**: That We, the Members of the 113th Legislature, do hereby respectfully encourage the elected and appointed officials of the municipalities of the State to display flags commemorating Americans who continue to be unaccounted for from the Vietnam War and who are generally referred to as Prisoners-of-War and Missing-in-Action; and be it further

**Resolved**: That, organizations interested in the plight of these veterans are hereby encouraged to provide suitable flags to municipal governments to be displayed by them; and be it further

**Resolved**: That, the municipal governments are encouraged to make use of the flags provided by private organizations and to purchase flags with municipal funds when they are not otherwise available; and be it further

**Resolved**: That, suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to municipal officials of this State and to appropriate veterans organizations.

House of Representatives  
Read and Adopted  
January 7, 1988  
Sent up for Concurrence  
EDWIN H. PERT  
Clerk

In Senate Chamber  
Read and Adopted  
January 12, 1988  
In Concurrence  
JOY J. O'BRIEN  
Secretary

H.P. 1474

# State of Maine

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

## JOINT RESOLUTION COMMENDING THE LEADERS OF THE UNITED STATES AND THE UNION OF THE SOVIET SOCIALIST REPUBLIC FOR THEIR HISTORIC TREATY ELIMINATING INTERMEDIATE-RANGE NUCLEAR MISSILES

**Whereas**, it has been said "we are participants whether we would or not, in the life of the world. The interests of all nations are our own also"; and

**Whereas**, leaders of the strongest nations of the world have engaged in historic summit negotiations toward significant arms reductions leading to peace between the United States and the Union of the Soviet Socialist Republic; and

**Whereas**, President Ronald W. Reagan has stated that "this summit has lit the sky with hope for all people of good will"; and

**Whereas**, Soviet leader Mikhail S. Gorbachev added that "we are all part of one and the same civilization, we are interconnected" and that "we should be united in our thoughts and actions"; and

**Whereas**, history will record that the Intermediate-Range Nuclear-force Missile Treaty eliminating Intermediate-Range nuclear missiles was successfully executed by these 2 national leaders on Tuesday, December 8, 1987 at Washington, D.C.; now, therefore, be it

**Resolved**: That We, the Members of the 113th Legislature of the State of Maine, in Second Regular Session now assembled, pause to mark with pride and congratulations this historic event and to add our commendations to President Ronald W. Reagan and General Secretary Gorbachev; and be it further

**Resolved**: That suitable copies of this Resolution, duly authenticated by the Secretary of State, be transmitted to these leaders commending their contributions to world peace and urging them to negotiate additional significant reductions in nuclear arsenals at the Moscow summit in 1988.

In Senate Chamber  
Read and Adopted  
January 7, 1988  
Sent down for Concurrence  
JOY J. O'BRIEN  
Secretary

House of Representatives  
Read and Adopted  
January 12, 1988  
In Concurrence  
EDWIN H. PERT  
Clerk

# State of Maine

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

## JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES URGING THE FEDERAL GOVERNMENT TO TAKE PROMPT ACTION ON PENDING PERMITS AND REQUESTS FOR FEDERAL AID FOR THE SEARSPORT DRY CARGO TERMINAL PROJECT IN SEARSPORT, MAINE

**Whereas**, for nearly a decade, the State has sought to develop a new marine dry cargo terminal with rail and highway access on Sears Island in Searsport; and

**Whereas**, the project is designed to meet certain specific objectives of the State and its export-import dependent industries. These objectives are:

1. To provide transportation cost savings to Maine-based industries, especially the forest products industry, through reduced overland travel distances to a port;
2. To generate jobs and other economic activity within Maine directly related to the export-import traffic;
3. To induce jobs and economic activity in Maine-based industries indirectly benefiting by proximity to a modern port;
4. To target state investments in port facilities where new jobs and economic activity is most needed; and
5. To concentrate economic development along Maine's coastline in localized areas to protect the environmental values of the coastline consistent with state environmental and conservationist objectives; and

**Whereas**, the encouragement of exporting by United States business and industry is a national priority due to this nation's serious foreign trade imbalance; and

**Whereas**, the value of the American dollar is at a record low, offering United States exporters an excellent opportunity to establish new foreign markets and to recapture markets lost when the dollar was at a record high; and

**Whereas**, the Federal Highway Administration, acting as lead agency, has recently issued and approved a Final Environmental Impact Statement on the Sears Island Project and this document now serves as a basis for review of application to the United States Army Corps of Engineers and the United States Coast Guard for permits to proceed with the project; and

**Whereas**, the proposed Sears Island cargo terminal is strongly supported by Governor McKernan, the entire Maine Congressional Delegation, the Waldo County Commissioners and the Town of Searsport and in 2 separate bond issues the voters of Maine have also given their approval to this project; and

**Whereas**, the proposed dry cargo terminal for Sears Island would make a valuable contribution toward the expansion of export trade and thereby greatly assist the Maine and national economy; now, therefore, be it

**Resolved**: That the 113th Maine Legislature calls upon President Ronald W. Reagan to request immediate assistance and support in securing prompt action by the Federal Government on all pending permits and requests for federal aid associated with the construction of the proposed Sears Island Dry Cargo Terminal Project; and be it further

**Resolved**: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be

transmitted 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**

**January 26, 1988**

**Sent up for Concurrence**

**EDWIN H. PERT**

**Clerk**

**In Senate Chamber**

**Read and Adopted**

**January 27, 1988**

**In Concurrence**

**JOY J. O'BRIEN**

**Secretary**

**H.P. 1572**

# State of Maine

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

JOINT RESOLUTION TO GOVERNOR JOHN R. MCKERNAN, JR., AND THE MEMBERS OF THE MAINE CONGRESSIONAL DELEGATION EXPRESSING CONCERN AND REQUESTING AN OPPORTUNITY TO BE HEARD ON THE UNITED STATES NAVY PROPOSAL TO TEST MISSILES OVER THE STATE OF MAINE

**Whereas**, the United States Navy has announced plans to test ground-hugging Tomahawk cruise missiles over the State of Maine; and

**Whereas**, the Navy has filed with the Federal Aviation Administration for a new instrument route for missiles that intersect existing flight paths; and

**Whereas**, approximately 6 unarmed Tomahawks a year are planned to be launched during fall and winter from ships and submarines in the Atlantic Ocean; and

**Whereas**, these missiles will follow along a 10-mile wide corridor from the Atlantic to a recovery area in Rangeley escorted by a chase plane; and

**Whereas**, a great deal of concern has been expressed over the proposed testing of such unmanned craft over populated areas of the State and the threat to existing flights and facilities in the vicinity; now, therefore, be it

**Resolved**: That We, the members of the 113th Legislature of the State of Maine now assembled in Second Regular Session, express our concern for the public safety in testing missiles over populated areas of the State and respectfully request Governor John R. McKernan, Jr., and the members of the Maine Congressional Delegation to use the powers of their respective offices to fully inform the members of the Legislature and the general public of the details of this proposal and to provide full opportunity to debate this plan and to respond before any authorization is given; and be it further

**Resolved**: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable John R. McKernan, Jr., Governor of Maine, and to each member of the Maine Congressional Delegation as notice of our deep concern and our desire for an opportunity to be heard and our request to be informed.

In Senate Chamber  
Read and Adopted  
February 9, 1988  
Sent down for Concurrence  
JOY J. O'BRIEN  
Secretary

House of Representatives  
Read and Adopted  
February 10, 1988  
In Concurrence  
EDWIN H. PERT  
Clerk

# State of Maine

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

## JOINT RESOLUTION MEMORIALIZING THE UNITED STATES COAST GUARD AND THE UNITED STATES DEPARTMENT OF TRANSPORTATION TO CEASE AND DESIST ALL EFFORTS TO CLOSE TWO COAST GUARD STATIONS IN MAINE

**We**, your Memorialists, the Senate and House of Representatives of the State of Maine in the Second Regular Session of the One Hundred and Thirteenth Legislature, now assembled, most respectfully present and petition the United States Coast Guard and the United States Department of Transportation to cease and desist all efforts to close 2 Coast Guard stations in Maine, as follows:

**Whereas**, the United States Coast Guard has summarily and publicly announced the intention of permanently closing 2 stations in Maine; and

**Whereas**, the Maine stations designated for closing are the search and rescue station at Eastport and the marine safety detachment at Bangor, involving a total cutback of 12 people and \$473,000; and

**Whereas**, these facilities are 2 of 6 along the New England coast scheduled to be shut down next month to cover a shortfall in the operating budget; and

**Whereas**, this decision comes at a time when Maine's 3,500 miles of coastline are already thinly protected from the increased intrusion of drug traffic; and

**Whereas**, the sea provides the State with a vast and priceless resource which has long been vital to our economy, and our commercial fishermen rely on the services of the United States Coast Guard as their only protection; now, therefore, be it

**Resolved**: That We, your Memorialists, do hereby respectfully protest said closure and request the United States Department of Transportation and the United States Coast Guard to cease and desist in their efforts to close these facilities; and be it further

**Resolved**: That the Members of the United States Congress for the State of Maine are hereby urgently requested to use every possible means to cause the decision to close these facilities to be reversed; and be it further

**Resolved**: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to Admiral Paul A. Yost, Jr., Commandant of the United States Coast Guard; James H. Burnley IV, Secretary of the United States Department of Transportation; and to each member of the Maine Congressional Delegation.

House of Representatives  
Read and Adopted  
February 12, 1988  
Sent up for Concurrence  
EDWIN H. PERT  
Clerk

In Senate Chamber  
Read and Adopted  
February 16, 1988  
In Concurrence  
JOY J. O'BRIEN  
Secretary



# State of Maine

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

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## JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO URGE THE RETENTION OF MORTGAGE REVENUE BONDS AS A FINANCIAL MECHANISM AUTHORIZED BY THE FEDERAL TAX CODE TO ASSIST IN ADDRESSING THE CRITICAL PROBLEM OF AFFORDABLE SINGLE-FAMILY HOUSING

**We**, your Memorialists, the Senate and House of Representatives of the State of Maine in the Second Regular Session of the 113th Legislature, now assembled, most respectfully present and petition the President of the United States and the members of Congress from the several states as follows:

**Whereas**, current federal law provides for the elimination of the tax-exempt status for revenue bonds sold by states to provide affordable mortgage capital to first-time home buyers; and

**Whereas**, the availability of mortgage revenue bonds is a critical element in the State of Maine's ability to address a continuing problem of lack of affordable mortgage capital for Maine's working families; and

**Whereas**, since the sale of its first mortgage revenue bond in 1972, the State of Maine has been able to provide the dream of homeownership to over 16,500 Maine families because of the availability of mortgage revenue bonds; and

**Whereas**, the Maine housing market faces a critical problem of increasing disparity between income and home costs, making the necessary monthly payments on a home too high for thousands of Maine families to afford at conventional interest rates; and

**Whereas**, the availability of affordable housing is recognized as a critical element in the continued economic health and social strength of the State of Maine; and

**Whereas**, the State of Maine has a long-standing financial and programmatic commitment to the provision of affordable housing; and

**Whereas**, the availability of mortgage revenue bonds is essential if Maine working families are to be able to afford to purchase a home of their own and the State of Maine remain able to meet its commitment to assist its people in attaining the dream of homeownership; now, therefore, be it

**Resolved**: That We, your Memorialists, respectfully urge that legislation introduced into the House of Representatives and Senate of the United States Congress be enacted forthwith to extend for at least another 5 years the availability of single-family mortgage revenue bonds; and be it further

**Resolved**: That the Maine Legislature respectfully requests that the Representatives of the several states in Congress of the United States and the President of the United States act to make sure that no interruption in the availability of single-family mortgage revenue bonds will occur; and be it further

**Resolved**: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable Ronald W. Reagan, President of the United States; to the Honorable George Bush, President of the Senate; to the Honorable James Wright, Speaker of the House of Representatives; and to each member of the Maine Congressional Delegation.

**In Senate Chamber**  
**Read and Adopted**  
**February 17, 1988**  
**Sent down for Concurrence**  
**JOY J. O'BRIEN**  
**Secretary**

**House of Representatives**  
**Read and Adopted**  
**February 18, 1988**  
**In Concurrence**  
**EDWIN H. PERT**  
**Clerk**

S.P. 882

# State of Maine

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

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## JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO REQUIRE THE PRESIDENT OF THE UNITED STATES TO SUBMIT A PROPOSED BALANCED BUDGET TO THE CONGRESS AND TO REQUIRE A BALANCED FEDERAL BUDGET

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

**Whereas**, with each passing year, this nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues so that the public debt now exceeds hundreds of billions of dollars; and

**Whereas**, the legislative and executive branches of the Federal Government continually demonstrate an unwillingness or inability, with respect to the annual federal budget, to curtail spending to conform to available revenues; and

**Whereas**, unified budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the budget and are not subject to the legal public debt limit; and

**Whereas**, knowledgeable planning, fiscal prudence and plain good sense require that the budget reflect all federal spending and be in balance; and

**Whereas**, believing that fiscal irresponsibility at the federal level, with the inflation which results from this policy, is one of the greatest threats which faces our nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

**Whereas**, under the United States Constitution, Article V, the Congress, whenever  $\frac{2}{3}$  of both Houses deem it necessary, shall propose amendments to the United States Constitution, which shall be valid for all intents and purposes, as part of the United States Constitution, when ratified by the legislatures of  $\frac{3}{4}$  of the several states; and

**Whereas**, we believe action on amendments to the United States Constitution concerning federal expenditures to be vital; now, therefore, be it

**Resolved**: That We, your Memorialists, do hereby respectfully urge the members of this Congress of the United States to propose an amendment to the United States Constitution to require a balanced federal budget, except in time of declared war or when  $\frac{3}{5}$  of the elected members of each House agree; and be it further

**Resolved**: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate and to each member of the Maine Congressional Delegation.

**In Senate Chamber**  
**Read and Adopted**  
**April 15, 1988**  
**Sent down for Concurrence**  
**JOY J. O'BRIEN**  
**Secretary**

**House of Representatives**  
**Read and Adopted**  
**April 18, 1988**  
**In Concurrence**  
**EDWIN H. PERT**  
**Clerk**

S.P. 998

# State of Maine

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

## JOINT RESOLUTION MEMORIALIZING THE 100TH CONGRESS OF THE UNITED STATES TO REGULATE THE PORTRAYAL OF VIOLENCE AND THE MARKETING OF WAR TOYS AND TOY FIREARMS

**We**, your Memorialists, the Senate and House of Representatives of the State of Maine in the Second Regular Session of the One Hundred and Thirteenth Legislature, now assembled, most respectfully present and petition the Members of the 100th Congress of the United States of America, as follows:

**Whereas**, the media is becoming an increasingly important source of information, role models and content of children's play; and

**Whereas**, stories and programs presented in the media are coordinated with the development and marketing of children's toys and games; and

**Whereas**, even conscientious parents have difficulty in regulating their children's exposure to these programs and toys; and

**Whereas**, the programs and toys may adversely affect the development of children in ways that impede their understanding of the consequences of violent acts committed by themselves or others; and

**Whereas**, the mistaken assumption by law enforcement agents or other individuals that look-alike firearms are real firearms can lead to tragic consequences; now, therefore, be it

**Resolved**: That We, your Memorialists, respectfully recommend and urge the Congress of the United States to use every possible means at its command to:

1. Regulate, or obtain agreements from manufacturers of look-alike firearms to mark them with clearly recognizable markings; and
2. Regulate, or obtain agreement from, media operating under licenses issued by federal agencies to prohibit the coupling of programs which portray violence with the marketing of war toys or other toys which foster violent play among children; and be it further

**Resolved**: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the President of the United States, the President of the Senate and Speaker of the House of Representatives of the Congress of the United States and to each member of the Maine Congressional Delegation.

In Senate Chamber  
Read and Adopted  
April 15, 1988  
Sent down for Concurrence  
JOY J. O'BRIEN  
Secretary

House of Representatives  
Read and Adopted  
April 18, 1988  
In Concurrence  
EDWIN H. PERT  
Clerk

# State of Maine

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

## JOINT RESOLUTION MEMORIALIZING THE INTERSTATE COMMERCE COMMISSION AND THE MEMBERS OF THE UNITED STATES CONGRESS TO ENSURE AN ADEQUATE RAIL SERVICE FOR MAINE AND NEW ENGLAND

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

**Whereas**, concern lingers over the level and quality of service provided by Guilford Transportation Industries in this State; and

**Whereas**, the deterioration of rail service is a real threat to the economic vitality of many industries in this State; and

**Whereas**, it is vitally necessary that steps be taken at the earliest possible time to ensure the stabilization and improvement of rail service throughout the region; and

**Whereas**, these necessary steps to ensure a reliable and efficient rail system throughout this region can only be taken by the Interstate Commerce Commission; now, therefore, be it

**Resolved**: That We, your Memorialists, do hereby respectfully urge the Members of the Interstate Commerce Commission and members of the United States Congress to do all within their respective powers to ensure the stabilization and improvement of rail service in Maine and the New England area and to consider implementation of directional service at the earliest possible time to provide the relief necessary for this essential service; and be it further

**Resolved**: That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to each member of the Interstate Commerce Commission for the United States and 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.

In Senate Chamber  
Read and Adopted  
April 21, 1988  
Sent down for Concurrence  
JOY J. O'BRIEN  
Secretary

House of Representatives  
Read and Adopted  
April 21, 1988  
In Concurrence  
EDWIN H. PERT  
Clerk

S.P. 1008

# State of Maine

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

## JOINT RESOLUTION REQUESTING THE HONORABLE JOHN R. MCKERNAN, JR., GOVERNOR OF MAINE TO CALL A SPECIAL SESSION TO PROVIDE FOR PROPERTY TAX RELIEF

**Whereas**, state revenues for fiscal year 1988 are running higher than anticipated; and

**Whereas**, there are strong indications that revenues will continue to exceed expectations through the end of the fiscal year; and

**Whereas**, property tax relief has been a foremost concern of the 113th Maine Legislature; and

**Whereas**, the "circuit breaker" tax relief program has provided \$4,000,000 since adopted by the Legislature in 1987; and

**Whereas**, the 1988 supplemental budget included an additional \$5,400,000 in property tax relief through the "circuit breaker" plan; and

**Whereas**, existing revenue estimates supplied by the McKernan Administration limit the Legislature's ability to provide additional property tax relief to the citizens of Maine; and

**Whereas**, it is the intent of the Legislature to expand this highly successful program to benefit a greater number of Maine residents; now, therefore, be it

**Resolved**: That We, the members of the 113th Maine Legislature now assembled in Second Regular Session, respectfully request that the Honorable John R. McKernan, Jr., Governor of Maine, recognize the need for property tax relief and that he be made aware of the Legislature's desire to use surplus revenues to provide additional tax relief to the people of Maine; and be it further

**Resolved**: That since the statutory adjournment provision of Maine law denies the Legislature the ability to apply surplus revenues to further property tax relief, that the members of the Maine Legislature respectfully request that the Honorable John R. McKernan, Jr., exercise his powers under the Constitution of Maine under Article V, Part First, Section 13 and call the Legislature into Special Session following the release of the final revenue figures for 1988, for the express purpose of using revenues from an unanticipated surplus to expand property tax relief efforts through the "circuit breaker" program and any other appropriate program to provide tax relief; and be it further

**Resolved**: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Governor McKernan as notice of this request.

House of Representatives

Read and Adopted

May 4, 1988

Sent up for Concurrence

EDWIN H. PERT

Clerk

In Senate Chamber

Read and Adopted

May 4, 1988

In Concurrence

JOY J. O'BRIEN

Secretary

# State of Maine

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

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## JOINT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO STUDY THE TRADE PRACTICES OF THE MOTOR FUEL SALES INDUSTRY

**Whereas**, the competitive nature of the sale of motor fuels is in danger due to certain trade practices; and

**Whereas**, a free and open competitive marketplace for the sale of motor fuels is in the best interests of the people of the State; and

**Whereas**, where the potential exists for harm to the competitive nature of this marketplace through the consolidation of competitors; and

**Whereas**, action may need to be taken by the Attorney General to preserve the competitive nature of the sale of motor fuels; now, therefore, be it

**Resolved**: That the Legislature urges the Attorney General to undertake a study of the potential harm to Maine consumers and to the competitive nature of the free-market economy due to the consolidation of competitors in the sale of motor fuel. This study should examine such consolidation and sales practices in light of the Maine Unfair Trade Practices Act and other applicable state and federal antitrust laws; and be it further

**Resolved**: That the Attorney General report his findings and any necessary implementing legislation to the First Regular Session of the 114th Legislature; and be it further

**Resolved**: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Attorney General.

In Senate Chamber  
Read and Adopted  
September 16, 1988  
Sent down for Concurrence  
JOY J. O'BRIEN  
Secretary

House of Representatives  
Read and Adopted  
September 16, 1988  
In Concurrence  
EDWIN H. PERT  
Clerk

S.P. 1034



# State of Maine

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

## JOINT RESOLUTION MEMORIALIZING THE MEMBERS OF THE UNITED STATES CONGRESS TO PASS LEGISLATION FOR BETTER CHILD CARE SERVICES

**We**, your Memorialists, the House of Representatives and Senate of the State of Maine of the One Hundred and Thirteenth Legislature, now assembled, most respectfully present and petition the United States Congress, as follows:

**Whereas**, State Government has provided almost 20 years of progressive leadership and commitment of resources to develop child care services in Maine; and

**Whereas**, the lack of good quality, accessible and affordable child care services is still a serious problem facing many thousands of children and families, and employers, all across Maine; and

**Whereas**, successful resolution of the child care crisis requires coordination and collaboration between all levels of government and the private sector; and

**Whereas**, the "Act for Better Child Care Services" is a comprehensive Federal Government proposal to assist states and local communities to make child care more affordable for low-income and moderate-income families, to increase the number of child care facilities and qualified providers available to all families, and to improve the range of options and quality of all child care services; now, therefore, be it

**Resolved**: That We, your Memorialists, respectfully urge and petition the Members of the United States Congress to pass "AN ACT for Better Child Care Services," S. 1885 — H.R. 3660; and be it further

**Resolved**: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted 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.

In Senate Chamber  
Read and Adopted  
September 16, 1988  
Sent down for Concurrence  
JOY J. O'BRIEN  
Secretary

House of Representatives  
Read and Adopted  
September 16, 1988  
In Concurrence  
EDWIN H. PERT  
Clerk

S.P. 1035