

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LAWS**

OF THE

**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

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

---

---

J.S. McCarthy Company  
Augusta, Maine  
1989

---

---

**SELECTED  
MEMORIALS  
AND  
JOINT RESOLUTIONS**

---

---



# State of Maine

---

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

---

## JOINT RESOLUTION ON THE ELECTION OF GEORGE J. MITCHELL AS THE MAJORITY LEADER OF THE UNITED STATES SENATE

**Whereas**, on the third day of January, 1989, George John Mitchell will assume the office of Majority Leader of the United States Senate; and

**Whereas**, the people of the State of Maine have resoundingly indicated their special affection for George Mitchell and their trust in his intelligence, integrity and leadership by re-electing him as their United States Senator by the largest margin in Maine's history; and

**Whereas**, the members of the Legislature have for many years observed Senator Mitchell demonstrate rare wisdom and commanding intellect in the performance of his duties as the Executive Assistant to Senator Edmund S. Muskie, as a respected attorney in the private practice of law, as the United States Attorney for Maine, as a Judge of the United States District Court for the District of Maine and as a United States Senator from Maine; and

**Whereas**, the people of the United States of America have observed Senator Mitchell's high ability and admirable temperament as a member of the special committee investigating the Iran-Contra Affair; and

**Whereas**, his colleagues in the Senate have recognized Senator Mitchell's special talents and abilities and have seen fit to elevate him to the post of Majority Leader; and

**Whereas**, the citizens of Senator Mitchell's home city of Waterville, the people of the State of Maine and the members of this Legislature take great pride in Senator Mitchell's singular achievements; now, therefore, be it

**Resolved:** That We, the Members of the 114th Legislature of the great and sovereign State of Maine, now assembled, extend our heartiest congratulations to Senator Mitchell on the occasion of his election as Majority Leader of the Senate; and be it further

**Resolved:** That a duly attested copy of this resolution be transmitted forthwith by the Secretary of State to the new Majority Leader of the United States Senate in honor of the occasion.

In Senate Chamber

Read and Adopted

December 7, 1988

Sent down for Concurrence

JOY J. O'BRIEN

Secretary

House of Representatives

Read and Adopted

December 7, 1988

In Concurrence

EDWIN H. PERT

Clerk

S.P. 14

# State of Maine

---

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

---

## JOINT RESOLUTION ON THE INAUGURATION OF GEORGE H. W. BUSH AS PRESIDENT OF THE UNITED STATES OF AMERICA

**Whereas**, on the 20th day of January, 1989, the uniquely American event called Inauguration Day will occur; and

**Whereas**, during these dramatic times, George Herbert Walker Bush will face the Nation as the 41st President of the United States of America; and

**Whereas**, the people of this Nation through a free and open election process have placed their faith, trust and confidence in George H. W. Bush; and

**Whereas**, the State of Maine takes pride in the election of President Bush because of his long-standing ties to our State, his love of our State's natural beauty and his affection for its people and institutions; and

**Whereas**, all Americans pray that the next four years will be filled with peace in the world and prosperity at home, and that the directions taken by this administration can bring new hope, opportunity and great satisfaction to the people of this country and the world; now, therefore, be it

**Resolved:** That We, the Members of the 114th Legislature, now assembled, of the great and sovereign State of Maine extend our heartiest congratulations to President-Elect Bush on the occasion of his inauguration; and be it further

**Resolved:** That a duly authenticated copy of this Resolution be transmitted forthwith by the Secretary of State to our new Chief Executive of the United States in honor of the occasion.

In Senate Chamber  
Read and Adopted  
December 7, 1988  
Sent down for Concurrence

JOY J. O'BRIEN  
Secretary

House of Representatives  
Read and Adopted  
December 7, 1988  
In Concurrence

EDWIN H. PERT  
Clerk

# State of Maine

---

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

---

## JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO MANDATE THAT THE UNITED STATES VETERANS ADMINISTRATION MAKE TESTS AVAILABLE TO VIETNAM-ERA VETERANS WHICH MEASURE THE AMOUNT OF DIOXIN IN AN INDIVIDUAL

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

**Whereas**, there is continually increasing evidence that many medical conditions are associated with exposure to dioxin; and

**Whereas**, many veterans have elevated dioxin levels in their bodies; and

**Whereas**, the failure of the United States Veterans Administration to consider these conditions as service-related, until further studies are conducted, will cause additional suffering and distress to these veterans; now, therefore, be it

**Resolved:** That We, your Memorialists, respectfully recommend and urge the Congress of the United States to direct the United States Veterans Administration to make available to any Vietnam-era veteran who was potentially exposed to dioxin-contaminated herbicides while in military service, a test which measures the level of dioxin (2, 3, 7, 8 — TCDD) in the veteran's body; and be it further

**Resolved:** That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable George Bush, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States,



each member of the Maine Congressional Delegation and each governor of the 50 states and the United States territories.

House of Representatives

Read and Adopted

February 2, 1989

Sent up for Concurrence

In Senate Chamber

Read and Adopted

February 7, 1989

In Concurrence

EDWIN H. PERT

Clerk

JOY J. O'BRIEN

Secretary

H.P. 61

# State of Maine

---

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

---

## JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO EXEMPT FUNDS AWARDED TO VIETNAM VETERANS FROM THE CLASS ACTION SUIT AGAINST DOW CHEMICAL CORPORATION FROM THE DETERMINATION OF ELIGIBILITY FOR FEDERALLY ESTABLISHED PUBLIC ASSISTANCE PROGRAMS

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

**Whereas**, some Vietnam veterans will receive compensation from the out-of-court settlement of the class action suit against Dow Chemical Company; and

**Whereas**, the money from this settlement may make these veterans ineligible for certain federally established public assistance programs; and

**Whereas**, the class action settlement was initiated to benefit Vietnam veterans and not to restrict access to federal assistance programs nor to save the federal government money; now, therefore, be it

**Resolved:** That We, your Memorialists, respectfully recommend and urge the Congress of the United States to amend the Social Security Act of the United States to provide an exemption for funds awarded to Vietnam veterans pursuant to the class action suit for the purpose of determining eligibility for federally funded public assistance programs; and be it further

**Resolved:** That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable George Bush, President of the United States, the President

of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each member of the Maine Congressional Delegation.

House of Representatives

Read and Adopted

February 2, 1989

Sent up for Concurrence

In Senate Chamber

Read and Adopted

February 7, 1989

In Concurrence

EDWIN H. PERT

Clerk

JOY J. O'BRIEN

Secretary

H.P. 65

# State of Maine

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

## JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ALLOW STATES MORE DISCRETION IN UTILIZING FUNDING AVAILABLE FROM THE ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH BLOCK GRANT CONTAINED IN THE ANTI-DRUG ABUSE ACT OF 1988

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

**Whereas**, the Alcohol, Drug Abuse, and Mental Health Block Grant Program contained in the federal Anti-Drug Abuse Act of 1988 has established significant changes in the requirements imposed on the several states for utilization of these block grant funds; and

**Whereas**, some of these changes reflect the needs of larger states and do not reflect the needs of smaller states, such as Maine, whose alcohol, drug and mental health problems and solutions are not the same as those of the larger states; and

**Whereas**, it will be particularly difficult for Maine to comply with or effectively utilize available funding in connection with the following new requirements:

1. The required allocation of substantial funds for services to intravenous drug users. The diversion of significant funds for services to intravenous drug users in Maine is out of proportion to the severity of the problem in Maine in relation to other alcohol and drug problems. Funding which could have been available for other necessary programs will revert back to the Federal Government, resulting in a significant loss of essential services;

2. The requirement that a substantial portion of block grant funding be reserved for new services. The Anti-Drug Abuse Act of 1988, as amended, requires a state to spend not less than 55% of the mental health allotment on new services and programs not available on October 1, 1988. It also requires that 50% of the amount reserved by a state for services to seriously emotionally disturbed children and adolescents be used for new or expanded programs that were not available prior to October 1, 1988. This substantial new service requirement, combined with the estimated \$212,000 decline in mental health block grant funding, will necessitate either a major increase in state funding to continue programs started with block grant funds or the reservation of block grant funds to short-term projects;

3. The restriction on the obligation of funding for any year to that same year. Reauthorization of block grant funding is often delayed by congressional debate for months after the previous block

grant legislation and funding has terminated. States have traditionally carried over funding from the previous year to allow for that delay and for the subsequent 6 to 8-week delay in implementing the new block grants after enactment. Reducing the permissible period in which the funding may be obligated impairs continuing state programs by eliminating continuing funding for staff salaries and contractual services. Vital alcohol, drug abuse and mental health services will have to be terminated for that 2 to 4-month period;

4. The reduction in funding which can be dedicated to administrative expenses from 10% to 5%. This reduction shifts the burden of administrative expenses disproportionately to the states. The reduction in administrative expenses is accompanied by additional administrative requirements which have significant costs. New requirements include independent peer review to assess the quality and appropriateness of treatment services provided by entities that receive funds and data collection on mental health activities including the number and demographic characteristics of individuals receiving treatment, the type of care received and such other data as may be appropriate; and

5. The requirement to establish a revolving loan fund to make available loans to enable groups of 4 or more recovering substance abusers to set up group homes. Maine's experience cannot justify the utilization of that level of funding for that purpose. Unused funds will revert to the Federal Government and be unavailable for necessary programs designed to address Maine needs; and

**Whereas**, the current federal law includes limited waiver provisions to allow for an adjustment period to the new federal requirements, this waiver provision only addresses the transition period to the new requirements and does not address the underlying problem. The real issue is the restrictions imposed on Maine's ability to apply available substance abuse and mental health block grant funding to Maine's unique problems and the failure of the federal legislation to recognize that different states will have different substance abuse and mental health problems; now, therefore, be it

**Resolved:** That We, your Memorialists, respectfully recommend and urge the Congress of the United States to recognize that federal legislation affects 50 states and that, among those states, the variations in the types and severity of substance abuse and mental health problems and issues are significant; and be it further

**Resolved:** That Congress allow each state to exercise more discretion in the utilization of the Alcohol, Drug Abuse, and Mental Health Block Grant funds, granting them the flexibility to address their unique problems and issues; and be it further

**Resolved:** That Congress address the following specific problems with the current Alcohol, Drug Abuse, and Mental Health Block Grant Program by:

1. Enacting a 3-year waiver provision for the requirement that a specific amount of funding be utilized exclusively to provide services to intravenous drug users;

2. Providing additional mental health block grant funding as necessary to cover expenses for new service requirements; and

3. Reinstating the authorization for the states to obligate federal funding during a 2-year period; and be it further

**Resolved:** That Congress address the following specific problems when enacting additional alcohol, drug abuse, and mental health block grant programs:

1. Authorizing administrative expenses of up to 10% of the block grant and providing additional funding for administrative expenses to each state in an amount sufficient to meet additional administrative requirements imposed by the legislation; and

2. Enacting a waiver provision for the requirement that unspent funds in the revolving loan fund established for recovering substance abusers to set up group homes be returned to the Federal Government. These funds should be carried over and be available for use at a later date if requested by loan applicants; and be it further

**Resolved:** That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable George H.W. Bush, President of the United States, the President of the Senate and the 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

*March 20, 1989*

Sent down for Concurrence

JOY J. O'BRIEN

Secretary

*House of Representatives*

Read and Adopted

*March 21, 1989*

In Concurrence

EDWIN H. PERT

Clerk

S.P. 317

# State of Maine

---

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

---

## JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO GRANT COMPENSATION TO ATOMIC VETERANS WITHOUT REGARD TO LATENCY PERIODS

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

**Whereas**, many Maine Atomic Veterans have died of cancer, leukemia and other radiation-induced illnesses; and

**Whereas**, Public Law 100-321 provides compensation to Atomic Veterans for certain illnesses but invokes a latency period of 40 years for certain cancers and 30 years for certain leukemias; and

**Whereas**, Atomic Veterans who have either been diagnosed as having, or are deceased as a result of, colon cancer or cancer of the parotid gland are denied benefits by Public Law 100-321; and

**Whereas**, colon cancer and cancer of the parotid gland are internationally recognized as being caused by radiation exposure; and

**Whereas**, no concrete scientific evidence of the type that would be supported by application of the Reasonable Man Doctrine exists to substantiate latency periods; now, therefore, be it

**Resolved:** That We, your Memorialists, respectfully recommend and urge the Congress of the United States to grant presumptive compensation to Atomic Veterans for cancer of the colon and the parotid gland and to delete latency period requirements for radiation compensation from the law; and be it further

**Resolved:** That a duly authenticated copy of this Memorial be immediately submitted by the Secretary of State to the Honorable George H.W. Bush, President of the United States, the President of the Senate and the Speaker of the House of the Congress of the United States, to each

Member of the Senate and House of Representatives in the Congress of the United States from this State and to the Governors of the 50 United States.

House of Representatives

Read and Adopted

March 22, 1989

Sent up for Concurrence

EDWIN H. PERT

Clerk

In Senate Chamber

Read and Adopted

March 23, 1989

In Concurrence

JOY J. O'BRIEN

Secretary

H.P. 633



# State of Maine

---

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

---

## JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENSURE FULL CITIZENS' RIGHTS OF MAINE VETERANS WHO BORE ARMS IN DEFENSE OF THE UNITED STATES OF AMERICA

**We**, your Memorialists, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress, as follows:

**Whereas**, the sons and daughters of Maine have always been generous in bearing arms to defend the United States of America and willingly took an oath to uphold, protect and defend the Constitution of the United States against all enemies; and

**Whereas**, the founding fathers took great pains to establish that the military would always be under civilian control; and

**Whereas**, a decision of the Supreme Court of the United States which established the Feres doctrine precludes suits against the United States by veterans for peacetime damages and the so-called "Warner Amendment" declares defense contractors to be government employees when sued by a veteran and thus are defended by the Feres doctrine; and

**Whereas**, Title 38 United States Code bars an attorney-at-law from charging a veteran more than \$10 for that attorney's services at any level in the Veterans' Administration claims process; and

**Whereas**, the sons and daughters of Maine have willingly sacrificed their lives to preserve our liberties, been decorated for heroism against an armed enemy and have kept faith with the Constitution of the United States; now, therefore, be it

**Resolved:** That We, your Memorialists, respectfully pray, that in keeping faith with veterans of the Armed Forces of the United States of America, millions of whom have given their lives in defense of the Constitution of the United States, that the Congress of the United States, in keeping with the plain language of the Constitution of the United States, grant, reaffirm and forever pledge that the rights accruing to all citizens under this great document shall not be abridged or denied any citizen who bore arms in defense of that citizen's country; and be it further

**Resolved:** That a duly authenticated copy of this Memorial be submitted immediately by the Secretary of State to the Honorable George H.W. Bush, the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to each Member of the Maine Congressional Delegation and to the Governors of the 50 United States.

House of Representatives

Read and Adopted

March 27, 1989

Sent up for Concurrence

EDWIN H. PERT

Clerk

In Senate Chamber

Read and Adopted

March 28, 1989

In Concurrence

JOY J. O'BRIEN

Secretary

H.P. 634

# State of Maine

---

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

---

## JOINT RESOLUTION COMMEMORATING THE 150TH ANNIVERSARY OF AROOSTOOK COUNTY

**Whereas,** Maine's northernmost county, the County of Aroostook, has long been nationally recognized for its unique character and for the perseverance and fortitude of its citizens; and

**Whereas,** this largest county of the eastern United States, incorporated by an Act of the Legislature on March 16, 1839, covering an area of 6,450 square miles, has become known as the "Crown of Maine" because of its location, size and its prominence in the history and affairs of our State; and

**Whereas,** "The County" is the ancestral home of the Maliseet and Micmac Indians, was first explored by French and English traders and frontiersmen in the 1600's; was permanently settled in the north by 200 Acadian pioneers at Madawaska in 1785 and in the south by Joseph Houlton, Aaron Putnam and Oliver Taylor at Houlton in 1804; and ever since those first colonizations, has required a special spirit of independence from those who have come to live within its bounds, including other settlers from southern Maine, New Brunswick and the Kingdom of Sweden, and has in return given generously of its spectacular natural beauty and abundant natural resources; and

**Whereas,** this vast expanse of woodlands, farms and communities not only serves the material needs of New England for lumber, paper, wood products and potatoes, but also refreshes the spirits of countless hunters, hikers, anglers and outdoor sports enthusiasts who come to Aroostook each year for a respite from crowded urban lives; and

**Whereas,** the "Last Frontier" is an important part of Maine's heritage and mystique which epitomizes the self-reliance and self-sufficiency of the people of Maine; now, therefore, be it

**Resolved:** That We, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, take this occasion to recognize the Sesquicentennial Anniversary of Aroostook County, and to commend the inhabitants and officials of this area for the success which they have achieved together for 150 years, and to extend to each our sincere hopes and best wishes for continued achievement over the next century and a half; and be it further

**Resolved:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the citizens and officials of this proud county in honor of the occasion.

In Senate Chamber

Read and Adopted

April 18, 1989

Sent down for Concurrence

House of Representatives

Read and Adopted

April 19, 1989

In Concurrence

JOY J. O'BRIEN

Secretary

EDWIN H. PERT

Clerk

S.P. 451

# State of Maine

---

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

---

## JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO CONDUCT HEARINGS CONCERNING INTERSTATE COMMERCE COMMISSION OVERSIGHT OF MAINE RAILROADS

**We**, the members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the members of the Congress of the United States, as follows:

**Whereas**, transportation problems created in the State of Maine by Guilford Industries' railroad operations have left our biggest and best industries without adequate rail services; and

**Whereas**, the economic development of the State of Maine has suffered immensely without a safe, dependable and competitive rail system since Guilford Industries reduced rail operations throughout the State of Maine, including the Bangor Yard, in Bangor, Maine and the Rigby Yard in South Portland, Maine; and

**Whereas**, employment on Guilford Industries' railroads has been reduced to a level insufficient to provide necessary services and employment to industries served by those railroad operations; and

**Whereas**, railroad seniority had provided qualified and experienced personnel to operate Guilford Industries' rail service in the past; however, during the past year Guilford Industries has substituted these employees with newly hired, inexperienced, junior and unqualified personnel; and

**Whereas**, this substitution is a threat to the safety of personnel, property and cargo; and

**Whereas**, the Legislature of the State has long been concerned with the problems caused by Guilford Industries' railroad operations in Maine and has found it necessary to enact certain legislation to protect the vital interests of its constituents; and

**Whereas**, a certain Interstate Commerce Commission decision of January 10, 1989, denied employees of Guilford Industries the benefit of the work rules issued by Richard Kasher after full, fair and fact-finding arbitration; and

**Whereas**, the Interstate Commerce Commission imposed a post-arbitration seniority arrangement which was not subject to any discussion or fact-finding arbitration and which denied employees due process; and

**Whereas,** the Chair of the Interstate Commerce Commission conducted all of the activities of the commission, resulting in the deprivation of a full and fair fact-finding arbitration for employees of Guilford Industries; now, therefore, be it

**Resolved:** That We, Your Memorialists, respectfully recommend and urge the Congress of the United States to:

1. Establish and conduct hearings in the Senate of the United States on the decision-making process used by the Interstate Commerce Commission in its oversight of Guilford Industries;
2. Establish and conduct hearings in the House of Representatives of the United States on the decision-making process used by the Interstate Commerce Commission in its oversight of Guilford Industries;
3. Decline to confirm any reappointment of the Chair of the Interstate Commerce Commission in light of the recent actions and decisions of the commission; and
4. Enact legislation requiring that the so-called Kasher Implementing Arrangement decided on June 12, 1988, govern Guilford Industries, its rail subsidiaries and their employees and labor organizations until amended, changed or abrogated under the provisions of the United States Railway Labor Act; and be it further

**Resolved:** That a duly authenticated copy of this Joint Resolution be immediately submitted to the Honorable George H.W. Bush, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to each member of the Maine Congressional Delegation.

House of Representatives

Read and Adopted

April 20, 1989

Sent up for Concurrence

EDWIN H. PERT

Clerk

In Senate Chamber

Read and Adopted

April 24, 1989

In Concurrence

JOY J. O'BRIEN

Secretary

H.P. 910

# State of Maine

---

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

---

## JOINT RESOLUTION MEMORIALIZING CONGRESS OPPOSING A FEDERAL MOTOR FUEL TAX FOR DEFICIT REDUCTION

**We**, your Memorialists, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the Congress of the United States as follows:

**Whereas**, some Members of Congress have proposed that the federal tax on motor fuels be substantially increased to raise funds for the purpose of reducing the federal deficit; and

**Whereas**, a federal motor fuel tax increase large enough to provide more than a token decrease in the deficit would shrink the tax base for the states by reducing gasoline use; and

**Whereas**, the states rely heavily on motor fuel taxes for highway and bridge construction and maintenance and for other highway needs; and

**Whereas**, such a reduction in the states' tax base would add pressure for further increases in state motor fuel taxes to compensate for the reduced tax base; and

**Whereas**, such increased taxes at both the federal and state levels would seriously affect travel and tourism within and among the states further eroding state and local government revenues; and

**Whereas**, motor fuel tax increases disproportionately affect the poor and consumers in larger states where travel distances are greater; and

**Whereas**, the diversion of federal motor fuel tax revenues for deficit reduction would place an unfair burden on vehicle users for solving a national problem; and

**Whereas**, such a diversion strikes at the heart of the federal highway user fee concept that has served the nation so well in financing necessary highway-related programs; now, therefore, be it

**Resolved:** That We, your Memorialists, urge Congress to reject proposals to increase the federal motor fuel tax and to find other, more equitable and less damaging ways of reducing the federal budget deficit; and be it further

**Resolved:** That duly authenticated copies of this Memorial be submitted immediately by the Secretary of State to the Honorable George H. W. Bush, the President of the United States, the President of the Senate and the 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

*May 2, 1989*

Sent down for Concurrence

*House of Representatives*

Read and Adopted

*May 3, 1989*

In Concurrence

JOY J. O'BRIEN

Secretary

EDWIN H. PERT

Clerk

S.P. 518



# State of Maine

---

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

---

## JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO RESTORE FUNDS TO THE VETERANS ADMINISTRATION FOR FISCAL YEAR 1989

**We**, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the Congress of the United States, as follows:

**Whereas**, the budget of the Veterans Administration for fiscal year 1989 contains a \$635,000,000 shortfall; and

**Whereas**, \$1,500,000 of the shortfall is in the budget of the Veterans Administration Medical and Regional Office Center at Togus, Maine; and

**Whereas**, the shortfall will impose hardships on the citizens of Maine, and will result in the loss or closing of the following programs and facilities:

1. A recently opened substance abuse program;
2. A 30-bed acute psychiatric ward;
3. Veterans without a service-connected disability may be turned away for lack of beds;
4. Some outpatient services will no longer be available to veterans without a service-connected disability;
5. Fewer veterans will be placed in community nursing homes at the Veterans Administration's expense; and
6. Drugs furnished to Togus patients will be limited to those listed in the Togus Drug Formulary; and

**Whereas**, these cutbacks will have an adverse impact on disabled veterans throughout Maine and will further have a negative effect on the expenditures of the State of Maine; now, therefore, be it

**Resolved:** That We, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, do hereby respectfully urge and request the United States Congress to vote to grant additional funding for the purpose of restoring the \$635,000,000 shortfall in the Veterans Administration's budget for fiscal year 1989; and be it further

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

House of Representatives

Read and Adopted

May 3, 1989

Sent up for Concurrence

In Senate Chamber

Read and Adopted

May 4, 1989

In Concurrence

EDWIN H. PERT  
Clerk

JOY J. O'BRIEN  
Secretary

H.P. 1052

# State of Maine

---

*In the Year of Our Lord Nineteen Hundred and Eighty-Nine*

---

## JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES CONCERNING AMENDMENTS TO THE FEDERAL MINIMUM WAGE

---

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

*Whereas*, there is currently pending in the 101st United States Congress, a bill, H.R. 2, which would raise the federal minimum wage to \$4.55 an hour; and

*Whereas*, this measure has been passed by the United States Congress, and is to be presented to the Honorable George H. W. Bush, President of the United States, for his signature; and

*Whereas*, President Bush has publically indicated that he may veto this bill; and

*Whereas*, the federal minimum wage has not been increased since 1981; and

*Whereas*, even with the modest increase proposed by the 101st Congress, minimum-wage earners will not keep up with the inflation which has occurred over the past 8 years; and

*Whereas*, the Maine Legislature has passed increases in Maine's minimum wage and has found these increases to have a negligible negative impact on this State's business climate; and

*Whereas*, the Governor of Maine, along with numerous other governors, has gone on record in support of an increase in the federal minimum wage; and

*Whereas*, the President is proposing a capital gains tax break that will give those taxpayers who earn more than \$200,000 annually a tax cut of over \$30,000 per year; and

*Whereas*, the pending minimum wage bill is a true measure of a "kinder and gentler nation"; now, therefore, be it

*Resolved:* That We, your Memorialists, respectfully recommend and urge the President of the United States to sign H.R. 2 and thereby provide economic justice to the wage earners who are the backbone of our economic system; and be it further

*Resolved:* That duly authenticated copies of this joint resolution be submitted immediately by the Secretary of State to the Honorable George H. W. Bush, the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each member of the Maine Congressional Delegation.

*In Senate Chamber June 5, 1989  
Read, Adopted and Sent Down for Concurrence*

*House of Representatives June 6, 1989  
Read and Adopted In Concurrence*

JOY J. O'BRIEN  
Secretary

EDWIN H. PERT  
Clerk

S.P. 631

# State of Maine

---

*In the Year of Our Lord Nineteen Hundred and Eighty-Nine*

---

## JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT A NATIONAL MINIMUM CARAPACE SIZE FOR LOBSTERS

---

*We*, your Memorialists, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the members of the Congress of the United States, as follows:

*Whereas*, a legal minimum carapace size limit for lobsters, *Homarus americanus*, is an effective way to manage and protect the lobster resource; and

*Whereas*, lobsters migrate from the coastal waters of one state to the coastal waters of other states; and

*Whereas*, lack of a uniform minimum carapace size limit between states that have a lobster industry is detrimental to the effective management of the lobster resource; and

*Whereas*, a national minimum carapace size limit for lobsters would provide uniform resource management and protection, enhance enforcement of the lobster laws concerning sale of undersize lobsters, and ease interstate tensions and rivalries in the lobster industry; now, therefore, be it

*Resolved*: That We, your Memorialists, respectfully urge and request that the United States Congress enact legislation to establish a national minimum legal carapace size limit for lobsters; and be it further

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

*In Senate Chamber June 12, 1989  
Read, Adopted and Sent Down for Concurrence*

JOY J. O'BRIEN  
Secretary

*House of Representatives June 12, 1989  
Read and Adopted In Concurrence*

EDWIN H. PERT  
Clerk

S.P. 641

# State of Maine

---

*In the Year of Our Lord Nineteen Hundred and Eighty-Nine*

---

## JOINT RESOLUTION COMMEMORATING THE 200TH ANNIVERSARY OF WASHINGTON COUNTY

*Whereas,* the most easterly county in these United States, Maine's Washington County, is the home of crystalline lakes, granite mountains, great expanses of beautiful forests and a spectacular and craggy "bold coast"; and

*Whereas,* this proud region has been home to generations of hardy citizens who have made a resourceful living by carefully stewarding their limited material resources while industriously harvesting and utilizing the abundant bounty of the county's fields, forests, rivers and seacoast; and

*Whereas,* the "Sunrise County, USA" has historic significance, as it was originally a part of York County, was then part of Lincoln County and was separately set off and incorporated by the General Court of the Commonwealth of Massachusetts on June 25, 1789, and as the first naval battle of the Revolutionary War was fought off Machias on June 11, 1775; and

*Whereas,* the rugged beauty of this region, from Quoddy Head Light, to Coliscook Bay, to Deblois' blueberry barrens, to Cutler's majestic fiord-like bays, to Grand Lake Stream has been preserved for the enjoyment of visitors from throughout this State and around the world; and

*Whereas,* down east Maine, and the people who inhabit it, have captured our nation's imagination, and epitomize the self-reliance and independence of all Mainers; now, therefore, be it

*Resolved:* That We, the Members of the One Hundred and Fourteenth Legislature now assembled in the First Regular Session, take this occasion to recognize the Bicentennial Anniversary of Washington County, to commend the inhabitants and officials of this county for the success which they have achieved together for two centuries, and to extend to each our sincere hopes and best wishes for continued achievement over the next 200 years; and be it further

*Resolved:* That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the citizens and officials of this proud region in honor of the occasion.

*House of Representatives June 15, 1989  
Read, Adopted and Sent Up for Concurrence*

*In Senate Chamber June 15, 1989  
Read and Adopted In Concurrence*

EDWIN H. PERT  
Clerk

JOY J. O'BRIEN  
Secretary

# State of Maine

---

*In the Year of Our Lord Nineteen Hundred and Eighty-Nine*

---

JOINT RESOLUTION MEMORIALIZING THE CONGRESS AND THE  
PRESIDENT OF THE UNITED STATES TO CLEARLY EXPRESS OUR  
NATION'S SUPPORT FOR THE CHINESE STUDENTS WHO  
RISK ALL IN THE CAUSE OF DEMOCRACY

---

*We*, your Memorialists, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President and the Congress of the United States as follows:

*Whereas*, we are shocked and grieved by the events which have taken place since June 4, 1989, in Beijing, China; and

*Whereas*, our beliefs are rooted in the democratic traditions of the right of dissent, the right of redress of grievances and the right of peaceful assembly; and

*Whereas*, the people of China have attempted to peacefully present their earnest desire for a democratic society; and

*Whereas*, the response of the Chinese Government has been one of wanton disregard for human life; now, therefore, be it

*Resolved*: That We, your Memorialists, respectfully recommend and urge the Congress and the President of the United States to respond with a strong, clear message of support for democracy, freedom and respect for human life; and be it further

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

*House of Representatives June 15, 1989  
Read, Adopted and Sent Up for Concurrence*

*In Senate Chamber June 15, 1989  
Read and Adopted In Concurrence*

EDWIN H. PERT  
Clerk

JOY J. O'BRIEN  
Secretary



# State of Maine

*In the Year of Our Lord Nineteen Hundred and Eighty-Nine*

## JOINT RESOLUTION MEMORIALIZING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO URGE THE RETENTION OF SMALL ISSUE INDUSTRIAL DEVELOPMENT BONDS

*We*, your Memorialists, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the Members of the United States Congress, as follows:

*Whereas*, current federal law provides for the elimination of the tax-exempt status for small issue industrial development bonds sold by states to provide capital at reduced interest rates for establishment and expansion of manufacturing enterprises; and

*Whereas*, the availability of small issue industrial development bonds is critical to Maine's economic development providing expansion, diversification of the manufacturing sector, and quality jobs, protecting industry from foreign competition and encouraging productivity, capacity, and quality critical to the long-term stability of the State's manufacturing base; and

*Whereas*, in the past 5 years, small issue industrial development bonds have resulted in investments of approximately \$300,000,000 in Maine and the retention or creation of over 29,000 Maine jobs and have enhanced the tax base of municipalities throughout the State; and

*Whereas*, issuance of small issue industrial development bonds for United States manufacturers is an important investment in protecting and strengthening United States manufacturing entities, providing quality jobs, helping to ensure that jobs are retained in the United States and not exported overseas, and assisting in reducing the trade deficit; now, therefore, be it

*Resolved*: That We, your Memorialists, respectfully urge that legislation be enacted forthwith which will eliminate the pending sunset on small issue bonds under Section 144 of the Internal Revenue Code of 1986, as amended, so that no interruption in the availability of small issue industrial development bonds occurs; and be it further

*Resolved*: That a duly authenticated copy of this Memorial be submitted immediately by the Secretary of State to the Honorable George H.W. Bush, President of the United States, to the President of the Senate and to the 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 June 15, 1989  
Read, Adopted and Sent Down for Concurrence*

*House of Representatives June 16, 1989  
Read and Adopted In Concurrence*

JOY J. O'BRIEN  
Secretary

EDWIN H. PERT  
Clerk

# State of Maine

---

*In the Year of Our Lord Nineteen Hundred and Eighty-Nine*

---

## JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES, THE CONGRESS OF THE UNITED STATES, AND THE INTERSTATE COMMERCE COMMISSION TO RESTORE PASSENGER RAIL SERVICE TO THE STATE OF MAINE

---

*We*, your Memorialists, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and Congress, as follows:

*Whereas*, the restoration of passenger rail service between the State of Maine and other states in the northeastern United States is in the economic interest of the State of Maine; and

*Whereas*, the resumption of this service will help alleviate automobile traffic in the northeast corridor of the nation and will also reduce automobile emissions and resultant air pollution; and

*Whereas*, increased passenger rail traffic will relieve pressure on Maine's highways and bridges, thereby promoting energy conservation and reducing the consumption of fossil fuels; and

*Whereas*, there are currently studies conducted on improving passenger rail service within the State, and the development of alternate transportation systems is in the long-range planning interest of the State of Maine; and

*Whereas*, AMTRAK or private rail carriers may be able to provide this service between the State of Maine and other states in the region; and

*Whereas*, the increased utilization of train travel will improve the economic, cultural and social well-being of the State; now, therefore, be it

*Resolved*: That We, your Memorialists, recommend and urge the President of the United States, the Congress and the Interstate Commerce Commission to strive to enact measures to restore passenger rail service to the State of Maine; and be it further

*Resolved:* That duly authenticated copies of this Memorial be submitted by the Secretary of State to the Honorable George H.W. Bush, the President of the United States, the President of the Senate, the Speaker of the House of Representatives and to each Member of the Maine Congressional Delegation.

*House of Representatives June 19, 1989  
Read, Adopted and Sent Up for Concurrence*

*In Senate June 19, 1989  
Read and Adopted In Concurrence*

EDWIN H. PERT  
Clerk

JOY J. O'BRIEN  
Secretary

H.P. 1265

# State of Maine

---

*In the Year of Our Lord Nineteen Hundred and Eighty-Nine*

---

## JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REQUIRE HEALTH AND SAFETY DISCLAIMERS ON ALL BROADCAST AND PRINT MEDIA ALCOHOL ADVERTISEMENTS

---

*We*, your Memorialists, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the Congress of the United States, as follows:

*Whereas*, alcohol is one of the most abused drugs in the State of Maine, its consumption resulting in widespread damage to the health and well-being of individuals and their immediate families; and

*Whereas*, all Maine citizens are placed at risk of crimes and other harm by alcohol misuse and abuse; and

*Whereas*, the citizens of Maine, including young people, share with people across this country constant exposure to advertising, including alcohol advertising; and

*Whereas*, we believe that the citizens of Maine are directly affected and influenced by the relationship between alcohol advertising and alcohol consumption, as documented by various studies; and

*Whereas*, the effectiveness of health warning labels has been studied and reported to the United States Congress; and

*Whereas*, it is not practical or legal for the Maine Legislature to require unilaterally the addition of warning labels on most advertising that is seen in the State of Maine; now, therefore, be it

*Resolved:* That We, your Memorialists, respectfully recommend and urge the Congress of the United States to enact federal legislation that would require health and safety disclaimers on all broadcasts and print media alcohol advertising; and be it further

*Resolved:* That duly authenticated copies of this Memorial be submitted by the Secretary of State to the Honorable George H.W. Bush, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation.

*House of Representatives June 19, 1989  
Read, Adopted and Sent Up for Concurrence*

*In Senate June 19, 1989  
Read and Adopted In Concurrence*

EDWIN H. PERT  
Clerk

JOY J. O'BRIEN  
Secretary

H.P. 1273

# State of Maine

---

*In the Year of Our Lord Nineteen Hundred and Eighty-Nine*

---

## JOINT RESOLUTION MEMORIALIZING CONGRESS TO AMEND THE UNITED STATES CONSTITUTION TO MAKE DESECRATION OF THE AMERICAN FLAG A CRIME

---

*WE*, your Memorialists, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

*Whereas*, the American flag is a symbol of national unity; and

*Whereas*, the American flag provides a beacon of hope and liberty for every nation in the world; and

*Whereas*, our Armed Forces have defended our country's freedoms under the banner of the Stars and Stripes from the Revolutionary War to the present day; and

*Whereas*, the American flag is a source of tremendous national pride; and

*Whereas*, the American flag is cherished as the embodiment of our country's history, traditions and ideals; now, therefore, be it

*Resolved*: That We, the Members of the One Hundred and Fourteenth Legislature of the State of Maine now assembled in the First Regular Session, respectfully request the Congress of the United States to propose and pass an amendment to the United States Constitution making it a crime to desecrate the American flag; and be it further

*Resolved:* That a duly authenticated copy of this Memorial be submitted immediately by the Secretary of State to the Honorable George H.W. Bush, the President of the United States, to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States, and to each Member of the Maine Congressional Delegation.

*House of Representatives June 29, 1989  
Read, Adopted and Sent Up for Concurrence*

*In Senate June 29, 1989  
Read and Adopted In Concurrence*

EDWIN H. PERT  
Clerk

JOY J. O'BRIEN  
Secretary

H.P. 1286