

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

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**SELECTED MEMORIALS AND JOINT RESOLUTIONS**

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**JOINT RESOLUTION HONORING THE  
SISTERS OF THE BLESSED SACRAMENT  
CONVENT IN WATERVILLE**

**H.P. 1274**

**WHEREAS**, the Legislature has learned of the vicious and brutal attack on the sisters of the Blessed Sacrament in Waterville; and

**WHEREAS**, that attack has taken the lives of Sister Superior Edna Mary Cardozo and Sister Marie Julien Fortin and has left Sister Mary Anna DiGiacomo in serious condition and caused injuries to Sister Patricia Keane; and

**WHEREAS**, the order of the Blessed Sacrament sisters have for almost a half century provided comfort, solace, support and prayers for the sick, the elderly, the less privileged and anyone else in need; and

**WHEREAS**, their kindness, grace, mercy and thoughtful consideration will be sorely missed by all citizens, crossing boundaries of all faiths and all communities; now, therefore, be it

**RESOLVED:** That our membership join others from across the state and nation in extending our heartfelt sympathy and condolences to the families, friends and sisters of the Blessed Sacrament in their time of grief; and be it further

**RESOLVED:** That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the sisters of the Blessed Sacrament convent as an expression of our esteem.

**Read and adopted by the House of  
Representatives and the Senate February 1,  
1996.**

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**JOINT RESOLUTION MEMORIALIZING  
THE MEMBERS OF THE MAINE  
CONGRESSIONAL DELEGATION TO  
INSIST THAT THE UNITED STATES  
SECRETARY OF AGRICULTURE  
MAINTAIN AND INTENSIFY  
INSPECTIONS OF CANADIAN POTATO  
SHIPMENTS ALONG MAINE'S BORDER  
AND DETERMINE THE EXISTENCE OF  
UNFAIR TRADE PRACTICES BY THE  
CANADIAN GOVERNMENT**

**H.P. 1283**

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

**WHEREAS**, in response to complaints by Maine potato growers, the Federal-State Inspection Service recently began inspecting Canadian potatoes being imported into Maine; and

**WHEREAS**, in the course of these inspections, approximately 18% of the potatoes inspected were found to be "suspect" because they were mislabeled or did not meet grading requirements; and

**WHEREAS**, while Maine potato crops are at their lowest levels since 1922 due to drought, Canadian crops are at their highest; and

**WHEREAS**, this disparity in crop size between the 2 countries, when combined with possible subsidization of the potato industry by the Canadian Government, has led to a severe underselling of Maine potatoes, which has been exacerbated by the favorable exchange rate on the U.S. dollar received by Canadian farmers; and

**WHEREAS**, import restrictions on potatoes and other trade practices by the Canadian Government place an unfair burden on U.S. farmers, since the same restrictions are not placed on the import of Canadian potatoes by the U.S. Government; and

**WHEREAS**, these conditions, if not dealt with in a timely manner, could have disastrous effects on Maine potato farmers who are at risk of not being able to ship their potatoes, thus defaulting on their debts and losing their farms; now, therefore, be it

**RESOLVED:** That We, your Memorialists, respectfully urge and request that the Maine Delegation to the United States Congress insist that the U.S. Secretary of Agriculture continue and intensify the inspections of Canadian potatoes being imported into the United States along Maine borders; and be it further

**RESOLVED:** That We, your Memorialists, respectfully request that the Maine Delegation to the United States Congress insist that the U.S. Secretary of Agriculture and the U.S. Trade Representative intensify their investigations of import restrictions, subsidies and unfair trade practices by the Canadian Government; and be it further

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**RESOLVED:** That We, your Memorialists, respectfully request that, if the investigation reveals unfair trade practices, the U.S. Trade Representative take appropriate action under the General Agreement on Tariffs and Trade to allow Maine farmers to compete with Canadian farmers on a fair and equal basis; 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 Maine Congressional Delegation.

**Read and adopted by the House of Representatives February 8, 1996 and the Senate February 13, 1996.**

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**JOINT RESOLUTION MEMORIALIZING THE SECRETARY OF TRANSPORTATION OF THE UNITED STATES TO TAKE APPROPRIATE ACTION TO ENSURE CONTINUED AIR SERVICE TO AROOSTOOK COUNTY**

**H.P. 1309**

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

**WHEREAS**, air service has been provided to Aroostook County, Maine for a period of years by Delta Business Express; and

**WHEREAS**, Delta Business Express has announced the intention to discontinue the daily business express service to Aroostook County and the intention to seek administrative approvals for that discontinuation; and

**WHEREAS**, the daily airline service provided to Northern Maine Regional Airport by Delta Business Express constitutes one of Aroostook County's important economic and cultural links to the rest of the State; and

**WHEREAS**, Aroostook County is in the midst of a significant economic realignment occasioned by the closure of Loring Air Force Base and the discontinuation of daily air service will serve as a disincentive to the relocation of potential employers to the county; and

**WHEREAS**, the termination of this air service means that the nearest scheduled daily air service available to residents of Aroostook County is 200 miles away; and

**WHEREAS**, Delta Business Express has been a responsible corporate citizen in Maine and in Aroostook County and the residents of the county and the State wish to preserve this valued relationship; now, therefore, be it

**RESOLVED:** That We, your Memorialists, respectfully recommend and urge the Secretary of Transportation of the United States to disapprove the proposed termination of this service and to take all appropriate regulatory actions to ensure that this service is retained; and be it further

**RESOLVED:** That We request that the President of Delta Business Express reevaluate this proposal in consideration of the economic dislocation the suspension of service would cause and in consideration of the strong community and government support for continued service; and be it further

**RESOLVED:** That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Secretary of Transportation of the United States, to the President of Delta Business Express and to each Member of the Maine Congressional Delegation.

**Read and adopted by the House of Representatives and the Senate February 15, 1996.**

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**JOINT RESOLUTION MEMORIALIZING THE DEPARTMENT OF THE INTERIOR TO SETTLE AN 11-YEAR DISPUTE BETWEEN THE NATIONAL PARK SERVICE AND THE SKI AREA LOCATED ON SADDLEBACK MOUNTAIN**

**S.P. 718**

**WE**, your Memorialists, the Members of the One Hundred and Seventeenth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the Department of the Interior as follows:

**WHEREAS**, there has been an 11-year dispute between the ski area located on Saddleback Mountain and the National Park Service of the Department of the Interior regarding the acquisition of a corridor to protect the portion of the Appalachian Trail that crosses Saddleback Mountain in western Maine; and

**WHEREAS**, the uncertainty of this dispute has prevented the ski area located on Saddleback Mountain from implementing an expansion plan that has been approved by state regulators; and

**WHEREAS**, this dispute and the resulting impasse threaten the existence of the more than 100

jobs provided by the ski area and prevent the creation of new jobs at the ski area; and

**WHEREAS**, these jobs are critical to the economy of western Maine; now, therefore, be it

**RESOLVED:** That We, your Memorialists, recommend and urge the Department of the Interior to reach a speedy, reasonable and fair settlement with the ski area located on Saddleback Mountain; and be it further

**RESOLVED:** That We further urge the Department of the Interior to accept the offer of the ski area located on Saddleback Mountain of a gift of land to serve as a corridor to forever protect the Appalachian Trail; and be it further

**RESOLVED:** That suitable copies of this memorial, duly authenticated by the Secretary of State, be transmitted to the Secretary of the Interior, Bruce Babbitt, and to each member of the Maine Congressional Delegation.

**Read and adopted by the Senate March 7, 1996  
and the House of Representatives March 13,  
1996.**

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**JOINT RESOLUTION  
COMMEMORATING YOM HASHOAH,  
THE DAYS OF REMEMBRANCE OF  
THOSE WHO SUFFERED AS VICTIMS OF  
THE HOLOCAUST**

**H.P. 1364**

**WHEREAS**, 54 years ago, 6,000,000 Jews were murdered in the Nazi Holocaust as part of a systematic program of genocide and millions of other people suffered as victims of Nazism; and

**WHEREAS**, the year 1996 is the 51st anniversary of the conclusion of World War II; and

**WHEREAS**, the people of the State of Maine should always remember the atrocities committed by the Nazis so that such horrors are never repeated; and

**WHEREAS**, the people of the State of Maine should always remember those who liberated the Nazi concentration camps, some at the cost of their lives and others with lifelong emotional suffering, as holding an honored place in our history; and

**WHEREAS**, the people of the State of Maine should continually rededicate themselves to the principle of equal justice for all people, remain eternally vigilant against all tyranny and recognize that bigotry provides a breeding ground for tyranny to flourish; and

**WHEREAS**, April 16, 1996 has been designated internationally as a Day of Remembrance of the Victims of the Nazi Holocaust, known as Yom Hashoah; and

**WHEREAS**, the national community pursuant to an Act of Congress will be commemorating the week of April 14th to April 21st as the Days of Remembrance of the Victims of the Nazi Holocaust; and

**WHEREAS**, it is appropriate for the people of the State of Maine to join in this international commemoration; now, therefore, be it

**RESOLVED:** That, We, the Members of the One Hundred and Seventeenth Legislature, now assembled in the Second Regular Session, on behalf of the people we represent, pause in solemn memory of the victims of the Nazi Holocaust and urge one and all to recommit themselves to the lessons of the Nazi Holocaust through this international week of commemoration and express our common desire to continually strive to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the United States Holocaust Memorial Council in Washington, D.C. on behalf of the people of the State of Maine.

**Read and adopted by the House of  
Representatives and the Senate March 20, 1996.**

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**JOINT RESOLUTION MEMORIALIZING  
THE SECRETARY OF THE NAVY TO  
RETAIN THE SEARCH AND RESCUE  
TEAM HELICOPTERS PRESENTLY  
STATIONED AT THE BRUNSWICK  
NAVAL AIR STATION**

**H.P. 1367**

**WE**, your Memorialists, the Members of the One Hundred and Seventeenth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the Secretary of the Navy, as follows:

**WHEREAS**, the United States Navy has proposed to remove the Search and Rescue Team from the Brunswick Naval Air Station in a cost-cutting move; and

**WHEREAS**, this 2-helicopter Search and Rescue Team is the only unit of its kind for the 7,200 miles of Maine coastline and for the northern New

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England seaboard, and the next nearest unit is based on Cape Cod, Massachusetts; and

**WHEREAS**, the Search and Rescue Team is considered one of the most effective means in the State for saving lives and has responded in the last 10 years to more than 100 emergency calls for both civilians and United States Navy personnel; and

**WHEREAS**, recently, volunteers among a variety of private and public groups raised \$16,000 to outfit one of the helicopters with a special night searchlight, creating a unique partnership between the citizens of the State of Maine and the United States Navy; and

**WHEREAS**, the loss of this team puts the lives of Maine citizens and the personnel of the United States Navy stationed in Maine at risk, as the survival time in the waters of the Gulf of Maine is limited; now, therefore, be it

**RESOLVED:** That We, your Memorialists, respectfully recommend and urge the Secretary of the Navy to reconsider the plan to cut costs at the risk of human life and to keep the Search and Rescue Team in place; and be it further

**RESOLVED:** That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Secretary of the Navy and to each Member of the Maine Congressional Delegation.

**Read and adopted by the House of Representatives and the Senate March 22, 1996.**

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**JOINT RESOLUTION IN HONOR OF EDMUND S. MUSKIE**

**H.P. 1375**

**WHEREAS**, Edmund S. Muskie was born in Rumford, Oxford County, Maine, on March 28, 1914, and died on March 26, 1996; and

**WHEREAS**, the State of Maine and the nation were faithfully served for decades by the Honorable Edmund S. Muskie, who held the offices of State Representative, Governor, United States Senator and United States Secretary of State during his extraordinary career in politics and government; and

**WHEREAS**, the illustrious career of our native son began with a law practice in Waterville and service in the United States Navy during World War II

before his election to the Maine House of Representatives in 1946 where he served until 1951; and

**WHEREAS**, Edmund S. Muskie is credited with converting Maine into a 2-party state after nearly a century of single-party domination, as he worked effectively as a Democratic Governor of Maine with a Republican Legislature; and

**WHEREAS**, as a 4-term United States Senator, Edmund S. Muskie earned the respect and appreciation of the citizens of Maine and the nation for his diligence and hard work as chair of the Senate Budget Committee and by crafting such landmark federal legislation as the Clean Air Act and the Water Quality Act, a lasting legacy to the American people; and

**WHEREAS**, as a trusted and respected man of integrity, Edmund S. Muskie was many times in the center of national politics: as a candidate for Vice-President of the United States in 1968, as a candidate for President of the United States in 1972 and as United States Secretary of State in 1980; and

**WHEREAS**, Edmund S. Muskie best exemplified the ideal of public service, as he never forgot where he came from and what was important to the people of Maine and the nation, as he endeavored to work for the common good; and

**WHEREAS**, Edmund S. Muskie's outstanding record of public service is unparalleled and history will record that he placed the highest priorities on family, state and country, and this favorite son of Maine won the respect of the people and leaders of the nation and the world and, together with his wife Jane, won special affection from the citizens of his native State; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Seventeenth Legislature, now assembled in the Second Regular Session, take this opportunity to honor Edmund S. Muskie and to recognize his distinguished service to the people of the State of Maine and to the nation over many years, and respectfully request that when the Legislature adjourns this date, it do so in honor and lasting tribute to the memory of Edmund S. Muskie; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Jane Muskie and her family on behalf of the People of the State of Maine as a tangible token of our high esteem.

**Read and adopted by the House of Representatives and the Senate March 28, 1996.**

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