

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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J.S. McCarthy Company
Augusta, Maine
2002

SELECTED MEMORIALS AND JOINT RESOLUTIONS

JOINT RESOLUTION HONORING MAINE VICTIMS OF THE SEPTEMBER 11TH TRAGEDY

H.P. 1542

WHEREAS, on September 11, 2001 thousands of innocent people from Maine and across the United States lost their lives and their loved ones or were injured in a shocking assault on the World Trade Center and the Pentagon; and

WHEREAS, on the same day an airplane hijacked as a part of those cowardly acts crashed in the countryside outside Pittsburgh, Pennsylvania, killing all aboard; and

WHEREAS, these losses were suffered by ordinary people as they were traveling or were working in buildings that had become symbols of America's extraordinary strength; and

WHEREAS, millions more people in this nation, and across the world, were sickened as they witnessed walls collapsing into rubble and faces collapsing into horror; now, therefore, be it

RESOLVED, That We, the Members of the One Hundred and Twentieth Legislature now assembled in the Second Regular Session, join the citizens throughout Maine in acknowledging and expressing our sorrow to all those who have suffered loss through the deaths of loved ones or injury to themselves; and be it further

RESOLVED, That We, the Members of the One Hundred and Twentieth Legislature, believe that all those who participated in or sponsored these terrible crimes against humanity should be brought to justice without regard to region or border; and be it further

RESOLVED: That We, the Members of the One Hundred and Twentieth Legislature, avow and affirm our love for and belief in this country and its people and principles and its confidence in our President and leaders as they guide us through these difficult days; and be it further

RESOLVED: That We, the Members of the One Hundred and Twentieth Legislature, express the collective grief and anguish of our friends and neighbors throughout the nation and our allies in other countries who suffered loss in the aftermath of the appalling airplane hijackings and attacks on September 11, 2001 and pledge our prayers and our purpose in sustaining the strength and solidarity of this nation,

our President and our leaders as we respond to this unprecedented attack on America; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the governors of the states of Maine and New York and the commonwealths of Pennsylvania and Virginia.

**Read and adopted by the House of
Representatives January 2, 2002 and the Senate
January 4, 2002.**

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS OF THE UNITED STATES TO RESTORE EQUITABLE DISTRIBUTION OF FEDERAL HIGHWAY FUNDING TO STATES AND MUNICIPALITIES

H.P. 1649

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

WHEREAS, states and municipalities depend heavily upon federal money to supplement transportation projects; and

WHEREAS, Maine's highway fund is already facing a \$40,000,000 structural gap; and

WHEREAS, Maine is a rural state and depends heavily on its roads, bridges and highways for transporting consumer goods to the marketplace; and

WHEREAS, states and municipalities are set to lose 11% of anticipated transportation funding; and

WHEREAS, maintaining vital state and national infrastructure should take priority over alternative pet projects; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge the President of the United States and the Congress of the United States to restore the federal highway funding commitment to states and municipi-

SELECTED MEMORIALS AND JOINT RESOLUTIONS

palities and to pursue equitable and fair distribution of federal dollars for transportation ventures; 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 United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of the Maine Congressional Delegation.

**Read and adopted by the Senate March 6, 2002
and the House of Representatives
March 6, 2002.**

**JOINT RESOLUTION RECOGNIZING
THE FIRST FORMAL "STATE OF
THE TRIBES" ADDRESS TO A JOINT
CONVENTION OF THE MAINE
LEGISLATURE**

H.P. 1660

WHEREAS, the Wabanaki, People of the Dawnland, have lived in what is now Maine for thousands of years; and

WHEREAS, the Wabanaki, including the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs, have played and continue to play a vital role in the life of the State and are an integral part of the social, economic and legal fabric of the State; and

WHEREAS, the State values and honors the vibrant culture and heritage of these native peoples and has great respect for their tribal governments; and

WHEREAS, representatives of the Passamaquoddy Tribe and Penobscot Nation have served in the Legislature since the earliest days of Maine's statehood; and

WHEREAS, no tribe has ever delivered a formal "State of the Tribes" address to a joint convention of the Legislature and doing so is a truly historic occasion; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twentieth Legislature, now assembled in the Second Regular Session, on behalf of the people of the State of Maine make history as we recognize March 11, 2002 as the date of the first ever "State of the Tribes" address at the Legislature; and be it further

RESOLVED: That the One Hundred and Twentieth Legislature pays tribute to the native peoples of the State and their tribal governments; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Governors and Chiefs of each of the State's Wabanaki communities on behalf of the people of the State of Maine.

**Read and adopted by the Senate March 11,
2002 and the House of Representatives
March 11, 2002.**

**JOINT RESOLUTION
COMMEMORATING THE
HOLOCAUST HUMAN RIGHTS
CENTER'S LEGISLATIVE
AWARENESS DAY AND YOM
HASHOAH, THE DAY OF
REMEMBRANCE OF THOSE WHO
SUFFERED AS VICTIMS OF THE
HOLOCAUST**

H.P. 1668

WHEREAS, from 1933 to 1945, 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 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, March 13, 2002 has been designated internationally as the Holocaust Human Rights Center's Legislative Awareness Day; and

WHEREAS, April 9, 2002 has been designated internationally as a Day of Remembrance of the Victims of the Nazi Holocaust, and is known as Yom HaShoah; and

WHEREAS, the national community, pursuant to an Act of Congress, will be commemorating the week of April 7th to April 14th as the Days of Remembrance of the Victims of the Nazi Holocaust, with the theme of "Memories of Courage"; 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 Twentieth 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, urge one and all to recommit themselves to the lessons of the Nazi Holocaust through the Holocaust Human Rights Center's Legislative Awareness Day and the 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 Senate March 13,
2002 and the House of Representatives
March 13, 2002.**

**JOINT RESOLUTION
MEMORIALIZING THE CONGRESS
OF THE UNITED STATES TO
CORRECT INEQUITIES FOR
RETIREES DRAWING SOCIAL
SECURITY BENEFITS**

H.P. 1722

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

WHEREAS, retirees covered by federal, state or local government retirement programs are facing hardship in retirement; and

WHEREAS, the retirement benefits of these retirees are low and the cost of health insurance is high and climbing every year; and

WHEREAS, added to this bleak economic picture, even though many of these retirees may qualify for Social Security through their own or their spouses' work, Congress will not let them benefit as other citizens do; and

WHEREAS, the first roadblock, the windfall elimination provision of the federal Social Security Act, requires 30 years of "substantial earnings," as rated on a scale, before a retiree is eligible for the full

Social Security benefit. If a retiree does not have 30 years, or some years fall below the standard, the Social Security benefit may be reduced or eliminated; therefore, retirees who earned a pension from working for a government agency and also worked part-time under Social Security may see their Social Security benefits reduced or eliminated; and

WHEREAS, the 2nd roadblock, the government pension offset of the federal Social Security Act, reduces the survivor benefit under Social Security by 2/3 of an individual's retirement benefit. This means the death of a spouse of a retiree is a double tragedy because the offset will reduce the family income by 1/3 or more and then freeze it at that level. Any future increase in the retiree's retirement will result in the loss of Social Security benefits; now, therefore, be it

RESOLVED: That We, your Memorialists, support the repeal of the government pension offset and the windfall elimination provision from the federal Social Security Act; 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 United States Senate, to the Speaker of the United States House of Representatives and to each member of the Maine Congressional Delegation.

**Read and adopted by the Senate April 4, 2002
and the House of Representatives
April 4, 2002.**
