

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

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Augusta, Maine
2009

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**JOINT RESOLUTION
DENOUNCING RACISM
AND VIOLENCE**

S.P. 9

WHEREAS, We, the Members of the 124th Legislature, representing the people of the State of Maine, unite to say as strongly and clearly as possible that we do not condone and, in fact, we denounce any statement promoting the assassination of any public officials, including the President or the President-elect of the United States; and

WHEREAS, We, the Members of the 124th Legislature, representing the people of the State of Maine, totally reject any and all efforts that suggest, whether by a tasteless joke or with a violent purpose, the promotion of violence to any person, including the President or the President-elect of the United States; and

WHEREAS, the attitudes and images associated with the public display of signs encouraging violent acts to human beings are not reflective of the character and moral fiber of the people of the State of Maine; and

WHEREAS, the people of the State of Maine reject and wholeheartedly oppose the intent, the purpose and the existence of messages and signs of hate and violence; and

WHEREAS, the people of the State of Maine appreciate, support and honor First Amendment constitutional protections barring governmental regulation or abridgment of speech based on its message, its ideas, its subject matter or its content; and

WHEREAS, the people of the State of Maine understand that government suppression of free speech can threaten the healthy exchange of ideas indispensable to an open and vibrant society, and we also know that the most powerful way to counteract hateful, offensive speech is through more speech and discussion; and

WHEREAS, the people of the State of Maine do not and will not stand by quietly in light of such deplorable acts, and we take this opportunity to say unequivocally that words of hate, support of violence and jokes about assassination are unacceptable in this State; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature, now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity with a unified and determined effort to reject all acts and suggested acts of hate and violence against any person

of any race, whether that person be in a public or private position.

**Read and adopted by the Senate December 3, 2008
and the House of Representatives
December 3, 2008.**

**JOINT RESOLUTION IN
HONOR OF THE MAINE
FARMER AND MAINE
AGRICULTURE**

H.P. 923

WHEREAS, recent statistics show that Maine has about 8,000 farms, the bulk of which are small, family-owned operations, that provide full-time and part-time employment to more than 90,000 workers, approximately 13 percent of the State's workforce; and

WHEREAS, Maine's agricultural enterprises provide more than \$684 million through the sale of farm products and contribute more than \$2 billion annually to the State's economy, and an overwhelming majority of Maine people believe that buying local Maine agricultural products helps the State; and

WHEREAS, Maine farmers are the stewards of 1.36 million acres of land, a vital resource in maintaining the food security of Maine people; and

WHEREAS, Maine is first in New England in the production of food, first in New England in the value of aquaculture sales, first in the world in the production of wild blueberries, the world leader in the production of brown eggs, third in the Nation in the production of maple syrup, eighth in the Nation in the production of fall potatoes, second in New England in milk and livestock production and the only state anywhere involved in the commercial production of fiddleheads; and

WHEREAS, agriculture shaped Maine's past, maintains much of Maine's scenic open space, provides recreational opportunities, makes a significant contribution to the nature and character of Maine's many rural communities and provides for a strong future; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature now assembled in the First Regular Session, pause in our deliberations to honor Maine farmers and innovators who have contributed so much to the betterment of our State, to pledge our support and encouragement and to urge the youth of Maine to pursue the growing opportunities for careers in today's technologically advanced agriculture industry; and be it further

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RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Commissioner of Agriculture, Food and Rural Resources as a token of the esteem in which those in this vital field are held.

Read and adopted by the House of Representatives March 31, 2009 and the Senate March 31, 2009.

**JOINT RESOLUTION TO
HONOR THE DAYS OF
REMEMBRANCE**

H.P. 841

WHEREAS, the Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945, by means of concentration camps, extermination camps, ghettos, firing squads and starvation and using every arm of the Nazi bureaucracy; and

WHEREAS, although Jews were the primary victims, with 6,000,000 murdered, millions more people, including Romani people and Poles, as well as people with handicaps who did not measure up to Aryan perfection, were also targeted for destruction or decimation for racial, ethnic or national reasons; and

WHEREAS, many specific groups, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war and political dissidents, also suffered grievous oppression and death under Nazi tyranny; and

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies and governments whether at peace or at war; and

WHEREAS, the people of the State should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution and tyranny so that such horrors are never repeated; and

WHEREAS, the people of the State should actively rededicate ourselves to the principles of individual freedom in a just society; and

WHEREAS, the Days of Remembrance have been set aside for the people of the State to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; and

WHEREAS, pursuant to an Act of Congress, the United States Holocaust Memorial Council is responsible to designate the Days of Remembrance of the victims of the Holocaust, and this year's commemoration is April 19, 2009 to April 26, 2009, including the Day of Remembrance, known as Yom Hashoah, on April 21, 2009; and

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

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature now assembled in the First Regular Session, on behalf of the people we represent, pause in solemn memory of the victims of the Holocaust 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 Holocaust and Human Rights Center of Maine and the United States Holocaust Memorial Council in Washington, D.C., on behalf of the people of the State.

Read and adopted by the House of Representatives March 26, 2009 and the Senate March 26, 2009.

**JOINT RESOLUTION
MEMORIALIZING THE
PRESIDENT OF THE
UNITED STATES AND THE
UNITED STATES
CONGRESS TO SUPPORT
THE RECOMMENDATIONS
OF THE COMMISSION TO
PROTECT THE LIVES AND
HEALTH OF MEMBERS OF
THE MAINE NATIONAL
GUARD
S.P. 484**

WE, your Memorialists, the Members of the One Hundred and Twenty-fourth 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 United States Congress as follows:

WHEREAS, the Commission to Protect the Lives and Health of Members of the Maine National Guard, hereafter referred to as "the commission," was established by the 123rd Maine Legislature to develop and recommend measures, changes in protocols and other procedures to prevent future noncombat deaths and disabilities and to save the lives and improve the health of members of the Maine National Guard on both active and inactive duty; and

WHEREAS, the commission has met, held public hearings and developed a number of recommendations, many of which have been adopted in Maine and which would help the United States Armed Forces as a whole; and

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WHEREAS, a number of recommendations require federal approval and we forward the recommendations to you as follows:

That increased efforts to diagnose and treat illnesses, such as those found in veterans of the 1990-1991 Gulf War and the global war on terror, be undertaken immediately;

That all anthrax vaccine safety data be made available for expert analysis, especially to decision makers and independent scientists;

That research using the Defense Medical Surveillance System databases specifically investigate the relationship between anthrax vaccine and chronic fatigue syndrome, fibromyalgia and other pain disorders, undiagnosed illnesses and Gulf War syndrome;

That Congress request the Institute of Medicine to perform a review of the military smallpox program in an identical manner to its review of the civilian smallpox program, and ask the Secretary of Defense to follow the recommendations of the institute with respect to future smallpox vaccinations;

That electronic medical records be established that are seamlessly and rapidly transferable between the Department of Defense and the Department of Veterans Affairs;

That existing regulations to improve the medical disability process for service members be enforced and that current standards be improved;

That Congress ensure the Department of Defense's Disability Evaluation System be expanded as quickly as possible, and

That service members be granted the benefit of a doubt when they file a valid disability claim for service-connected injuries or illnesses and be provided health care benefits and compensation as soon as possible; and

WHEREAS, these recommendations of the commission, if adopted for members of the United States Armed Forces, could save the lives and protect the health of all United States military personnel; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the United States Congress review and adopt these recommendations to protect the lives and health of members of the Maine National Guard and the United States Armed Forces; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, 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 2, 2009 and
the House of Representatives
April 7, 2009.**
