

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

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Augusta, Maine
2015

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**JOINT RESOLUTION
MEMORIALIZING THE
PRESIDENT AND
CONGRESS OF THE
UNITED STATES TO
SUPPORT THE REFORM OF
THE SOCIAL SECURITY
OFFSETS OF THE
GOVERNMENT PENSION
OFFSET AND THE
WINDFALL ELIMINATION
PROVISION**

S.P. 382

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

WHEREAS, under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in the Social Security benefits; and

WHEREAS, these laws, contained in the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II, Federal Old-Age, Survivors, and Disability Insurance Benefits, and known as the Government Pension Offset and the Windfall Elimination Provision, greatly affect public employees, particularly women; and

WHEREAS, the Windfall Elimination Provision reduces by a formula the Social Security benefit of a person who is also receiving a pension from a public employer that does not participate in Social Security; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision are particularly burdensome on the finances of low-income and moderate-income public service workers, such as school teachers, clerical workers and school cafeteria employees, whose wages are low to start; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision both unfairly reduce benefits for those public employees and their spouses whose careers cross the line between the private and public sectors; and

WHEREAS, since many lower-paying public service jobs are held by women, both the Government Pension Offset and the Windfall Elimination Provision

have a disproportionately adverse effect on women; and

WHEREAS, in some cases, additional support in the form of income, housing, heating and prescription drug and other safety net assistance from state and local governments is needed to make up for the reductions imposed at the federal level; and

WHEREAS, other participants in Social Security do not have their benefits reduced in this manner; and

WHEREAS, to participate or not to participate in Social Security in public sector employment is a decision of employers, even though both the Government Pension Offset and the Windfall Elimination Provision directly punish employees and their spouses; and

WHEREAS, although the Government Pension Offset was enacted in 1977 and the Windfall Elimination Provision was enacted in 1983, many of the benefits in dispute were paid into Social Security prior to that time; now, therefore, be it

RESOLVED: That We, your Memorialists, request that the President of the United States and the United States Congress work together to support reform proposals that include the following protections for low-income and moderate-income government retirees:

1. Protections permitting retention of a combined public pension and Social Security benefit with no applied reductions;
2. Protections permanently ensuring that level of benefit by indexing it to inflation; and
3. Protections ensuring that no current recipient's benefit is reduced by the reform legislation; 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; the President of the United States Senate; the Speaker of the House of Representatives of the United States; and each Member of the Maine Congressional Delegation.

**Read and adopted by the Senate March 24, 2015
and the House of Representatives March 25, 2015.**

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**JOINT RESOLUTION
RECOGNIZING THE 50TH
ANNIVERSARY OF THE
MARCH FROM SELMA TO
MONTGOMERY**

H.P. 765

WHEREAS, March 25, 2015 marks the 50th anniversary of the end of the 3rd of 3 marches from Selma, Alabama to Montgomery, Alabama in support of the voting rights movement, which in turn contributed to passage of the federal Voting Rights Act of 1965, a landmark achievement of the civil rights movement in the 1960s; and

WHEREAS, on March 7, 1965 approximately 600 civil rights marchers, led by John Lewis of the Student Nonviolent Coordinating Committee, who is now a member of the United States House of Representatives, and Reverend Hosea Williams of the Southern Christian Leadership Conference, headed east out of Selma, Alabama to the State Capitol in Montgomery, Alabama; and

WHEREAS, the civil rights activists sought to nonviolently protest discriminatory voter registration practices and the shooting of Jimmie Lee Jackson, who was shot after protecting his mother and grandfather in a civil rights demonstration on February 18, 1965 in a restaurant in Marion, Alabama and who died 8 days later on February 26, 1965; and

WHEREAS, the nonviolent marchers were met and attacked with clubs, whips, police dogs and tear gas by state troopers, local law enforcement officers and townspeople at the Edmund Pettus Bridge as they were leaving Selma; and

WHEREAS, dozens of peaceful marchers were injured by state troopers, local law enforcement officers and townspeople in the forced retreat; and

WHEREAS, images of innocent protestors brutally beaten and severely injured on March 7, 1965, remembered as "Bloody Sunday," were depicted on television screens and in newspaper articles across the country; and

WHEREAS, Bloody Sunday galvanized a generation of nonviolent civil rights activists and heightened support and awareness for the civil rights movement; and

WHEREAS, on March 9, 1965, 2 days later, Reverend Martin Luther King, Jr., led a nonviolent protest of reportedly as many as 2,500 people before turning around after crossing the Edmund Pettus Bridge due to a barricade of state troopers; and

WHEREAS, on March 15, 1965, despite pressure from political figures, United States District Court Judge Frank M. Johnson, Jr., issued an injunction al-

lowing the voting rights march from Selma to Montgomery to proceed, overturning Governor George Wallace's prohibition of the protest; and

WHEREAS, on March 21, 1965, with the protection of United States Army troops, the Alabama National Guard under federal command, the FBI and federal marshals, more than 3,000 people, led by Reverend Martin Luther King, Jr., set out from Selma to Montgomery, a 54-mile journey, marching an average of 10 miles a day along Route 80 and sleeping in fields; and

WHEREAS, the nonviolent protestors safely reached the steps of the State Capitol building on March 25, 1965, at which point their numbers had grown to 25,000, including many religious and community leaders of all denominations, races and backgrounds; and

WHEREAS, on March 17, 1965, with the Selma protestors at the forefront of the news, President Lyndon B. Johnson addressed a joint session of Congress, calling for federal voting rights legislation to dismantle the barriers that prevented African Americans from voting; and

WHEREAS, with the country captivated by the courage and conviction displayed by the civil rights marchers and activists, the United States Congress passed and President Lyndon B. Johnson enacted into law the landmark Voting Rights Act of 1965 on August 6, 1965; and

WHEREAS, many people from Maine, of all races and religions, were involved in not only the march from Selma to Montgomery, but the civil rights struggle as well; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to commemorate the 50th anniversary of the historic civil rights marches from Selma to Montgomery and to honor all those who struggled in search of equality and the freedom to participate in our democracy.

**Read and adopted by the House of Representatives
March 25, 2015 and the Senate March 26, 2015.**

**JOINT RESOLUTION
MEMORIALIZING THE
UNITED STATES
CONGRESS TO TAKE
ACTION TO HELP
VETERANS OF THE WARS
IN AFGHANISTAN AND
IRAQ
S.P. 474**

WE, your Memorialists, the Members of the One Hundred and Twenty-seventh 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, military personnel from the State of Maine have answered the call to serve our Nation many times and Maine is estimated to be 3rd in the Nation per capita for military service. According to Veterans Administration records, Maine has had 11,531 military members serve since the tragic events of 9/11; and

WHEREAS, members of the Maine National Guard and Reservists have been deployed many times over and many have returned from the wars in Iraq and Afghanistan needing assistance and medical care; and

WHEREAS, 55 of Maine's services members have been killed in action in Iraq and Afghanistan; and

WHEREAS, more than 320 have received the Purple Heart for wounds received in combat; and

WHEREAS, many have returned home with post-traumatic stress disorder, traumatic brain injury, hearing problems and other physical and mental disabilities; and

WHEREAS, many communities in Maine need someone who can meet with veterans and survivors to explain benefits and to get the word out to veterans and their families concerning frequently changing Veterans Administration benefits and eligibility; and

WHEREAS, major issues for returning veterans concerning increasing suicide rates, homelessness, unemployment and education were brought before the 113th Congress with little or no substantive results; and

WHEREAS, as the 114th Congress begins, veterans and their families in Maine and across the Nation hope that the new Congress will be responsive and helpful and aggressively address the many issues facing the veterans of the wars in Iraq and Afghanistan; and

WHEREAS, the men and women who serve our State and Nation so faithfully deserve to have access to care, housing, medical treatment and mental and physical therapy; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to urge the United States Congress to take the lead in passing necessary legislation that will help all our veterans, from all our wars and conflicts, from World War II to present-day Iraq and Afghanistan to the extent necessary; 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 9, 2015 and the House of Representatives April 14, 2015.

**JOINT RESOLUTION
MEMORIALIZING THE
PRESIDENT OF THE
UNITED STATES AND THE
UNITED STATES
CONGRESS TO REQUIRE
EXPANSION OF FISH
HATCHERY OPERATIONS
H.P. 933**

WE, your Memorialists, the Members of the One Hundred and Twenty-seventh 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 Atlantic salmon, *Salmo salar*, is a salmon found in the north Atlantic Ocean and in rivers that flow into the north Atlantic Ocean, and the fish has historically been an important economic asset to the State of Maine; and

WHEREAS, the major rivers of the State once ran thick with salmon traveling upstream to spawn; and

WHEREAS, salmon populations have been reduced to nearly undetectable numbers in most rivers in Maine; and

WHEREAS, the Federal Government has designated the Atlantic salmon as an endangered species; and

WHEREAS, the Federal Government spends millions of dollars annually to restore the species with no significant success; and

WHEREAS, there are specific hatchery operations that can improve upon the current results; and

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WHEREAS, a significant number of salmon originating in Maine are being harvested in a commercial fishery off the west coast of Greenland; and

WHEREAS, this fishery is a major obstacle to the restoration of salmon in Maine rivers; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President and the United States Congress direct the United States Fish and Wildlife Service and the National Marine Fisheries Service to expand hatchery operations to rivers in Maine by partnering with the State and with the many non-government organizations that are focused on restoring Atlantic salmon to their historic natal rivers; and be it further;

RESOLVED: That We, your Memorialists, urge that additional resources be made available to the United States State Department that would assist its efforts through the North Atlantic Salmon Conservation Organization convention to help with the curtailment or suspension of the wild Atlantic salmon fishery off the west coast of Greenland; 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 House of Representatives
April 29, 2015 and the Senate May 5, 2015.**
