

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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Augusta, Maine
2017

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**JOINT RESOLUTION
RECOGNIZING THE 75TH
ANNIVERSARY OF THE
ATTACK ON PEARL
HARBOR**

S.P. 8

WHEREAS, on December 7, 1941, without warning and minutes before 8 a.m., aircraft of the Imperial Japanese Navy and Air Force attacked United States military installations at Pearl Harbor and elsewhere on the island of Oahu, Hawaii; and

WHEREAS, the bulk of the attack at Pearl Harbor lasted for approximately 5 hours, during which 2,403 members of the United States Armed Forces were killed or mortally wounded, 1,247 members of the Armed Forces were wounded and 57 civilians lost their lives; and

WHEREAS, President Franklin Delano Roosevelt declared the day of the attack on Pearl Harbor "a date which will live in infamy," and the people of the United States became united in remembrance of their fallen countrymen and committed to defending the United States against all aggressors; and

WHEREAS, the following day, on December 8, 1941, Congress declared war against Japan and 3 days later against Germany, thus beginning the United States's involvement in a global conflict that would define a generation; and

WHEREAS, after nearly 4 years of warfare, on September 2, 1945, after victory on the European front, World War II ended with the Japanese surrendering aboard the USS Missouri; and

WHEREAS, on August 23, 1994, Congress enacted Public Law 103-308, which designated December 7th of each year as National Pearl Harbor Remembrance Day and requests the President to issue each year a proclamation calling on the people of the United States to observe National Pearl Harbor Remembrance Day with appropriate ceremonies and activities; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the 75th anniversary of the attack on Pearl Harbor and the lasting significance of National Pearl Harbor Remembrance Day and to honor both those who survived the attack and all those who paid the ultimate sacrifice and

gave their lives in defense of freedom and liberty during World War II.

**Read and adopted by the Senate December 7, 2016
and the House of Representatives December 7,
2016.**

**JOINT RESOLUTION
RECOGNIZING RICHARD
ROSEN'S SERVICE TO THE
STATE OF MAINE**

S.P. 594

WHEREAS, the Honorable Richard Rosen, of Bucksport, graduated from the University of Maine with a degree in finance and, from 1982 to 2013, operated his family's store in Bucksport, Rosen's Department Store; and

WHEREAS, Mr. Rosen has served as a board member of the Retail Association of Maine, as President of Northeast Historic Film, as a trustee of Acadia Hospital in Bangor and as a board member for Bucksport Regional Health Center; and

WHEREAS, Mr. Rosen served in the Maine House of Representatives from 1998 to 2004 and in the Maine Senate from 2004 to 2012, for a total of 7 terms, and served as the Senate chair of the Joint Standing Committee on Appropriations and Financial Affairs for 2 years beginning in 2011; and

WHEREAS, Mr. Rosen was presented with the 2011 Adoptive and Foster Families of Maine Outstanding Legislative Advocate of the Year Award, received the Sunshine Award from Maine's Freedom of Information Coalition, was named a Margaret Chase Smith Policy Center Distinguished Maine Policy Fellow and received the Bangor Region Chamber of Commerce Catherine Lebowitz Award for Public Service; and

WHEREAS, Mr. Rosen served as Director of the Governor's Office of Policy and Management from December 2012 to February 2014; and

WHEREAS, Mr. Rosen served as Deputy Commissioner of Finance for the Maine Department of Administrative and Financial Services from February 2014 to June 2015 and as Commissioner of Administrative and Financial Services from June 2015 to June 2017; and

WHEREAS, as commissioner, Mr. Rosen oversaw more than 1,200 employees serving all branches and agencies of State Government and was responsible for budgeting and financial management, human resources and other administrative services; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, take this occasion to recognize the dedicated service of Richard Rosen to the State of Maine.

Read and adopted by the Senate June 21, 2017 and the House of Representatives June 21, 2017.

**JOINT RESOLUTION
COMMEMORATING YOM
HASHOAH, THE DAY OF
REMEMBRANCE**

H.P. 1032

WHEREAS, from 1933 to 1945, 6,000,000 Jews were murdered in the Holocaust as part of a state-sponsored, systematic persecution and annihilation program of genocide, and millions of other people suffered as victims of Nazism, such as the handicapped, political dissidents and many others for racial, ethnic or national reasons; 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 the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies and governments; and

WHEREAS, the people of the State of Maine should always remember those who liberated the Nazi concentration camps, some of whom lost their lives and others of whom have experienced 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, the national community, pursuant to an Act of Congress, will be commemorating the week of April 17, 2017 to April 24, 2017 as the Days of Remembrance of the Victims of the Holocaust, including the Day of Remembrance, known as Yom HaShoah, April 24, 2017; and

WHEREAS, it is appropriate for the people of the State of Maine to join in this international commemoration, marking 72 years since the end of World War II and the liberation of the Nazi concentration and death camps; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth 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 in honor of the survivors,

rescuers and liberators; that We urge one and all to recommit themselves to the lessons of the Holocaust through the international week of commemoration; and that We 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 of Maine.

Read and adopted by the House of Representatives April 20, 2017 and the Senate April 25, 2017.

**JOINT RESOLUTION
MEMORIALIZING THE
UNITED STATES
CONGRESS TO REDUCE
TARIFFS ON LOBSTER AND
SEAFOOD PRODUCTS TO
KEEP MAINE AND
DOMESTIC LOBSTER AND
SEAFOOD PRODUCTS
COMPETITIVE WITH
CANADIAN LOBSTER AND
SEAFOOD PRODUCTS**

H.P. 1120

WE, your Memorialists, the Members of the One Hundred and Twenty-eighth 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 value of marine resources commercially harvested in Maine exceeded \$700 million in 2016, and the value of lobster harvested in Maine accounts for over \$533 million of that amount; and

WHEREAS, total exports from Maine to the European Union exceeded \$503 million in 2016; and

WHEREAS, exports from Maine of lobster to the European Union totaled approximately \$158 million, or approximately 80% of all lobster exported from the United States to the European Union, in 2016; and

WHEREAS, the European Union is the largest global fish and seafood market in the world; and

WHEREAS, Maine and Canada share the same lobster species and compete for market share in the European Union and around the world; and

WHEREAS, the European Union imposes tariffs on fish and seafood products that range from 2% on certain types of salmon to 20% on processed lobster imported from both the United States and Canada; and

WHEREAS, the Comprehensive Economic and Trade Agreement, or CETA, is a free trade agreement between Canada and the European Union that will reduce tariffs on fish and seafood products exported from Canada to the European Union; and

WHEREAS, CETA will go into effect on the first day of the month following the date the European Union and Canada notify each other that each has completed all necessary procedures for implementation; and

WHEREAS, when CETA takes effect, the 8% tariff on live lobster exports from Canada to the European Union will be immediately eliminated, the 6% to 16% tariff on frozen lobster exports from Canada to the European Union will be eliminated over 3 years and the 20% tariff on processed lobster exports from Canada to the European Union will be eliminated over 5 years; and

WHEREAS, while tariffs on lobster and seafood products exported from Canada to the European Union are being eliminated, tariffs on Maine and other domestic lobster and seafood products exported to the European Union will remain; and

WHEREAS, the elimination of tariffs on Canadian lobster and seafood products will increase trade between Canada and the European Union, resulting in economic injury to Maine and other domestic lobster and seafood harvesters and processors; and

WHEREAS, the impact of CETA on Maine lobster harvesters, who landed over 130 million pounds of lobster in 2016, should be minimized; and

WHEREAS, the impact of CETA on Maine lobster dealers, who support 675 jobs and paid \$28.4 million in wages in 2016, should be minimized; and

WHEREAS, under the United States Constitution, Article I, the Congress of the United States has the power to regulate commerce with foreign nations; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the United States Congress, under the provisions of Article I of the United States Constitution, negotiate to reduce tariffs on Maine and domestic lobster and seafood products, or otherwise mitigate the effects of CETA, to ensure that historical, lucrative industries are not damaged by the economic disadvantage that will result from CETA unless these negotiations are undertaken; 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 House of Representatives
June 12, 2017 and the Senate June 15, 2017, as
amended by House Amendment "A."**
