

# MAINE STATE LEGISLATURE

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**Legislative Record**  
**House of Representatives**  
**One Hundred and Twenty-Fourth Legislature**  
**State of Maine**

**Volume III**

**Second Regular Session**

March 24, 2010 - April 12, 2010

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ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE  
 SECOND REGULAR SESSION  
 32nd Legislative Day  
 Thursday, April 1, 2010

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Chester Garrison, Greene Baptist Church.

National Anthem by Corey Garrison, Portland.

Pledge of Allegiance.

Doctor of the day, Neal Yetman, D.O., Hope.

The Journal of yesterday was read and approved.

**ORDERS**

On motion of Speaker PINGREE of North Haven, the following Joint Resolution: (H.P. 1319) (Cosponsored by President MITCHELL of Kennebec and Representatives: ADAMS of Portland, AUSTIN of Gray, AYOTTE of Caswell, BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BECK of Waterville, BERRY of Bowdoinham, BICKFORD of Auburn, BLANCHARD of Old Town, BLODGETT of Augusta, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BROWNE of Vassalboro, BRYANT of Windham, BURNS of Whiting, BUTTERFIELD of Bangor, CAIN of Orono, CAMPBELL of Newfield, CAREY of Lewiston, CASAVANT of Biddeford, CEBRA of Naples, CELLI of Brewer, CHASE of Wells, CLARK of Millinocket, CLARK of Easton, CLEARY of Houlton, COHEN of Portland, CONNOR of Kennebec, CORNELL du HOUX of Brunswick, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, CROCKETT of Augusta, CURTIS of Madison, CUSHING of Hampden, DAVIS of Sangerville, DILL of Cape Elizabeth, DOSTIE of Sabattus, DRISCOLL of Westbrook, DUCHESNE of Hudson, EATON of Sullivan, EBERLE of South Portland, EDGEComb of Caribou, EVES of North Berwick, FINCH of Fairfield, FITTS of Pittsfield, FLAHERTY of Scarborough, FLEMINGS of Bar Harbor, FLETCHER of Winslow, FLOOD of Winthrop, FOSSEL of Alna, GIFFORD of Lincoln, GILBERT of Jay, GILES of Belfast, GOODE of Bangor, GREELEY of Levant, HAMPER of Oxford, HANLEY of Gardiner, HARLOW of Portland, HARVELL of Farmington, HASKELL of Portland, HAYES of Buckfield, HILL of York, HINCK of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, WALSH INNES of Yarmouth, JOHNSON of Greenville, JONES of Mount Vernon, JOY of Crystal, KAENRATH of South Portland, KENT of Woolwich, KNAPP of Gorham, KNIGHT of Livermore Falls, KRUGER of Thomaston, LAJOIE of Lewiston, LANGLEY of Ellsworth, LEGG of Kennebec, LEWIN of Eliot, LOVEJOY of Portland, MacDONALD of Boothbay, MAGNAN of Stockton Springs, MARTIN of Orono, MARTIN of Eagle Lake, MAZUREK of Rockland, McCABE of Skowhegan, McFADDEN of Dennysville, McKANE of Newcastle, McLEOD of Lee, MILLER of Somerville, MILLETT of Waterford, MITCHELL of the Penobscot Nation, MORRISON of South Portland, NASS of Acton, NELSON of Falmouth, NUTTING of Oakland, O'BRIEN of Lincolnville, PENDLETON of Scarborough, PEOPLES of Westbrook, PERCY of Phippsburg, PERRY of Calais, PETERSON of Rumford, PIEH of Bremen, PILON of Saco, PINKHAM of Lexington Township, PIOTTI of Unity, PLUMMER of Windham, PRATT of Eddington, PRESCOTT of Topsham, PRIEST of Brunswick, RANKIN of Hiram, RICHARDSON of Carmel, RICHARDSON of Warren, ROBINSON of Raymond, ROSEN of Bucksport, ROTUNDO of Lewiston, RUSSELL of Portland, SANBORN of Gorham, SARTY of Denmark, SAVIELLO of Wilton, SCHATZ of Blue Hill, SHAW of

Standish, SIROIS of Turner, SMITH of Monmouth, SOCTOMAH of the Passamaquoddy Tribe, STEVENS of Bangor, STRANG BURGESS of Cumberland, STUCKEY of Portland, SUTHERLAND of Chapman, SYKES of Harrison, TARDY of Newport, THERIAULT of Madawaska, THIBODEAU of Winterport, THOMAS of Ripley, TILTON of Harrington, TREAT of Hallowell, TRINWARD of Waterville, TUTTLE of Sanford, VALENTINO of Saco, VAN WIE of New Gloucester, WAGNER of Lyman, WAGNER of Lewiston, WATSON of Bath, WEAVER of York, WEBSTER of Freeport, WELSH of Rockport, WHEELER of Kittery, WILLETTE of Presque Isle, WRIGHT of Berwick, Senators: ALFOND of Cumberland, BARTLETT of Cumberland, BLISS of Cumberland, BOWMAN of York, BRANNIGAN of Cumberland, BRYANT of Oxford, COURTNEY of York, CRAVEN of Androscoggin, DAMON of Hancock, DAVIS of Cumberland, DIAMOND of Cumberland, GERZOFKY of Cumberland, GOODALL of Sagadahoc, GOOLEY of Franklin, HASTINGS of Oxford, HOBBS of York, JACKSON of Aroostook, MARRACHÉ of Kennebec, McCORMICK of Kennebec, MILLS of Somerset, NASS of York, NUTTING of Androscoggin, PERRY of Penobscot, PLOWMAN of Penobscot, RAYE of Washington, RECTOR of Knox, ROSEN of Hancock, SCHNEIDER of Penobscot, SHERMAN of Aroostook, SIMPSON of Androscoggin, SMITH of Piscataquis, SULLIVAN of York, TRAHAN of Lincoln, WESTON of Waldo)

**JOINT RESOLUTION RECOGNIZING PARKINSON'S DISEASE AWARENESS MONTH**

WHEREAS, Parkinson's disease is a potentially devastating and immobilizing progressive disorder of the brain and spinal cord that causes paralysis, tremor, depression and isolation and is unpredictable in its outcome; and

WHEREAS, Parkinson's disease is estimated to occur in approximately 7,000 adults and in an unknown number of children in the State, and numerous care providers in the State shoulder the responsibility of caring for those affected; and

WHEREAS, in a typical week, a Parkinson's disease patient requires an estimated 7 care providers, making the number of people directly touched each week in the State by Parkinson's disease close to 50,000; and

WHEREAS, Parkinson's disease symptoms are neither clearly understood nor exactly quantifiable by either the medical community or the general public, which creates distress and danger in the lives of Parkinson's disease patients, especially those arriving at emergency rooms in the State's hospitals; and

WHEREAS, upon arrival at an emergency room, Parkinson's disease patients are often treated by medical personnel who are untrained in treating this disease, which causes inaccurate health assessments and leads to the use of inappropriate medications that may exacerbate the symptoms; and

WHEREAS, there are only two movement disorder neurologists in this State who specialize in Parkinson's disease, one in Scarborough and one in Westbrook, which makes access limited for prospective patients, and beyond these two physicians, there are insufficient treatments and no trained personnel at any level in the State; and

WHEREAS, in order to save lives, there is an urgent need to establish and fund a plan regarding Parkinson's disease to train and educate emergency room personnel, law enforcement personnel, firefighters, other public safety workers, emergency medical services' personnel, boat and shipping captains, directors of transportation and supervisors of state parks and recreational areas; and

WHEREAS, there is a network of fifteen Parkinson's disease support groups statewide, located in Augusta, Waterville, Greater Bangor, Biddeford, the Blue Hill area, Bath, Brunswick, Cape

Elizabeth, Camden, Greater Portland, Lewiston, Norway, Westbrook, Yarmouth and York, and 2 other groups, a younger onset group in Brunswick and a Parkinson's Plus group in South Portland; and

WHEREAS, the Maine Chapter of the American Parkinson Disease Association, the Maine Parkinson Society and the MaineHealth Learning Resource Center are all jointly established at a central resource at the Maine Medical Center campus in Falmouth, with satellite resources in all MaineHealth Learning Resource Center locations, including Norway, Scarborough, Falmouth, Portland and Maine Medical Center's East Tower; and

WHEREAS, April 11th is known globally as World Parkinson's Day, and April is Parkinson's Disease Awareness Month; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-fourth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to express our support for and commitment to all efforts being made by the Parkinson's disease community to close the gaps in funding, services, training, education and care that currently exist; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Parkinson Society, the Maine Chapter of the American Parkinson Disease Association, the MaineHealth Learning Resource Center in Falmouth and the University of New England's Medical School, the College of Osteopathic Medicine.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative PERRY: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. This is a resolution recognizing Parkinson's Disease Awareness Month. While many people have heard of Parkinson's disease, the details of the disease is not well-known and I'd like to take a moment to describe what it means to have Parkinson's disease.

Parkinson's is a progressive neurological disorder which means the symptoms become worse over time, and, in Maine, there are 7,000 people who have this disease. Most of the people who are diagnosed are over age 50, although there are many that are diagnosed age 40 or younger. Symptoms don't follow a pattern and it affects people differently, but some of the main symptoms we see of Parkinson's disease are slow body movements and shuffling of feet when walking; shaking or tremors, usually of the hands and arms, but it can include the whole body; muscle stiffness in the neck, shoulders, arms, and that makes it hard to bend and may, in time, result in a stooped posture; difficulty with balance which may affect the way a person walks, contributing to falling. There are some famous people we know who have it. One is Michael J. Fox and the other is Mohammed Ali, both seen at different stages of this disease. Although research is being done, the cause of the cell death that leads the Parkinson's disease is unknown and there still is no cure.

What I do want to do as a provider is let you know the personal affects of Parkinson's disease, when it gets to the point that I have had to take a gentleman into my office with his wife and his adult son to let him know that I needed to take away his license because he no longer had the coordination to drive. It was a momentous moment for the family and for the gentleman, knowing that this was really going to affect his independence and his ability to live more independently than he had in the past. He was young. He was 60. He was younger than I am right now. It is a tough decision to make as a provider, but it is even tough to

watch the family work with their loved one who progressively is having more and more difficult time to get around.

There are, in Maine, Parkinson's information and referral centers that are throughout Maine. You can read the sentiment for that, and I want to thank you for the opportunity to speak for this.

Subsequently, the Joint Resolution was **ADOPTED**.

Sent for concurrence.

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**SPECIAL SENTIMENT CALENDAR**

In accordance with House Rule 519 and Joint Rule 213, the following items:

**Recognizing:**

the following members of the Lewiston High School Bowling Team, who have won the 2010 State Championship: Tyler Saucier, Cam Marcotte, Tim Leeman, Alex Gagne, Kyle Fenderson and Brian Bickford; head coach Jeff Marcotte and assistant coach Brandon Marcotte. This is the 3rd State Championship for the Blue Devils in 6 years. We extend our congratulations and best wishes to them on their winning this top honor;

(HLS 1087)

Presented by Representative ROTUNDO of Lewiston.

Cosponsored by Senator CRAVEN of Androscoggin, Representative BICKFORD of Auburn, Representative LAJOIE of Lewiston, Representative CAREY of Lewiston, Representative WAGNER of Lewiston.

On **OBJECTION** of Representative BICKFORD of Auburn, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Bickford.

Representative BICKFORD: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I want to congratulate, on behalf of the entire Lewiston Delegation, the team from Lewiston who started their season in November. They expected to be an average to above average team this year. They finished the regular season in second place. When it came to the championship round, they really found themselves in a hole. They were a fourth team qualifier, so they had a lot of work to do. And in bowling, they had what's called a Baker Format, which is probably the most difficult format you can have as a bowler because you'll bowl one frame and then the next four frames your teammates each will bowl one frame. So, if you make a mistake and you have a bad frame, you can lay your entire team down, and the pressure on these young adults is just incredible. For them to qualify and seed fourth in the championship and to come through as the champions was quite a feat.

On a personal note, I want to say after the first week or so of practice, my son, who goes to Edward Little High School, came home and he had a Lewiston shirt. I said, what are you doing with a Lewiston shirt? He said, well, Auburn doesn't have bowling anymore and Lewiston invited me on their team. You know, back in the '60s and '70s and those of us that grew up in the Lewiston-Auburn area know that that never would have happened then. The saying "LA, it's happening here" and the spirit of cooperation between the two cities is really proven on this team, and I want to thank them.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

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**Recognizing:**

Carlos Baeza, of Camden, who has received a McDonald's Spirit of the Game Award, which is given annually to two Maine high school seniors who embody the spirit of the sport, exemplify sportsmanship, support and inspire their teammates and coaching staff and show an ability to overcome obstacles and boundaries. Carlos, a 4-year Team Manager for the Camden Hills Regional High School Basketball Team and who was chosen as team captain this year, was honored with the East Division Award, which has been renamed the Joshua Titus Spirit of the Game Award. He served as Class President for the 2006-2007 school year and received the Principal's Award. A member of Amnesty International, he also served on the high school debate team. In 2009 Carlos was designated as Homecoming King. We extend our congratulations and best wishes to Carlos on his receiving these honors;

(HLS 1088)

Presented by Representative WELSH of Rockport.  
Cosponsored by Senator RECTOR of Knox.

On **OBJECTION** of Representative WELSH of Rockport, was **REMOVED** from the Special Sentiment Calendar.

**READ** and **PASSED** and sent for concurrence.

**Recognizing:**

Christine Sawyer, of Gorham, who is the recipient of the 2009-2011 Recognizing Excellence for Doing Good Award from Alpha Delta Kappa. Mrs. Sawyer is a graduate of both Washington State Normal School and the University of Maine at Orono and enjoyed a successful teaching career until her retirement in the late 1980s. She has always used her native Maine common sense as an outspoken supporter of community, educational, moral, financial and other issues. She has been involved in community service for much of her life as a volunteer, including assisting the Congregational Church, the Gorham school system, local politics and local history celebrations, and as a member of the Maine Beta Chapter of the teaching sorority, Alpha Delta Kappa. Now in her 80s, Mrs. Sawyer continues to look out for others and is actively involved in the charity work of the sorority. Each year at Christmas she handles the preparation and delivery of gifts from Alpha Delta Kappa for a needy family in her area, and each fall she delivers books that have been donated to Camp Sunshine. We offer our congratulations to Christine Sawyer on her receiving this honor and wish her continued success;

(HLS 1099)

Presented by Representative KNAPP of Gorham.  
Cosponsored by Senator BARTLETT of Cumberland,  
Representative SANBORN of Gorham.

On **OBJECTION** of Representative KNAPP of Gorham, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

**Recognizing:**

Leika Scott, of Falmouth, who won the skimeister competition at the Maine Junior Ski Club Championship held at Shawnee Peak. We extend our congratulations to Leika on this accomplishment;

(HLS 1103)

Presented by Representative COHEN of Portland.  
Cosponsored by Senator DAVIS of Cumberland, Representative NELSON of Falmouth.

On **OBJECTION** of Representative COHEN of Portland, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

**Recognizing:**

Jessica Abramson, of Falmouth, who won the Nordic skate race at the Maine Junior Ski Club Championship held at Shawnee Peak. We extend our congratulations to Jessica on this accomplishment;

(HLS 1104)

Presented by Representative COHEN of Portland.  
Cosponsored by Senator DAVIS of Cumberland, Representative NELSON of Falmouth.

On **OBJECTION** of Representative COHEN of Portland, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Cohen.

**Representative COHEN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. It is my honor and pleasure to rise today to celebrate the accomplishments of these young athletes. Jessica Abramson won the Nordic skate race at the Maine Junior Ski Club Championship. She is part of the middle school team and races with and also trains with the Maine Coast Nordic Ski Club. She practices five days a week and races most weekends. Jessica won two of her four regular season races and qualified to ski for Maine in the New England J2 Festival. For those of you who Nordic ski or those of you who perhaps just watched it during the Olympics, you know what a physically demanding sport it is. In fact, few sports can claim to be as demanding of physical workout as Nordic skiing. Jessica's success undoubtedly demonstrates an aerobic fitness that can only be obtained by a work ethic and physical and mental commitment that few of us could imagine and even fewer of us could attain. I congratulate her on her success and wish her many more.

Leika Scott was in the skimeister competition at the Maine Junior Ski Club Championship. Skimeisters compete in both Alpine and Nordic races, and the title of number one skimeister was earned based on her combined successes in both disciplines. Helping to secure her title was her second place finish in the state's Alpine B Slalom and fourth in Alpine GS and fifth overall in skate ski. Leika trains and races six days a week from November through March. Leika also raced for the Sugarloaf SCVA program and finished third overall this season for Maine MARA. She also qualified to race at the Eastern Nationals where she placed thirteenth overall in Super G and finished second for Maine. By the way, she was clocked at 62 miles per hour. That's down a mountain, not on a highway. I congratulate her on her success on being named Maine's number one skimeister and wish her many more.

Leika and Jessica's impressive performances along with the efforts and successes of the other members of the Falmouth Middle School girls team helped secure that team's first place overall finish in the state for Nordic and Alpine combined.

Finally, while this day is to celebrate the successes and achievements of these young athletes, I would be remiss to not also recognize the commitment and sacrifice of these girls' families. As the parent of ski racers myself, I can tell you that it is a family affair and that their parents love, dedication and willingness to spend hours tuning skis, schlepping gear, and traveling to lots of training sites and races is very much a part of their success. Again, congratulations to Jessica Abramson and Leika Scott. Thank you, Madam Speaker.

Subsequently, the Sentiments were **PASSED** and sent for concurrence.

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The following items were taken up out of order by unanimous consent:

**UNFINISHED BUSINESS**

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

**HOUSE REPORT - Ought to Pass as Amended by Committee Amendment "A" (H-754) - Committee on TAXATION on Bill "An Act To Amend the Tax Laws"**

(H.P. 1084) (L.D. 1540)

TABLED - March 23, 2010 (Till Later Today) by Representative PIOTTI of Unity.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

Subsequently, the Unanimous Committee Report was **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-754) was READ** by the Clerk and **ADOPTED**

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-754)** and sent for concurrence. **ORDERED SENT FORTHWITH.**

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**CONSENT CALENDAR**

**First Day**

In accordance with House Rule 519, the following item appeared on the Consent Calendar for the First Day:

(S.P. 629) (L.D. 1664) Bill "An Act To Enhance the Redevelopment of the Brunswick Naval Air Station" (EMERGENCY) Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-503)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH.**

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On motion of Representative CURTIS of Madison, the House adjourned at 10:16 a.m., until 9:00 a.m., Friday, April 2, 2010.