

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record
House of Representatives
One Hundred and Twentieth Legislature
State of Maine

Volume II

First Regular Session

May 18, 2001 – June 22, 2001

Second Regular Session

January 2, 2002 – March 6, 2002

Pages 890-1770

ONE HUNDRED AND TWENTIETH LEGISLATURE
SECOND REGULAR SESSION
5th Legislative Day
Tuesday, January 15, 2002

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

Prayer by Reverend Glenn Metzler, Kennebec Mennonite Church, Farmingdale.

Pledge of Allegiance.

The Journal of Friday, January 11, 2002 was read and approved.

SENATE PAPERS
Non-Concurrent Matter

Resolve, to Reduce Paperwork for Maine Businesses
(H.P. 1543) (L.D. 2044)

REFERRED to the Committee on **TAXATION** and Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** in the House on January 2, 2002.

Came from the Senate **REFERRED** to the Committee on **TAXATION** in **NON-CONCURRENCE**.

On motion of Representative NORBERT of Portland, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 344)

MAINE STATE LEGISLATURE
AUGUSTA, MAINE 04333

COMMISSION TO STUDY THE IMPLEMENTATION OF A UNIFIED EMERGENCY RESPONSE FOR EMERGENCY RELEASES AND SPILLS OF TOXIC OR HAZARDOUS MATERIALS

January 10, 2002

The Honorable Richard A. Bennett, President
Maine State Senate

The Honorable Michael V. Saxl, Speaker
Maine House of Representatives
State House

Augusta, Maine 04333

Dear President Bennett and Speaker Saxl:

Pursuant to Resolve 2001, chapter 65, the Commission to Study the Implementation of a Unified Emergency Response for Emergency Releases and Spills of Toxic or Hazardous Materials is pleased to submit its final report including recommended legislation. Copies of the report have been transmitted to the Legislative Council and the Joint Standing Committees on Natural Resources and Legal and Veterans' Affairs. Copies of the report have also been placed on file with the Law and Legislative Reference Library.

Sincerely,

S/Senator Anne M. Rand, Senate Chair

S/Representative Robert W. Duplessie, House Chair

READ and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication: (S.P. 739)

STATE OF MAINE
120TH MAINE LEGISLATURE

January 8, 2002

Hon. Kevin L. Shorey

Senate Chair, Joint Standing Committee on Business and Economic Development
Hon. John Richardson
House Chair, Joint Standing Committee on Business and Economic Development
120th Legislature
Augusta, ME 04333

Dear Senator Shorey and Representative Richardson:

Please be advised that Governor Angus S. King, Jr. has nominated Peter L. Judkins of Farmington for appointment as a member of the Maine State Housing Authority.

Pursuant to Title 30-A, M.R.S.A., §4723, this nomination will require review by the Joint Standing Committee on Business and Economic Development and confirmation by the Senate.

Sincerely,

S/Richard A. Bennett

President of the Senate

S/Michael V. Saxl

Speaker of the House

Came from the Senate, **READ** and **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT**.

READ and **REFERRED** to the Committee on **BUSINESS AND ECONOMIC DEVELOPMENT** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act to Permit Municipalities to Protect their Citizens Against Dangerous Dogs"

(H.P. 1567) (L.D. 2072)

Sponsored by Representative MURPHY of Berwick.

Cosponsored by Representatives: DAVIS of Falmouth, MacDOUGALL of North Berwick, PERRY of Bangor, Senator: CARPENTER of York.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

UTILITIES AND ENERGY

Bill "An Act to Amend the Charter of the Portland Water District for the Purpose of Redistricting Trustee Representation to Reflect 2000 Census Data" (EMERGENCY)

(H.P. 1568) (L.D. 2073)

Sponsored by Representative McLAUGHLIN of Cape Elizabeth.

Cosponsored by Senator PENDLETON of Cumberland and Representatives: BLISS of South Portland, CLOUGH of Scarborough, LABRECQUE of Gorham, USHER of Westbrook.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

**Pursuant to Joint Study Order
Committee to Study the Needs of Persons with Mental
Illness Who Are Incarcerated**

Speaker SAXL for the **Committee to Study the Needs of Persons with Mental Illness Who Are Incarcerated** pursuant to Joint Order 2001, H.P. 1383, section 8 asks leave to report that the accompanying Bill "An Act to Implement the Recommendations of the Committee to Study the Needs of Persons with Mental Illness Who are Incarcerated Relating to Treatment and Aftercare Planning in County Jails"

(H.P. 1569) (L.D. 2075)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED**.

On motion of Representative POVICH of Ellsworth, **TABLED** pending **REFERENCE** and later today assigned.

ORDERS

On motion of Representative LEMOINE of Old Orchard Beach, the following Joint Order: (H.P. 1570)

ORDERED, the Senate concurring, that the Joint Standing Committee on Marine Resources report out, to the House, legislation to make changes to the laws governing aquaculture leasing.

READ and **PASSED**.

Sent for concurrence.

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

**ENACTORS
Emergency Measure**

An Act to Fund the Collective Bargaining Agreements and Benefits of State Employees Who are Members of the American Federation of State, County and Municipal Employees, Council No. 93

(H.P. 1554) (L.D. 2057)

(H. "A" H-759)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 110 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, to Validate the Assessment, Commitment and Tax Collection of the Town of Wells for the Fiscal Year 2001

(S.P. 663) (L.D. 1854)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 117 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Friday, January 11,

2002, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act to Amend the Law Relating to Growth-related Capital Investments"

(H.P. 1566) (L.D. 2071)

(Committee on **NATURAL RESOURCES** suggested)

TABLED - January 11, 2002 (Till Later Today) by Representative COWGER of Hallowell.

PENDING - REFERENCE.

Subsequently, the Bill was **REFERRED** to the Committee on **NATURAL RESOURCES**, ordered printed and sent for concurrence.

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

The following item was taken up out of order by unanimous consent:

SENATE PAPERS

The following Joint Resolution: (S.P. 745)

**JOINT RESOLUTION HONORING THE MEMORY OF
SENATOR I. JOEL ABROMSON**

WHEREAS, it is with great sadness that We, the Members of the One Hundred and Twentieth Legislature, now assembled in the Second Regular Session, have received the news of the death of a beloved longtime colleague and friend, Senator I. Joel Abromson of District 27, Portland, Falmouth and Long Island, Maine; and

WHEREAS, I. Joel Abromson was the beloved husband of Linda Abromson, former city councilor and Mayor of Portland and Commissioner of the Maine Human Rights Commission; was the father of three children, daughter Lori Yohann and her husband Moshe, daughter Leslie Sherman and her husband Alan, and son Eric and his wife Falamak; was the grandfather of Tali, Daniel, Sivan and Zachary; and was the beloved friend and neighbor to many in and outside this State; and

WHEREAS, I. Joel Abromson was educated at Bowdoin College in Brunswick, Maine and for 25 years worked at Maine Rubber International, where he served as president for seven years, and he also was a leader in numerous trade and business ventures, including being senior associate at Cumberland Advisors, an investment advisory service; and

WHEREAS, Senator I. Joel Abromson came to the Maine Legislature first as a Republican Senator for the 117th Legislature and quickly established a reputation for honesty, integrity and expertise in several fields, most notably banking and insurance; and

WHEREAS, as a first-term Legislator, Senator Abromson became Chair of the Joint Standing Committee on Banking and Insurance, a committee on which he served throughout his tenure in the Senate; and

WHEREAS, Senator I. Joel Abromson served with honor and distinction in the 117th, 118th, 119th and 120th Legislatures of the State of Maine, where he personified the excellence of public service by serving on numerous committees and study commissions; and

WHEREAS, Senator I. Joel Abromson not only exemplified the best of public service, he also led by example by being a devoted citizen to his community and to his State and by a lengthy and sincere participation with community organizations, such as the Jewish Federation of Southern Maine, the Boys and Girls Clubs of Greater Portland and the Spurwink School; and

WHEREAS, Senator I. Joel Abromson also was a member of the Bowdoin College Board of Trustees and was a Trustee for Maine Medical Center, Boys and Girls Clubs of Greater Portland, the Bowdoin College Alumni Council, Portland Savings Bank, Temple Beth El, the Maine Offices of the American Heart Association and the Jewish Federation of Southern Maine; and

WHEREAS, Senator I. Joel Abromson received numerous well-deserved honors throughout his life, and the high esteem and respect with which we will remember him are the result of his dedication to his constituents and his values; 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, honor the career and life of I. Joel Abromson, Senator from District 27, and pay our respects and offer our condolences to the family of our highly esteemed colleague; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the loving family of Senator I. Joel Abromson on behalf of the people of Maine and as a token of their esteem and affection.

Came from the Senate, **READ** and **ADOPTED**.

READ.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative O'Neil.

Representative **O'NEIL**: Mr. Speaker, Men and Women of the House. I have had the privilege, along with the other members of the Banking and Insurance Committee, as have most of us, to know a real gentle man and to work with Senator Abromson over the last five or six years in the Banking and Insurance Committee where his level of acumen was unparalleled, where his dignity, compassion, grace and competence was of immense value to this whole state, not just to those whose concerns came before the Banking and Insurance Committee. As such, that empty chair is more than an empty chair, it is big void. While it has been empty lately through Joel's illness, we have missed his presence within the community. Joel will be remembered and he has already been eulogized for many things.

The quote I remember seeing several years ago that was reiterated yesterday was about where Joel said, "My heart is on the left and my wallet is on the right." It speaks to Joel's probably most endearing quality, which was his wit. It was something that we all enjoyed immensely. Rather than be entirely saddened on this occasion, quickly, late last session, towards the end of the session, Senator Abromson had been traveling back and forth for the treatment that made him ill in his illness and in one of our conversations up in Banking and Insurance I asked him, "How is it going Joel?" That is a tough question to ask. He said, "Not bad, I had a decent week. Over the weekend Linda and I went out to dinner. We had a really good meal and I was able to eat." It was a big victory for him. Then with that twinkle in his eye he said, "Wouldn't you know it, I couldn't keep it down. It was a \$100 meal that I missed out on." That was the wallet speaking. It is something that we all appreciated.

On this day we are going to go back up into Banking and Insurance later this afternoon. We will see that empty chair and be reminded of the void. No matter who fills it, they really won't fill it because this is a man who really fills the definition of statesman. God speed, Joel.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Mayo.

Representative **MAYO**: Mr. Speaker, Men and Women of the House. I, too, have served with Joel on the Banking and Insurance Committee for the last eight years and I had the

privilege in the 117th, as did the Speaker, to serve on that committee when he was chair. As Representative O'Neil said, he was a social liberal and a fiscal conservative. I can remember dealing with him on the gay rights legislation which certainly placed him on the liberal side of the spectrum and I can also remember going with him, and I believe Representative O'Neil was there, to the Governor's Office to negotiate on the patient bill of rights legislation where he was trying to make sure that it did not increase the cost of insurance. He will be missed. It will not be an easy day today. God speed.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Davis.

Representative **DAVIS**: Mr. Speaker, Men and Women of the House. I shared District 27 with Joel. I have known his family and Mrs. Abromson since she was about 10 years old. I think the thing that I would remember about Joel is that whether you agreed or disagreed with him, one time I disagreed with him and I thought that perhaps he would be a little grouchy the next time I saw him, he was not. He had a gracious, gentlemanly demeanor. He was one of the greatest gentlemen that I have known in my life. He was very accurate in his assessment of legislation and he helped me a great deal. I will miss seeing him and talking to him in the corridors. I think the word that probably summarizes what Joel was is grace. He always maintained his grace. Certainly he had the courage in these trying days in the last year of his life. I will miss him. He was a very, very gracious gentleman. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Norbert.

Representative **NORBERT**: Mr. Speaker, Ladies and Gentlemen of the House. It is with great sadness that I rise this morning to recognize my constituent and my dear friend, Joel Abromson. Let me first say that this corner extends its deepest sympathy to his family, friends, his colleagues in the Republican Party, his colleagues in the other body. We have all lost a friend. Joel was a very unique and special man, as we all know. For all his accomplishments, which were just read, what struck me the most is the man he was, more than anything else. It wasn't any lists or honors or achievements, it was the man he was, for those of us who knew him that was most special.

I have a very long relationship with the family. I have known Joel and Linda since I was born. I grew up on the next street from them. We lived in a very special neighborhood in Portland in the North Deering section. Joel's son Eric and I were best friends growing up. I got to see a side of Joel before he became a politician. It was a very warm and unique side. Long before he thought of running for the Senate, he was very much what he always was, a family man. It was always Linda who was very involved in politics and all of us who were working on her campaigns. It was a great surprise when Joel finally took the plunge. He turned out to be, I think we all agree, a very natural politician and a very successful one because of his ability to bridge the gaps between people, to find common ground, to be decent, to be moderate and to have a sense of humor. I think what came through to all of us was his sense of decency and compassion. I especially was proud of him for his leadership on the civil rights issue and for introducing legislation on that and for having the guts and the courage to withstand a lot of pressures because of what he believed was right.

My memories from childhood are really staying with me today. I don't know if any of you know, he was an excellent amateur photographer. His house is filled with photographs of when we were little playing on the Farm League team and stuff like that. He took great pride and love in his family. I was very pleased to share a special last lunch with him during the swearing in

ceremonies, December 6, for the new Senate President over at the museum. He was there with his friend, Dick. I was able to sit at the table with him and enjoy one last, very meaningful, meal with him. Of course, it was as usual, he was talking about family and having a few good jokes.

Many of us shared a special gathering at the Portland County Club back in the fall. It was very beautiful. I was like a living wake. It was all the things we should say to people that we love that we usually reserve until they are no longer with us. This was very special because it was a gathering of all of his friends and family and Joel was there with Linda and Senator Snowe and Senator Collins, the Governor, Congressman Allen and many people in this chamber right now were there. It was very beautiful. I am very pleased that that memory sustains me because it means that Joel was able to hear all the kind words and the love that people had for him. He was able to take that in at that moment.

Finally, I would just like to say that I am reminded of the Shakespeare quote that when you think of Joel his character was such and the elements were so mixed in him that all the worlds could look upon him and say that this was a man. Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Quint.

Representative **QUINT**: Mr. Speaker, Men and Women of the House. I rise today with great sadness, but I also rise in celebration of Joel Abromson and his life. Senator Abromson and I had a very personal relationship that started in the 118th Legislature when he was carrying the torch for the civil rights bill. Joel was committed and dedicated to fairness and equality for all Maine citizens. There were times when we were going through that that I thought, I can't do this anymore, as difficult as it was. Joel would sit and say, you have to do this because this is the right thing to do.

One remarkable memory that I would like to share is just before the 119th Legislature, Joel, who has always been very active in the Jewish community in Portland, and I, who has always being active in the Catholic Diocese of Portland, called me up and said that I just called the Bishop's Office and we are having a meeting to talk about how we can resolve our differences, just like that. That is, to me, a demonstration of great leadership, commitment and about doing the right thing. I honor Joel Abromson today and I am saddened by his passing.

The SPEAKER: The Chair recognizes the Representative from Farmingdale, Representative Watson.

Representative **WATSON**: Mr. Speaker, Men and Women of the House. I join my colleagues today in memorializing the

passing of Senator Joel Abromson. Not to repeat all of the remarks of those before me, I just want to add to the list of contributions that Senator Abromson has made, not only to his community, but to the State of Maine. Early last year Senator Abromson was appointed by then President Mike Michaud to serve as co-chair of the Percent for Art Committee for the new West Wing Entrance to the State House. I, in turn, was appointed by our Speaker, Mike Saxl, to serve with Senator Abromson representing the members of the House of Representatives.

Even though Joel and I both came into the Legislature at the same time in the 117th Legislature and had worked on numerous issues that have already been mentioned, he and I did not serve on the same committee ever. It has only been in the last year that he and I have worked closely as co-chairs of the Percent for Art Committee. It was my great privilege and pleasure to work with him on something that was of great importance to both of us and to the people of Maine.

As has been mentioned, he was a photographer who had a particular creative sense ability and a way of seeing the world that was unique. He shared with his wife, Linda, a love of art and all things that edify the human conditions that are expressed visually.

We did not complete our work together on the Percent for Art Committee. We have only just finished our Phase One, which was selecting the artist for the connector tunnel between the two buildings. It was Joel's involvement in that process of choosing that particular piece that proved to me how thoughtful and sensitive he was. What a particular care and kindness he had in working with the commission and the artist that fulfilled our expectations. When we have a dedication of the tunnel, which will be next month, Joel will be remembered at that time for having been part of something that will be a permanent memorial to him.

I will miss Joel, Senator Abromson, greatly in the continuation of the work of the commission. I have lost a friend and a colleague and my sympathy is with his family and for all of us in the State of Maine that appreciated and cared for the great work that he did on our behalf.

ADOPTED in concurrence.

On motion of Representative **MARLEY** of Portland, the House adjourned at 10:51 a.m., until noon, Friday, January 18, 2002 in honor and lasting tribute to Senator I. Joel Abromson.