

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME V

SECOND REGULAR SESSION

House of Representatives

January 5, 1994 to April 14, 1994

Stevens, K.; Strout, Sullivan, Swazey, Townsend, E.; Townsend, G.; Townsend, L.; Tracy, Vigue, Walker, Wentworth, Winn, The Speaker.

NAY - Aikman, Anderson, Ault, Bailey, H.; Bailey, R.; Barth, Bennett, Birney, Campbell, Carleton, Carr, Clukey, Cross, Dexter, Donnelly, Faircloth, Farnum, Farren, Foss, Greenlaw, Joy, Ketterer, Kneeland, Lemont, Libby Jack, Libby James, Lindahl, Lipman, Look, MacBride, Marsh, Marshall, Michael, Nash, Nickerson, Ott, Pendexter, Plowman, Reed, G.; Reed, W.; Robichaud, Simoneau, Small, Stevens, A.; Taylor, Thompson, True, Tufts, Whitcomb, Young, Zirnkilton.

ABSENT - Beam, Cloutier, Hillock, Kutasi, Martin, H.; Ruhl, Saint Onge, Tardy, Treat.

Yes, 91; No, 51; Absent, 9; Paired, 0; Excused, 0.

91 having voted in the affirmative and 51 in the negative, with 9 being absent, the Resolution was indefinitely postponed and sent up for concurrence. Ordered sent forthwith.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Reduce the Size of the Maine Legislature (H.P. 1419) (L.D. 1933) (Governor's Bill) (Committee on State and Local Government suggested) TABLED - February 24, 1994 by Speaker GWADOSKY of Fairfield.
PENDING - Ruling of the Chair.

The SPEAKER: It is the opinion of the Chair and I hereby rule that the provisions of Joint Rule 37 do not apply to L.D. 1933.

Subsequently, the pending question is reference.

Representative JOSEPH of Waterville moved that the Resolution be indefinitely postponed.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Lipman.

Representative LIPMAN: Mr. Speaker, Ladies and Gentlemen of the House: I'm some surprised that I am standing up on this particular measure. Again, this is our opportunity to go on Record and let the public see where we stand in reducing the size of the legislature.

In 1840 we had the same size legislature with no television, no radio, no cars, no computers. Now we can do with less. We have asked our people in the State of Maine to do with less. We have had to cut the budget, we have had to cut programs, yet the legislative budget and the size of the legislature has not changed. The cost for the legislature in 1981 was \$4 million. The cost for the legislative budget today is around \$13 million. What can we accomplish by reducing the size of the legislature to 99 in the House and 33 in the Senate? One, we will have symmetry. We will have three representatives from each senatorial district. The advantage of doing that is that if a legislators wants to run for the other body then they are within the same senatorial district and we don't have some of the confusion that we have encountered recently.

A second advantage to a reduced size of the legislature is that we can reduce cost and it has been estimated at about \$2 million a year.

The third advantage is that we wouldn't have as many people to speak on each bill and then we wouldn't have to be here as late and the sessions wouldn't be as long. The committee sizes could be reduced.

To be a little more serious and to address the

point, I would like to draw an analogy or ask us to look at Indiana. Indiana has a population of 5.5 million people, Maine has 1.2 million. Indiana has 35,000 square miles, Maine has 30,000 square miles. Indiana has five times as many people, more land and they have a House of Representatives of 100 legislators. Indiana is able to get their business done by one session of 61 days and another session of 30 days. We would be able to reduce the time that we would have to be in session if we reduced the size of the legislature. This is an opportunity for us as legislators to give the public a chance to choose in the Constitutional referendum but also to say we have asked you to sacrifice, we have asked the state employees to sacrifice, we have had to cut programs and we are even willing to allow you the opportunity to reduce the size of the legislature. I ask you to vote against the motion and, I request the yeas and nays.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Lemke.

Representative LEMKE: Mr. Speaker, Men and Women of the House: This legislation promises cost savings and increased efficiency. In fact it would yield neither and there are studies and studies and experience and experience which demonstrates this point. It would create a legislature which is in fact less representative and requiring more staff and more cost and more bureaucracy.

The basic problems is not size and it never has been size. The real problem is how we do the people's business and real substantive change must be systemic not cosmetic.

One other point, obviously this plan, which has been before us before would be detrimental to a rural representation. As the Lottery motto goes, "Just Imagine" — close your eyes and just imagine 52 less people in here, what part of the State of Maine would be devastated by that? You know the answer to that my friends.

The proposal does not recognize the historic and cultural tradition of the State of Maine. You are being asked in the name of cost savings and efficiency to sacrifice democracy. Maybe we can cut budgets here but we shouldn't be cutting democracy here. It would be folly to support such dubious legislation and therefore reduce real democracy in the State of Maine. My friends, this is not real reform at all, it is not good government at all, it may be a good election year bill but it hardly is something you should support. I urge you to vote for indefinite postponement.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of more than one-fifth of the members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the Representative from Jay, Representative Pineau.

Representative PINEAU: Mr. Speaker, Ladies and Gentlemen of the House: Since I have been here for the three terms that I have served we have had proposals of this nature floating in front of us whether they be the first session or the second session. This is one that does cause me to rise to my feet and I am glad that I do, I am sorry if you

feel that I shouldn't.

The good Representative from Augusta, Representative Lipman, asked what we accomplished by having a smaller legislature. What we accomplish is we have larger districts, we have more money needed for campaigns, we have less representation for the people we represent and we have less representation from average Maine citizens like you and I in this House. You really narrow it down as to who in fact will serve in these bodies when it becomes a professional place to be.

What else do we accomplish? In the history books, as he said, way back in 1881 (I think was the year he used) we didn't have lobbies from out-of-state coming in to hound us in the halls. We didn't have non-partisan staff to the degree we do have today. We didn't have the technical-type issues that we have today.

You want to compare us to Indiana — I will compare us to Indiana, look at their laws and look at our laws. We are progressive, Maine has always been in the proud tradition of being leading in its legislation, not following. There is a reason for that, it takes time to do good quality work.

The argument he brought up on there are too many of us on the committees, I say to you I am thankful there are too many of us on the committees. Sitting on Banking and Insurance I would hate to have a committee of five or six people airing those serious interests, health care, insurance reform, banking regulations to be bounced off a very few minds instead of a good field of minds.

Ladies and gentlemen, this is not a frivolous vote, this is a very important vote. For a Citizens Legislature we must be big and we must be able to do our work in the time span we need to do it.

Please vote for indefinite postponement of this measure.

The SPEAKER: A Roll Call has been ordered. The pending question before the House is the motion of Representative Joseph of Waterville that this Resolution be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 320

YEA - Adams, Ahearne, Aliberti, Anderson, Bailey, H.; Bailey, R.; Bowers, Brennan, Cameron, Carroll, Cashman, Cathcart, Chase, Chonko, Clark, Clement, Coffman, Coles, Constantine, Cote, Daggett, Dexter, Donnelly, Dore, Driscoll, Erwin, Farnsworth, Farren, Fitzpatrick, Gamache, Gean, Gould, R. A.; Gray, Hale, Hatch, Heeschen, Hichborn, Hoglund, Holt, Jacques, Jalbert, Johnson, Joseph, Ketterer, Kilkelly, Kneeland, Kontos, Larrivee, Lemke, Lemont, Libby Jack, Libby James, Look, Lord, MacBride, Marsh, Martin, J.; Melendy, Michaud, Mitchell, J.; Morrison, Murphy, Nadeau, O'Gara, Oliver, Paradis, P.; Pfeiffer, Pineau, Pinette, Poulin, Pouliot, Rand, Ricker, Robichaud, Rotondi, Rowe, Rydell, Saint Onge, Saxl, Skoglund, Spear, Stevens, K.; Strout, Sullivan, Swazey, Townsend, E.; Townsend, G.; Townsend, L.; Tracy, Treat, True, Tufts, Vigue, Walker, Wentworth, Winn, The Speaker.

NAY - Aikman, Ault, Barth, Bennett, Birney, Bruno, Campbell, Carleton, Caron, Carr, Clukey, Cross, DiPietro, Dutremble, L.; Faircloth, Farnum, Foss, Greenlaw, Heino, Hussey, Joy, Kerr, Lindahl, Lipman, Michael, Mitchell, E.; Nash, Nickerson, Ott, Pendexter, Pendleton, Plourde, Plowman, Reed, G.;

Reed, W.; Richardson, Simoneau, Small, Stevens, A.; Tardy, Taylor, Thompson, Whitcomb, Young, Zirkilton.

ABSENT - Beam, Cloutier, Hillock, Kutasi, Marshall, Martin, H.; Norton, Ruhlin, Simonds.

Yes, 97; No, 45; Absent, 9; Paired, 0; Excused, 0.
97 having voted in the affirmative and 45 in the negative, with 9 being absent, the Resolution was indefinitely postponed and sent up for concurrence. Ordered sent forthwith.

RESOLUTION, Proposing an Amendment to the Constitution of Maine Providing for the Direct Election of the Treasurer of State (S.P. 695) (L.D. 1893) (Governor's Bill)

- In Senate, Indefinitely Postponed.

(Committee on State and Local Government suggested)

TABLED - March 23, 1994 by Speaker GWADOSKY of Fairfield.

PENDING - Ruling of the Chair.

The SPEAKER: It is the opinion of the Chair and I hereby rule that the provisions of Joint Rule 37 do not apply to L.D. 1893.

Subsequently, the pending question is reference.

On motion of Representative JOSEPH of Waterville, the Resolution was indefinitely postponed and sent up for concurrence. Ordered sent forthwith.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the Orders of the Day and continue with such preference until disposed of as provided by Rule 24.

Bill "An Act to Separate Cushings Island in Casco Bay from the City of Portland and to Create the Cushings Island Village Corporation as Part of the Town of Long Island" (S.P. 454) (L.D. 1421)

TABLED - April 5, 1994 (Till Later Today) by Representative JOSEPH of Waterville.

PENDING - Passage to be Engrossed.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Joseph. Representative JOSEPH: Mr. Speaker, I move that this bill and all accompanying papers be indefinitely postpone and I wish to speak to that motion.

Mr. Speaker, Men and Women of the House: I indefinitely postponed L.D. 1421 because there will be another bill coming to you, "An Act to Establish Procedures for Secession and Annexation" which replaces this bill which was found to be not germane with the title that you are now looking at.

Subsequently, on motion of Representative JOSEPH of Waterville, the Bill and all accompanying papers were indefinitely postponed and sent up for concurrence.

An Act to Authorize a General Fund Bond Issue in the Amount of \$5,000,000 for Training Equipment for the Maine Technical College System (BOND ISSUE) (H.P. 1442) (L.D. 1968) (C. "A" H-970)