

# MAINE STATE LEGISLATURE

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

**Volume I**

**First Regular Session**

December 1, 2004 - March 30, 2005

**First Special Session**

April 4, 2005 – May 25, 2005

Pages 1-736

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

**HOUSE DIVIDED REPORT - Majority (11) Ought Not to Pass - Minority (2) Ought to Pass as Amended by Committee Amendment "A" (H-350) - Committee on STATE AND LOCAL GOVERNMENT on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce the Size of the Legislature (H.P. 339) (L.D. 461)**

Which was **TABLED** by Representative CUMMINGS of Portland, pending the motion of Representative BLANCHARD of Old Town to **ACCEPT** the Majority **Ought Not to Pass** Report. (Roll Call Ordered)

The **SPEAKER**: The Chair recognizes the Representative from Skowhegan, Representative Richardson.

Representative **RICHARDSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This is a bill - I guess you folks already know it - to reduce the size of the Legislature to save the State of Maine some money. It is a bill that is perennial. If you have been here for more than two terms you have probably seen it at least twice and if you are here for another two terms you will see it twice more I am sure.

This is a very easy bill for you to vote for simply because it doesn't cost you anything and it does save - you can figure any amount you want - \$1,500,000 per year. You didn't think that you earned that much money did you? If you want to put it together with the salary and per diem that is paid to the legislators, the insurances that you get and this type of thing it would cost somewhere in the vicinity of \$26,000-\$28,000/year to keep each of us down here.

Believe me, and I think if you ever asked that if you put this resolve out to a referendum, this would pass in a heart beat by an astounding amount of votes. The people of the State of Maine think that we spend too much money and they look at us and they say well why don't you cut down the size of the legislature. This would be a very good thing to do.

We are sitting here trying to make decisions on how to save hundreds of millions of dollars and we cut other people's salaries and we try to eliminate positions and we try to eliminate programs but we don't have the courage to do something that would be very simple, which is to cut the size of the legislature and to save a \$1,500,000. That \$1,500,000 is really only direct cost. The cost of maintaining every legislator has a great deal of money attached to it.

I have heard all of the reasons why people don't like to do this. They think that we got a nice little district. We serve 8,300 people and I don't want to change my district size because I can't be as close to my constituents. If you were to change this vote or if you were to change the size of the Legislature you would only be serving 13,000 people instead of 8,300 people.

Everybody likes to look at the other body and think of how much better we are than they are, but I got to tell you that they serve 39,000 people. Now, the motion up here is Ought Not to Pass. I would like to see you defeat this motion. This business of having 186 people down here to do the business of the State of Maine means that there are probably at least 50 or more people here than need be. First of all, we could all have better parking places if it didn't do anything else, but - now think about this - your constituents want to say to you save money and you would have an opportunity to go back to them and this is a win, win situation for you. If you voted to reduce the size of the legislature and you loose the vote you can say I tried, but if you win the vote you can say I saved you say some money. No way you can lose on this vote.

Don't worry about your own districts and don't worry about it changing the balance. It won't. There will be just as many

people voting republican and democrat in the districts as there are now. That will not change if the thing passed and you got the redistricting done. The way the bill is set up, if it does pass, is that the redistricting will be done by the law clerks. It won't be done the way that I remember reading the bill.

This is a bill that you can't lose on, as I said before and if you really want to make an impression and you really want to tell your constituents that you are doing something for them defeat this motion and let's get on to the minority report. Thank you.

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

Representative **DAVIS**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I am a man of few words and I agree with my friend from Skowhegan. I ran on this when I ran for Falmouth and had very, very good response so I agree with everything he said. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Old Town, Representative Blanchard.

Representative **BLANCHARD**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I have to admit that my fellow Representative from across the aisle, Representative Richards came up with some great ideas. However the committee spent quite a bit of time discussing the issue and one of the major points that was brought up was not the size of the districts but instead the loss to the people that we represent in rural areas that won't have what we are supposed to be doing when we come down here and that is represent them.

I think our main goals when we are elected are to represent our districts and to also represent the State of Maine. It is what we are sent here to do and with that I would like to say that as a freshman, I have had comments about making it smaller, but I have also had comments about how we are going to represent everyone in the State of Maine when we are 150 - 200 miles away from our districts. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Skowhegan, Representative Richardson.

Representative **RICHARDSON**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. The argument that the good Representative puts forth really leaves me a little mystified because when you are representing the people I don't see where representing 4,000 more people is anymore difficult than the ones that you are already doing. I don't know what new issues might come up that might increase or decrease your ability to represent them and I don't think that most people get down to where they are talking individually with all 8,300 people that are in their districts. I understand his concern and I hear his concern that the people are asking how we are going to represent them and I think your reactions should be "I will do the very best I can and if I am not as good as your state senator then I will try to get better the next time." So, I don't think that you are going to represent your constituents with any less ability just because you have a few more of them. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 154**

YEA - Adams, Annis, Ash, Babbidge, Beaudette, Bishop, Blanchard, Blanchette, Bliss, Bowen, Bowles, Brannigan, Brown R, Bryant, Burns, Cain, Campbell, Carr, Churchill, Clark, Craven, Crosby, Cummings, Driscoll, Dudley, Dugay, Dunn, Duplessie, Duprey, Eberle, Eder, Fischer, Fisher, Gerzofsky, Grose, Hanley S, Harlow, Hogan, Hotham, Hutton, Jackson, Jennings, Jodrey, Koffman, Lerman, Lundeen, Makas, Marley, Marraché, Mazurek, Merrill, Miller, Mills, Moody, Moulton, Muse,

Nass, Norton, Paradis, Patrick, Pelletier-Simpson, Percy, Perry, Pilon, Pingree, Pinkham, Rector, Richardson D, Richardson E, Richardson W, Rines, Sampson, Saviello, Schatz, Smith N, Smith W, Tardy, Thompson, Twomey, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Austin, Brautigam, Browne W, Canavan, Cebra, Clough, Collins, Cressey, Crosthwaite, Curley, Curtis, Daigle, Davis G, Davis K, Duchesne, Edgcomb, Emery, Faircloth, Finch, Fitts, Fletcher, Flood, Glynn, Hall, Hamper, Hanley B, Jacobsen, Joy, Lansley, Lewin, Lindell, Marean, McCormick, McFadden, McKane, McKenney, McLeod, Nutting, Ott, Plummer, Richardson M, Robinson, Rosen, Seavey, Sherman, Shields, Sykes, Thomas, Trahan, Valentino, Vaughan.

ABSENT - Barstow, Berube, Bierman, Bryant-Deschenes, Farrington, Goldman, Greeley, Kaelin, Millett, Moore G, O'Brien, Pineau, Piotti, Stedman, Tuttle.

Yes, 85; No, 51; Absent, 15; Excused, 0.

85 having voted in the affirmative and 51 voted in the negative, with 15 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

**REPORTS OF COMMITTEE**  
**Divided Report**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Require the Disclosure by Hospitals and Ambulatory Surgical Centers of Charges to Certain Payors"

(H.P. 162) (L.D. 211)

Signed:

Senators:

MAYO of Sagadahoc  
MARTIN of Aroostook  
ROSEN of Hancock

Representatives:

PINGREE of North Haven  
GROSE of Woolwich  
MILLER of Somerville  
BURNS of Berwick  
SHIELDS of Auburn  
CAMPBELL of Newfield  
LEWIN of Eliot  
GLYNN of South Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-382)** on same Bill.

Signed:

Representatives:

WALCOTT of Lewiston  
WEBSTER of Freeport

Representative SOCKALEXIS of the Penobscot Nation - of the House - supports the Majority **Ought Not to Pass** Report.

**READ.**

On motion of Representative PINGREE of North Haven, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Require That Certain Health Care Staff Be Certified in CPR and

To Require That Nursing Homes Be Equipped with Automated External Defibrillators"

(H.P. 338) (L.D. 460)

Signed:

Senators:

MAYO of Sagadahoc  
MARTIN of Aroostook  
ROSEN of Hancock

Representatives:

PINGREE of North Haven  
GROSE of Woolwich  
WEBSTER of Freeport  
MILLER of Somerville  
BURNS of Berwick  
SHIELDS of Auburn  
LEWIN of Eliot  
GLYNN of South Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-380)** on same Bill.

Signed:

Representatives:

WALCOTT of Lewiston  
CAMPBELL of Newfield

Representative SOCKALEXIS of the Penobscot Nation - of the House - supports the Majority **Ought Not to Pass** Report.

**READ.**

Representative PINGREE of North Haven moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Newfield, Representative Campbell.

Representative **CAMPBELL**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. This bill here was a bill that I believe was Representative Barstow's bill about having defibrillators in the nursing homes and I really got upset when the lobbyists got up there and were telling us how fast they respond and they ended it by saying that if they are in a nursing home then just let them die. Well, when you go to a nursing home you are not there just to die and that infuriated me and that is why I voted to have the defibrillators put in.

Another reason is that you get the lobbyists from the nursing homes and the hospitals and that and they all think you are supporting them. Well, I am supporting the people that are in the hospital and the nursing home, not the owners and not the lobbyists and that is why I am supporting this bill and requesting a roll call.

Representative **CAMPBELL** of Newfield **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Walcott.

Representative **WALCOTT**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. You know that it is an interesting day when the only two people on the same side of the issue on a committee are the good Representative from Newfield and myself, but I guarantee you that if that is the case then it is a senior citizen issue and I just stood today to remind everybody that if you walk down to the cafeteria in the State House and look to the left of the entrance door you will see one of these defibrillators. We have them for ourselves, which in my case might be a good idea.