

MAINE STATE LEGISLATURE

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

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Pages 1-608

interest would be able to. This would allow this to go to the voters of the State of Maine and let them decide whether they feel early voting would be appropriate. So I ask all of you to consider this as an appreciation to your clerks, voting this out and letting the State of Maine, the citizens of the State of Maine make their decision. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Final Passage. All those in favor will vote yes, those opposed will vote no.

This being a Constitutional Amendment, and a two-thirds vote of the House being necessary, a total was taken.

ROLL CALL NO. 57

YEA - Adams, Beaudette, Beaudoin, Beck, Berry, Blanchard, Blodgett, Boland, Bolduc, Briggs, Bryant, Butterfield, Cain, Carey, Casavant, Clark H, Cleary, Cohen, Connor, Cornell du Houx, Crockett P, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Eves, Finch, Flaherty, Flemings, Gilbert, Goode, Hanley, Harlow, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Jones, Kaenrath, Kent, Kruger, Lajoie, Legg, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, Miller, Morrison, Nelson, O'Brien, Peoples, Percy, Perry, Peterson, Pieh, Pilon, Piotti, Priest, Rankin, Rotundo, Russell, Schatz, Shaw, Sirois, Smith, Stevens, Strang Burgess, Stuckey, Sutherland, Theriault, Treat, Trinward, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Watson, Webster, Welsh, Wheeler, Willette, Wright, Madam Speaker.

NAY - Austin, Ayotte, Beaulieu, Bickford, Browne W, Burns, Campbell, Cebra, Celli, Chase, Clark T, Cotta, Crafts, Crockett J, Curtis, Cushing, Davis, Edgecomb, Fitts, Fletcher, Flood, Fossel, Gifford, Giles, Greeley, Hamper, Harvell, Johnson, Joy, Knapp, Knight, Langley, Lewin, McFadden, McKane, McLeod, Millett, Nass, Nutting, Pinkham, Plummer, Prescott, Richardson D, Richardson W, Robinson, Sarty, Saviello, Sykes, Tardy, Thibodeau, Thomas, Tilton, Weaver.

ABSENT - Cray, Pendleton, Pratt, Rosen, Sanborn.

Yes, 93; No, 53; Absent, 5; Excused, 0.

93 having voted in the affirmative and 53 voted in the negative, with 5 being absent, and accordingly the Resolution **FAILED FINAL PASSAGE** and was sent for concurrence. **ORDERED SENT FORTHWITH.**

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-139)** - Minority (6) **Ought Not to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Change the Terms for State Senators and Members of the House of Representatives to 4 Years

(H.P. 92) (L.D. 108)

TABLED - April 28, 2009 (Till Later Today) by Representative BEAUDETTE of Biddeford.

PENDING - Motion of same Representative to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

Subsequently, the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-136)** - Minority (6) **Ought Not to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Legislative Term Limit Laws"

(H.P. 26) (L.D. 31)

TABLED - April 28, 2009 (Till Later Today) by Representative BEAUDETTE of Biddeford.

PENDING - Motion of same Representative to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

Subsequently, the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

SENATE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (S-77)** - Minority (6) **Ought Not to Pass** - Committee on **TAXATION** on Bill "An Act To Clarify When the Rental of a Car Is Exempt from Sales and Use Tax"

(S.P. 240) (L.D. 666)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-77).**

TABLED - April 29, 2009 (Till Later Today) by Representative WATSON of Bath.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

On motion of Representative WATSON of Bath, the Minority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-121)** - Minority (6) **Ought Not to Pass** - Committee on **LABOR** on Bill "An Act To Require United States Occupational Safety and Health Administration Training for Government Construction Contracts"

(H.P. 472) (L.D. 658)

TABLED - April 29, 2009 (Till Later Today) by Representative TUTTLE of Sanford.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On motion of Representative TUTTLE of Sanford, the Bill and all accompanying papers were **COMMITTED** to the Committee on **LABOR** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (4) **Ought to Pass as Amended by Committee Amendment "A" (H-135)** - 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. 123) (L.D. 144)

TABLED - April 29, 2009 (Till Later Today) by Representative BEAUDETTE of Biddeford.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

The SPEAKER: The Chair recognizes the Representative from Winthrop, Representative Flood.

Representative **FLOOD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I oppose the pending Ought Not to Pass motion. The bill, LD 144, is a bill I prepared last summer, and it proposes, as amended now, to reduce the size of the House of Representatives from its longstanding current number of 151 to 131. It does not impact the other body. If we defeat the pending motion and accept LD 144, it will have a positive fiscal impact of \$1.6 million on future biennial budgets, and, although that is a significant benefit, it is not the primary reason for proposing the bill. If we defeat the pending motion, we will be in a position to tell the people of Maine we heard you, we have reacted to you, we recognize that

we too are capable of fulfilling our responsibilities with less of us, just like everyone else in the current economic climate. Only the Legislature can propose a constitutional amendment, and, since reducing the size of the Legislature requires such an amendment, we are the gatekeepers and I believe it is time to open that gate. The pending motion, once again, keeps that gate shut and locked to the concept of reviewing the size of the Legislature and, once again, would prevent the opportunity for our citizens to go to their polls to vote on a proposal this year.

There has never been a more appropriate and meaningful time to bring this matter forward to the people. This is a historic time to reflect on our longstanding policies and structures in state government, of every possible avenue and description, and to ask can we do better, can we do more, can we be better at providing services to our people. It is the time to question all the structures of government, including us. I ask that we defeat the pending motion so we can demonstrate by our actions that we are innovative leaders. We can demonstrate our willingness to change and our willingness to do more with less. It is exactly what the people of Maine want from us. Our leadership is always defined by our actions. Let us, by our actions, demonstrate to the people of Maine that government is willing to listen to them and to change. Let's show that each of us are willing to work harder and represent about 1,000 more people each in our districts. There may be precious few positives to be taken from the First Regular Session of this Legislature. I hope that a defeat of the pending motion and passage of LD 144 could be one of those positive achievements. I'm sure the citizens would see it that way.

I recognize that some legislators have very large districts already and that a reapportionment would certainly increase the geographic size of their districts somewhat disproportionately, and I respect that some of those legislators certainly may not like that. In fact, I believe also, though, that some legislators may like that. I respect the individual decisions that all people will have to make on this bill. I also recognize that some Democrats think that this is a terrible bill for Democrats, but if you are one of those Democrats, perhaps you will take some comfort in knowing that many Republicans think this is a terrible bill for Republicans. But I can suggest to you that the people of Maine probably don't care about that, and I also suggest to you that the people of Maine would strongly support the idea of less legislators, all due respect to all my good colleagues in this hall, thus I don't believe that the issue has particular political party ramifications, it's about people, and we can do the work of this House with 131 members; we often do it with 135 or 140, 145 already.

During the past months in the Appropriations room, here is a small sampling of the government services from which we have demanded significant structural change in reductions: K-12 school funding, vocational rehabilitation, foster homes, Fund for Healthy Maine, private non-medical institutions, elder care, nursing care, hospitals, physicians, mental health services, universities, residential care, assisted living and behavioral health. How could we not consider strong structural change in our Legislature? I ask you this: Are we so special that we should not be looking within our own structure to make appropriate reductions? Are we so vital and special that we don't think this great honor of representation could be handled by some number fewer than 151? We are a citizen's Legislature, and I hope that we can reflect our good citizenry here today.

I do want to take the time to thank the Representative from New Gloucester, Representative Van Wie, for the development of the amended version of LD 144, in his hard work and the collaboration with me on this, and the collaboration of many others who may be speaking on this matter. Thank you, Ladies and Gentlemen of the House. I hope you will defeat the pending

motion so that we can meet one of the key expectations of the people during this Legislature. Madam Speaker, I request a roll call.

Representative FLOOD of Winthrop **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 Biddeford, Representative Beaudette.

Representative **BEAUDETTE**: Thank you, Madam Chair. Madam Chair, Ladies and Gentlemen of the House. As the good Representative from Winthrop has said, perhaps it is the right time given advances in electronic communication, greater ease of travel, and the economic environment that we find ourselves in today. The amendment of the Minority Report, as the good Representative stated, proposes to reduce the size of the body from 151 to 131 in 2013. The reduction would result in House members representing roughly 1,400 more constituents per district. The anticipated savings would be about \$900,000 in the first year of a legislative session and \$700,000 in the second year of a legislative session, so roughly \$1.6 million per legislative session. One would anticipate some savings in the Revisor's Office also, due to a reduction in the number of bills submitted, or at least one would hope. For the reasons I have mentioned, I have reconsidered my committee vote and will vote no on Acceptance of the Majority Report, and I encourage others to do the same.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Madam Speaker. Members of the House. For those of you who have known me through my legislative career, I have never supported a reduction in the size of the Maine House, but I am now in a position where I feel that we have no choice but to do so and let me explain why.

First of all, we have a changed society. When you start looking at what happens around the country, people that look at us in New England and say, why is the size where it's at. Obviously that was based on a condition at where we're at in the 1820's and not today in 2000 plus. Society has changed.

Secondly, when I take a look at what went through the Appropriations Committee a year ago, when the people of Maine and we asked them on how we're going to solve this \$10 million problem. Ninety-eight percent of the people of Maine who responded to us had one thought in mind: change the size of the Legislature to be more reflective of what the rest of the country has. That is a substantial comment, I think, on the people of Maine, because they do not understand the size that we have.

Some of you may know that I do represent a fairly large legislative district, and then I ended up in the other body representing an even larger size. But because of what we have and the way we communicate today, it doesn't make any difference at all, none whatsoever. It does mean that we'll have a couple more thousand people, maybe, in our legislative districts, but the time has come to send the message to the people of Maine that we are willing to make a change in the size of the Legislature. And not to do that, in my opinion, when we will in effect be coming back to you next with the cuts that the Chief Executive has proposed that are yet unnamed, we will be restructuring state government. There are some departments that won't exist and there will maybe things that you want that may not even be there, so how can we now justify ourselves and continue the size where we're at. We have to let them make that decision, and I frankly think the time has come, so I urge you today to vote no on the pending motion.

The **SPEAKER**: The Chair recognizes the Representative from New Gloucester, Representative Van Wie.

Representative **VAN WIE**: Thank you, Madam Chair. Ladies and Gentlemen of the House. I, too, rise to speak against the pending motion. As a cosponsor of the bill, I was one who suggested the 131 as an alternative to our current size of 151.

Madam Speaker, from my prior work as an agency head, appearing before the legislative committees and my first month as a legislator, I've come to appreciate the tremendous diversity that we have here in the Legislature. With a myriad of issues in committees, this diversity experience and ideas is essential. We need to keep a strong diversity of both rural and urban and with people of different ages and different career background and leanings. This is essential so that our committees have the ability to add real value to bills and legislative oversight of state agencies. So I would be concerned about making the Legislature too small, losing this important diversity.

Unlike others advocating more radical proposals over the year, I don't think there is anything fundamentally wrong with the Legislature. In my view, the size of the other body seems fine. But I do think that 151 representatives, as spoken by others, each representing about 8,500 voters is too many and too expensive for our small state.

Last fall, many of my constituents—Democrats, Republicans and Unenrolled voters—asked me to find ways to reduce the cost of state government. Many suggested reducing the size of the Legislature. No one, I repeat no one seems concerned about reducing their access to their legislator. Ultimately the voters will decide on the constitutional amendment, so they'll have the final say, and with the new U.S. Census coming up, now is an excellent time to propose this change when we're facing reapportionment in a few years.

Going to 131 representatives would increase the number we represent to about 9,800. This would move us from the fifth smallest number all the way up to the sixth smallest number. This is not a radical change. Most states represent between 20 and 30,000 people in their House of Representatives. Yes, we're a rural state with very sparsely populated areas and some of our districts would get a bit larger, but, as others have said, with technology, we can adjust to this change and, again, after reapportionment, our constituents would hardly notice the change. I also submit that as you walked into this chamber with 20 fewer people, we would hardly notice the change. So I submit to you that we should vote Ought Not to Pass and consider the Minority Report. Thank you very much, Madam Speaker.

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 thank Representative Flood and Van Wie both for working so hard on this bill. I was also a mandatory cosponsor of this. There are two points that I want to make, I think, that are really important. One is when those of us who have worked for businesses in the past or managed businesses in the past, we know that when it comes time to tighten the belt when times are tough, you have to streamline and you have to be more efficient. The model of Maine is Dirigo, "I lead", and what a better place to lead than by example right here in the House of Representatives. I want to thank also the good Representative from Eagle Lake, Mr. Martin, for his support on this bill. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Blue Hill, Representative Schatz.

Representative **SCHATZ**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House. I rise in support of the pending motion and I respect very much the words

of those who have come before concerning the urgency of the budget. However, I would like to point out that this is designed, we are designed as a citizen Legislature, and in that way we are probably expected to be larger than those other Legislatures that are smaller, more full time, have larger staffs, and therefore the size of their jurisdictions don't matter as much. Further, the technology that allows them to be more efficient is present in those states to a greater extent than it is in our communities, particularly the ones I serve. So I would hope that we'd be mindful and not get into the end justifies the mean approach to looking at our budget. We've been diluting services that are being funded by the many, by the tax dollars that we used to have. I don't think we should, at the same time, dilute representation to those people who need it in a great way. I just desperately would like to hope that you look at that and support the pending motion, realizing that the extra roads that some of us will have to ride are probably not going to be in any better condition in the next few years, the communications that we need to communicate from town to town will not be any better. I don't think this is the time to make this kind of assessment. Please support the pending motion. Thank you, Madam Speaker.

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

Representative **HINCK**: Thank you, Madam Speaker. I still support the Representative from Winthrop, good Representative Flood, and since I've been diverted, I'm reminded of the rules in this chamber that restrict our conversation of what goes on in the other chamber and also I presume what goes on in the Governor's Office when he uses his pen, so I'm not going to be diverted by that.

What we're discussing here today is the size of the Maine Legislature, and I urge my colleagues to consider the opinion of the majority of citizens in the State of Maine. It's apparent to me, not only in my district but elsewhere, that the majority view is that we could do better with a smaller Legislature, that we could reduce our expenses in general, and I think, at a time when we are going to call on all of Maine to sacrifice, the Legislature should sacrifice. In one respect it could be seen as fairly small, we're not talking about large sums of money; in other ways it is very significant. Just take the issue of how much money is involved. I know that our salaries are quite small and some of the citizens of the State of Maine think that we get paid like sports stars or members of Congress, and, actually, they are generally shocked to know how little we get paid. But of course there are also some benefits, and we have travel money and we have per diems when we need them. But more than that, each legislator causes other expenses has already been mentioned. Those include bills, the paper that lands at our desks, the things that are sent our way. Ultimately, even if we are using electronic communications, electronics, not only is that a significant amount, it will continue as a savings if we act on this every single year from here on in the history of Maine. We didn't change the size of the Legislature for over a century, it may not happen again for a very long time. Now would be a good time to act.

How do we determine if the legislators here can adequately serve their constituents? I think the first place to turn, of course, is to the constituents. They are the ones we're purporting to serve. As I mentioned, I think most of us recognize the constituents ask us to make the Legislature smaller. Now some of us would say we probably know a few things that our constituents don't know about this service, and I think that's true and I don't think it should be ignored, but we ought to stop and give value, give weight to what the message we get in this state from others and consider efficiency.

The other place I would go to determine whether or not we

could do this job is other states. I say, in this instance, we don't look at New Hampshire. It's one of the very few states in which legislators represent fewer people than those of us in Maine. I think my colleague from New Gloucester mentioned we represent the fifth fewest number of any legislators in the country; if we adopted this proposal, it would become the sixth. But the other states are dramatic. I looked at ones approximately our size in area, approximately our size in population. Wisconsin has 99 legislators representing 54,000 people each. This is in the House in each case or the assembly, the lower body. Virginia, it's 100 legislators representing 70,000 people; Oregon, 60 legislators representing 57,000 people; Kentucky, 100 legislators representing 40,000 people; Iowa, 100 legislators representing 29,000 people. California has 80 assembly members and each represents 425,000 people. I found that interesting, so I looked for the largest district in California, in area, and it's the 34th Assembly District. The good Assemblywoman, Connie Conway, represents that district, and it says in a little bio on her that she won an award from her Chamber of Commerce, that she is a relentlessly dedicated public official who demonstrates her integrity by working literally seven days a week. Without exaggeration, she answers her cell phone from dawn to midnight. Of course she does. She represents 425,000 people and she covers a district that's 22,000 square miles. The State of Maine, incidentally, is 30,000 square miles. I point out that example to say that democracy is flourishing elsewhere in this country with legislators representing many, many more people. I personally prefer the way Maine runs its government. I think we've done, historically, a commendable job, I think this Legislature does a commendable job, but I'm suggesting we could make an effort to take some of the efficiency we urge on the rest of the state and bring it home here to the Legislature, reduce our numbers and save a little money, be more efficient. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Harvell.

Representative **HARVELL**: Honored Members. As you guys have probably seen, there is a lot of these votes coming out of State and Local that are quite divided and quite diverse. I had the honor of working with Representative Hayes and my other Representatives on this bill. We've had joint sessions where a university has come into this chamber, where the courts have come into this chamber, and they've said don't cut us, don't cut us, don't cut us. All of our committees are sitting with groups saying don't cut us, don't cut us, and we're having to make these cuts. Every day that we stand up and look in mirror, we can take the lead on this and say we're willing to share the pain. I work at Verso Paper Company when I'm not here, and every single private sector company out there is having to do more with less, and, when Representative Martin stands up, who has one of the largest districts and one of the most years of experience here and he has served in the other body which has roughly four and a half to five times the constituents, and says I can do the job, that we have to serve 1,400 more constituents and set into motion something that will put savings into the future, I think it's something that we should seriously consider. Thank you.

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. I also rise to urge you to defeat the pending motion. We cannot afford business as usual. I don't need to tell you about the size of our budget deficit, and I don't need to tell you that, to address our dire fiscal circumstances, we need to spend less, and it is imperative that we spend our limited tax dollars as effectively and efficiently as possible. But streamlining and restructuring Maine

government, we can free up critical resources to provide necessary services that we are now struggling to fund, and hopefully reduce our taxes, at some point, and work toward growing the economy. We have a big Legislature. We are all very important and very valuable, but we can still do great work with fewer of us. As you've heard, there will be fiscal savings and those include our salary per diem, health insurance benefits, staff costs, in addition, Clean Election. There are also less tangible savings, some of which you've heard about, including fewer bills, fewer folks talking on bills, potentially even better deliberations because, when you have smaller groups, you can have better deliberations. Also, there might even be savings to the environment: we'd be reducing our carbon footprint, the fewer people who are traveling. As you've heard, these are not onetime savings. These are systemic, year after year.

The proposal before you is a modest one. Come on, Men and Women of the House, you can do it. You can take on a few more constituents. During campaigning, you can knock on a few more doors, make a few more phone calls; your opponent will have to do the same. You can represent a few more folks effectively. In Portland, a district councilor represents 13,000 constituents. Needless to say, I represent far fewer.

As you've heard, this is the best time to take on this streamlining. The census and reapportionment are going to happen regardless, so there should be no additional costs. So I urge you to accept the Minority Report and defeat this motion. Thank you very much.

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

Representative **BLODGETT**: Thank you, Madam Speaker. Members of the House. I also rise in favor of the Minority Report Ought to Pass. At times when we're asking the citizens of Maine to make big cuts, I think we should look at our own House. I think the compelling reason for me was I went and I googled that we are the eleventh smallest in population and the sixth highest in the number of legislators, ties with Connecticut, and that was the reason I'll be voting in favor of the Minority Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Valentino.

Representative **VALENTINO**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. I rise today feeling very pleased that the committee chair has changed his opinion this morning and has decided to go Ought to Pass on this motion. I will also be voting against the pending motion, because I also feel that we need to do something. We've heard many people this morning talk about this is a very modest step, this is a very small step, this is a symbol to show the people. I challenge you that this is not even enough. Let us take at least this small, modest, incremental step this morning.

Other people have stood saying that they know the House rules on other chambers and other governors. I also know the House rules, Madam Speaker, but I also know that the rules should be applied fairly and appropriately to all members of the House, and, so therefore, I am going to be asking for a little wiggle room. Because last time, when we had a bill on cell phones and we talked about the bill on cell phones, you let the chair of the committee and other members, four members, all talk about a bill that was in committee that had never been reported out which is against the rules. So I'm just going to have a little wiggle room, because I'm going to have a very lengthy debate on another bill, but I want to let you know that this is a very small incremental step. If you want real change, there is real change on a bill coming out of State and Local, and that one is going to be for you. So let's take this small step today, but be prepared. If you want to save real money and you want real change and

you want transparency, efficiency and accountability, vote for this and then be prepared for the next bill that's going to hit you, because that's not a million dollars, that's \$15 million and that's real change, the change that the citizens of Maine are demanding and that one will be before you. Thank you.

The SPEAKER: The Chair recognizes the Representative from Buckfield, Representative Hayes.

Representative **HAYES**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House. If I could ask this question of each of you individually, I'll ask it now and you can think about your answer: How many of you would do as the prior speakers have suggested and vote against this motion if you could pick the 20 of us that didn't come back? Now think about that. You won't have that opportunity if you vote against the pending motion, but if that has some appeal to you, you may want to consider doing as I'm asking, because I support defeating the pending motion, allowing us then to take up the Minority Report. I am willing to represent or add to the number of constituents that I represent but, more importantly, I'm willing to let them decide. All this does is put this concept out to the voters and let our constituents decide if they want fewer of us, if they can get by. We're not forcing it on them; we're not saying they have to do this. We're giving them the opportunity to choose. So I don't see this as a dilution unless those who are paying the bills choose to be diluted, in which case, I think we should respect their choice. If we don't defeat this motion, allowing the Minority Report to come to the floor, they won't have that opportunity. I would like to quote one of my esteemed colleagues from the other side of the aisle, whose campaign slogan included, make sure I get it right, "doing more with less." I think that is really the challenge that we have here, and I thank Representative Fossel for letting me steal that from him, but this is an opportunity for us to do more with less and I would urge you to defeat the pending motion so that we can get to the Minority Report. Thank you very much, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Alna, Representative Fossel.

Representative **FOSEL**: Thank you very much, Madam Speaker. Actually the slogan is "less is more."

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. 58

YEA - Adams, Bolland, Carey, Crockett J, Davis, Fitts, Goode, Harlow, Joy, Kaenrath, Langley, McKane, Morrison, Percy, Pinkham, Rotundo, Schatz, Stevens, Sykes, Tardy, Trinward, Watson, Wright.

NAY - Austin, Ayotte, Beaudette, Beaudoin, Beaulieu, Beck, Berry, Bickford, Blanchard, Blodgett, Bolduc, Briggs, Browne W, Bryant, Burns, Butterfield, Cain, Campbell, Casavant, Cebra, Celli, Chase, Clark H, Clark T, Cleary, Cohen, Connor, Cornell du Houx, Cotta, Crafts, Crockett P, Curtis, Cushing, Dill, Dostie, Driscoll, Duchesne, Eaton, Eberle, Edgecomb, Eves, Finch, Flaherty, Flemings, Fletcher, Flood, Fossel, Gifford, Gilbert, Giles, Greeley, Hamper, Hanley, Harvell, Haskell, Hayes, Hill, Hinck, Hogan, Hunt, Innes Walsh, Johnson, Jones, Kent, Knapp, Knight, Kruger, Lajoie, Legg, Lewin, Lovejoy, MacDonald, Magnan, Martin JR, Martin JL, Mazurek, McCabe, McFadden, McLeod, Miller, Millett, Nass, Nelson, Nutting, O'Brien, Peoples, Perry, Peterson, Pieh, Pilon, Piotti, Plummer, Prescott, Priest, Rankin, Richardson D, Richardson W, Russell, Sarty, Saviello, Shaw, Sirois, Smith, Strang Burgess, Stuckey, Sutherland, Theriault, Thibodeau, Thomas, Tilton, Treat, Tuttle, Valentino, Van Wie, Wagner J, Wagner R, Weaver, Webster, Welsh,

Wheeler, Willette, Madam Speaker.

ABSENT - Cray, Pendleton, Pratt, Robinson, Rosen, Sanborn.

Yes, 23; No, 122; Absent, 6; Excused, 0.

23 having voted in the affirmative and 122 voted in the negative, with 6 being absent, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative BEAUDETTE of Biddeford, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The RESOLUTION was **READ ONCE**. **Committee Amendment "A" (H-135)** was **READ** by the Clerk and **ADOPTED**. The RESOLUTION was assigned for **SECOND READING** Thursday, May 7, 2009.

An Act To Provide Tax Relief to Workers Who Lose Their Jobs Due to Business Closure

(H.P. 162) (L.D. 197)

(C. "A" H-118)

TABLED - May 5, 2009 (Till Later Today) by Representative PIOTTI of Unity.

PENDING - **PASSAGE TO BE ENACTED**.

Subsequently the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

CONSENT CALENDAR

First Day

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

(S.P. 309) (L.D. 801) Bill "An Act To Clarify the Rights of Public Employee Unions and Public Employers To Agree through Collective Bargaining To Permit Payroll Deductions for Union Dues or Other Funds" Committee on **LABOR** reporting **Ought to Pass**

(S.P. 418) (L.D. 1127) Bill "An Act To Define Services for Maine Runaway and Homeless Youth" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(S.P. 486) (L.D. 1351) Resolve, To Name the Bridge in Orland the Ralston C. Gray Bridge Committee on **TRANSPORTATION** reporting **Ought to Pass**

(S.P. 15) (L.D. 6) Bill "An Act To Establish a Distracted Driver Law" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-126)**

(S.P. 95) (L.D. 278) Bill "An Act To Bring Equity to the Sea Urchin License Fees" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-123)**

(S.P. 129) (L.D. 365) Bill "An Act To Amend the Laws Governing MaineCare Estate Recovery Undertaken by the Department of Health and Human Services" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-120)**

(S.P. 141) (L.D. 399) Bill "An Act To Increase Child Support Collections" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-121)**

(S.P. 169) (L.D. 466) Bill "An Act To Amend the Limited Liability Company Laws Concerning Management Standards" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-118)**

(S.P. 206) (L.D. 546) Bill "An Act To Ensure Access to Public Information" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-119)**