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

Volume II

First Regular Session

May 13, 1999 – June 19, 1999

Second Regular Session

January 5, 2000 – March 22, 2000

here to protect our citizens. I urge you to vote against the pending motion.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-708) to Committee Amendment "C" (H-705). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 327

YEA - Andrews, Belanger, Bolduc, Bragdon, Bruno, Bumps, Campbell, Carr, Chizmar, Cianchette, Colwell, Cross, Daigle, Desmond, Dugay, Etnier, Fuller, Gagne, Gagnon, Gillis, Gooley, Green, Hatch, Honey, Jacobs, Jones, Kane, Kneeland, Lemoine, Lindahl, Lovett, Mailhot, Martin, Mayo, McAlevey, McDonough, McGlocklin, Murphy T, Nass, Nutting, O'Brien JA, Pieh, Quint, Rosen, Sanborn, Schneider, Shields, Shorey, Snowe-Mello, Stanwood, Sullivan, Tessier, Tobin D, Tobin J, Townsend, Tripp, Watson, Weston, Williams, Mr. Speaker.

NAY - Ahearn, Bagley, Baker, Berry RL, Bouffard, Bowles, Brennan, Brooks, Bryant, Buck, Bull, Cameron, Chick, Clark, Clough, Collins, Cote, Cowger, Davidson, Davis, Dudley, Duncan, Dunlap, Duplessie, Fisher, Foster, Frechette, Gerry, Glynn, Heidrich, Jabar, Jodrey, Joy, Kasprzak, Labrecque, LaVerdiere, Lemont, MacDougall, Mack, Madore, Marvin, Matthews, McKee, McKenney, McNeil, Mendros, Mitchell, Murphy E, Muse, Norbert, O'Brien LL, O'Neal, O'Neil, Peavey, Perkins, Perry, Plowman, Powers, Richard, Richardson E, Richardson J, Rines, Samson, Savage C, Savage W, Saxl JW, Saxl MV, Sherman, Shiah, Sirois, Skoglund, Stanley, Stedman, Stevens, Thompson, Tracy, Trahan, Treadwell, Twomey, Usher, Volenik, Waterhouse, Wheeler EM, Wheeler GJ, Winsor.

ABSENT - Berry DP, Goodwin, Pinkham, Povich, True, Tuttle.

Yes, 60; No, 85; Absent, 6; Excused, 0.

60 having voted in the affirmative and 85 voted in the negative, with 6 being absent, the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-708) to Committee Amendment "C" (H-705) FAILED.**

Subsequently, **House Amendment "A" (H-708) to Committee Amendment "C" (H-705) was ADOPTED.**

Committee Amendment "C" (H-705) as Amended by House Amendment "A" (H-708) thereto was 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 "C" (H-705) as Amended by House Amendment "A" (H-708) thereto and sent for concurrence. ORDERED SENT FORTHWITH.**

The Speaker resumed the Chair.
The House was called to order by the Speaker.

**CONSENT CALENDAR
First Day**

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

(S.P. 77) (L.D. 180) Bill "An Act to Improve Access to Electronic Filing for Businesses" Committee on **STATE AND**

LOCAL GOVERNMENT reporting Ought to Pass as Amended by Committee Amendment "A" (S-337)

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. **ORDERED SENT FORTHWITH.**

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-262)** on Bill "An Act to Extend Term Limits for Elected Officials and Constitutional Officers"

(S.P. 377) (L.D. 1078)

Signed:

Senators:

DAGGETT of Kennebec
CAREY of Kennebec
FERGUSON of Oxford

Representatives:

TUTTLE of Sanford
CHIZMAR of Lisbon
FISHER of Brewer
GAGNE of Buckfield
LABRECQUE of Gorham
MAYO of Bath
HEIDRICH of Oxford
McKENNEY of Cumberland
O'BRIEN of Lewiston

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

PERKINS of Penobscot

Came from the Senate with the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED. READ.**

Representative CHIZMAR of Lisbon moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative GERRY of Auburn moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED.**

The same Representative **REQUESTED** a roll call on her motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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 Auburn, Representative Gerry.

Representative GERRY: Mr. Speaker, Ladies and Gentlemen of the House. As you can see I don't make this motion very lightly. I have considered all the reasons for why to do this. I do not feel that this bill is needed at this time. The people of Maine decided through an initiative, our current terms. The only people that seem to support changing how long we stay here are us. The pages are distributing a survey that was done by the independent concerned. As you can tell when you get the paper that one of the questions that was asked was, which would you prefer for State Legislature? Term limits of eight years or term limits of 12 years. Fifty-nine point six percent said eight

years. Thirty point nine percent said 12 years. Nine point six percent were not sure. If you look at the whole paper you will note that among term limit supporters this was a question that this group did here in Maine. If you read the note it says, among term limit supporters, 81 support eight years, 17 percent for 12 years. The majority of support for 12 years comes from those that oppose terms limits. I, myself, had done a survey, a questionnaire, maybe three weeks ago. Out of 472 responses I got back out of 3,500 that I mailed out, 286 supported our current term limit law. Thirty-eight people responded and supported the 12-year limit. Seventy-one people responded when I asked them what they thought about cutting our terms even less to six years. Seventy-nine responded get rid of term limits. I respectfully request that you vote for this pending motion.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Chizmar.

Representative **CHIZMAR**: Mr. Speaker, Men and Women of the House. A statement was just made from the Representative from Auburn that this bill was not needed at this time. I have had phone calls at my house from disgruntled constituents wanting to have a second chance for voting for term limits. At this point in time they realized that they already had term limits in effect. If they didn't want you in office, they did not elect you. I am going to ask you to vote against the Indefinite Postponement and in relation to figures that were just quoted, figures, I believe can be determined any way you want them. Thank you.

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

Representative **MARTIN**: Mr. Speaker, Members of the House. As some of you are obviously aware, I have been asked that question as to whether or not I was going to support the legislation to limit, extend or repeal term limits. As some of you may know, I was the term limit baby in the bulletins that were distributed around the state for six months during the campaign. There are some who even suggested that I was responsible for the passage of term limits. I thought that was really impressive because in so many states I must have tremendous power across this country. I think it is a lot more than that. It was basically citizens who were frustrated with the process and frustrated with what was going on and basically they took it out on legislators and they took it out on us. I was one of those along with a couple of others who basically fell. I was one of those who did not file a lawsuit, but instead thought that the process allows for write in through the regular process and therefore if I didn't appear, as you know the law says, the Secretary of State cannot put me on the ballot. I was the only person and got more votes and I can't remember the number of votes in a write-in in the Democratic Primary. My name, obviously because of the law, was not carried on the ballot in November. I still believed at that point that it was possible to run a write in campaign. I proceeded on that basis, at least my supporters did, and when it was all over, two weeks before the election itself in November, the courts ruled that even if a write is won, it was not possible for that person to be seated. Even knowing that, I was able to carry by write in a number of the communities within my legislative district. For that, I was thankful. I was appreciative of the voters of my district.

Regardless of whether or not I had been able to continue the campaign and substantially win, I was convinced that I could have, but it was not to be. I want to tell you tonight that I will be voting for Indefinite Postponement of this bill. I want to tell you

why. One thing that I am very concerned about is the basis upon which the question will be going to the voters. You see the voters basically put a prohibition of eight years on legislative terms. What we are now attempting to go out to the voters with is basically 12 years. It will be perceived as simply a way of extending term limits as simply just a process we are using to extend the terms. I am convinced that if we are going to the voters it should be a straighter up and down vote on whether or not term limits is repealed, not whether or not we want to extend what they have said they wanted. That is point number one. Point number two, I believe the time is not right. I believe it is not right because it has now come around to where people who implemented it now must face term limits. I believe that those people must face the same faith I faced and be out for two years. If they want to run again, they have every right to run again. The voters have the right to elect them. To do otherwise is to fly in the face of what the voters of Maine said. Not that I agree with what they did. I fought term limits from the beginning because of a substantial investment that was made by one individual, ironically a person who supported me financially in my own campaign, but chose to give, as you know, close to \$1 million in the campaign. The voters responded in a very low voter turnout as you know and gave affirmative vote to the passage of term limits.

My concern is not whether or not it ought to go because in my opinion term limits ought to go, because every citizen has the right to terminate us at any time every two years through this process. I am not for term limits, but I am concerned about what we are doing and how we are doing it. I have firmly believed that if we want to go out with term limits, we go out in June and in November. I would even be willing to wait two years beyond that. Obviously people can choose and will choose tonight to vote for what it is they believe. I am firmly convinced that we have one shot at eliminating term limits. If we waste that shot, it will be there for a long, long time. I believe the time has not yet arrived, not that I want term limits and not that I want it to stay. To me, it is the wrong thing for the citizens of this country and this state to have. So, I wanted everyone to know what I was going to do tonight and there would be no question about it as to why I am doing it. I think between the Representative from the Berwicks, Rep Murphy and myself. We are the two that faced that issue. We returned because we put our names on the ballot. I think we ought not to change that at this time.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Stevens.

Representative **STEVENS**: Mr. Speaker, Men and Women of the House. Please vote against the pending motion of Indefinite Postponement of this bill. Please vote to allow Maine voters a chance to register their opinions of the present term limits law on the November ballot. A question on the ballot would pose a question of term limits collectively to the whole State of Maine not to one district and not to another, but to all. When term limits were first passed the belief was that the State of Maine would be a laboratory for the matter of term limits. People interested in imposing term limits at the federal level thought let's let Maine be the experiment. Maine will be the laboratory. Let's try it at the state level they said. Well, term limits have been applied to the state level here in Maine and we are forced to consider their affect. Have term limits been affective? Have term limits given legislators tools to be better legislators? Have term limits improved the process? Are the people of Maine better served because of term limits? To all questions, I think

not. Term limits on legislators prohibit the development of expertise. That is painfully obvious to us every day. Term limits prohibit the development of experience and term limits diminish legislative effectiveness by preventing the creation and continuation of the institutional memory of the legislative body and of the argument of the law that we hear here everyday.

The legislative process is a complex one. We all know that. During my first term senior legislators would sometimes stand up and I would listen and they would say that this bill is an old chestnut. We killed this bill 10 years ago. It was a bad bill then and it is a bad bill now. This chestnut is bad. Let's kill it now. With term limits what you will hear is this bill is an old chestnut, we killed it last term. Let's kill it now. Senior legislators assist new legislators as they learn about the legislative process so that new legislators do not have to rely on other sources of information that might not be as appropriate. New members deserve and need the knowledge gained by experience. As you know each legislator brings to the job a very unique experience and occupation. Those among us are teachers, lawyers, farmers, fishermen and more. We must vote on complex issues that range from banking and insurance, to tax law, to marine resources and all of a sudden the teacher, the student, the lawyer are forced to decide on critical and complex issues.

New legislators must depend on people in the body who have a storehouse of knowledge that is greater than one's own. Just how thin can that storehouse of knowledge be? There are different approaches to information here at the Legislature. There are those who see the practical consequences of an issue, a commissioner, a department head. There are those who see the financial consequences of an issue such as a lobbyist. Of course, the press sees a very political consequence of all issues here. The statewide issues of the consequences resulting from an issue is the duty of a legislator. Legislators must combine all elements of a problem, analyze all consequences of a decision and come to arrive at what is best for the State of Maine. The balance of all these elements comes from the legislative memory and works really best to serve the State of Maine. That old chestnut will only be three terms old with no legislative institutional memory with term limits as they stand. Term limits was an experiment. During the experiment the state has been blessed with a very, very strong economy and very, very good times. We have had extra money coming in and we have been able to grow strong. In the past, however, the times were not always so good. Legislators with no experience would not envy the task of those who experienced the dark days of shortfalls and cutbacks. Fresh ideas are sometimes good, but sometimes experience brings the experience to know which chestnuts are rotten.

The Maine House turns over very much on its own. My first term it turned over one-third. That was the year before term limits were imposed. There will always be fresh ideas here. Many of us have an abiding respect for the public referendum process. When the public voted for term limits the public had a sincere view that term limits would promote good government that better served the people of Maine. Perhaps term limits did clean the House a little bit. The question now, however, is whether the cleaning is necessary or effective? Does the inflexible expulsion of experienced legislators serve the public's good? I think not. Please vote to send the question to our constituents to allow them to decide if term limits at four terms, as it presently stands, is best or if it should be extended to six? Thank you Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Etnier.

Representative **ETNIER**: Mr. Speaker, Men and Women of the House. That is a hard act to follow, the good Representative from Orono, Representative Stevens. Maybe it is because she has served more terms that I have here. She did a good job and it is going to be hard to follow. This is my term here and in the short three terms that I have been here, which commenced with the passage of term limits back in 1994, I have seen already the disastrous affects that term limits have. I think the worst place that have affected us as a state and as a governing body as a Legislature is in the shift of the balance of power in an unequal basis towards what I would say the Executive Branch. They hold all the cards these days, ladies and gentlemen, it is because of term limits and it is thanks to term limits that is the case. In the three terms that I have been here I have served under three different speakers. The three terms I have served here now, I have served only under one Executive. Who do you think calls the shots when that is the case? It is largely the person who has been here for the greatest amount of time. When your leader only has been here for one term and can only serve for one term as a leader of this body, he or she doesn't stand much of a chance against someone who is going to be here for a full eight years. That is what has been the direct outfall of term limits. If you don't believe it, the record shows that that is clearly the case. It takes a while to rise through the leadership in both this body and in the other body for good reason. It takes a while to gain the experience you need and by the time you have gained that experience, you are knocking on the door to leave. That is a severe weakening of the power of the Legislative Branch of this government. That is thanks to term limits.

I think this is a very reasonable proposal that is before us tonight, not the Indefinite Postponement, but the actual proposal to send this out to a referendum question this fall. To go from 8 to 12 years is an extremely reasonable proposal. I would not support a referendum question even going out as has been suggested by the good Representative from Eagle Lake, Representative Martin, to eliminate term limits. That, I do believe, is premature and is disrespectful of the vote taken by the state a few years ago. To affect the changes that is proposed here and to ask our constituents to consider this change, that is extremely reasonable. I think it is a good change going from 8 to 12. I think even at that level probably term limits is something the state can live with at 12 years and will not have the disastrous affect that 8 years have had. The other shift that I have seen has been the shift to the power of the lobbyist within this building. They are the ones now who rightly or wrongly claim to have the institutional memory and often times they do. They have it with their own individual slant. I think they are increasingly influencing the decisions that are made around here because they have been here for sometimes decades. I think that is weakening the Legislative Branch of this government.

I cannot fathom what the opponents who are sending this out are afraid of. What is the harm in allowing the state to have a straight up or down vote on this this fall? What is the harm in that? Let them choose in November of this year that this is either something they want or do not want. That is an easy thing for us to do. Let them make that choice. That is their right. I think it is entirely appropriate. I cannot see what anybody would be afraid of in having them do so. Let the voters decide whether to go from 8 to 12 years. I may be a little slow and plenty of you will concur with me on that, but it has taken me my full five years

here now, first three terms, to feel somewhat comfortable in my abilities to understand the process. You first termers here now, you realize how complex and difficult it is to understand the process. It has taken me this long, in full honesty, to understand enough of it so I feel like I can effectively advocate for my constituents back in my district. It has taken me this long to do so. Again, I may be a little slow and some of you picked up on it a lot quicker than I have and forgive me for that. I don't think I am that unique in that respect. So, on that note I would again ask you to oppose the Indefinite Postponement of this bill. Please recognize the damage that eight year term limits have done and the shift of power to the Executive Branch and consider whether you think that is a healthy thing for the state as a whole. Please oppose the Indefinite Postponement and send this out to the voters and let them have a chance to speak on it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Topsham, Representative Tripp.

Representative TRIPP: Mr. Speaker, Men and Women of the House. I put in a bill this year along with Representative Hatch and Senator Mills to allow term limits to be reconsidered by the people of the State of Maine. The only difference is we are considering tonight the Senator's bill, which would extend it to four years. Representative Hatch and I felt very strongly that we should send out the same information that the people voted for in 1993. I tried to relay that to the Legal and Veterans Committee several times, but they chose to send out the extension to four years. My feeling is, at this point, that I would support that, although my preference would be for an up or down vote on term limits. Eighteen states are now considering term limit elimination. They, along with us, back in the early '90s were frustrated with the process and decided that term limits were a good thing. Term limits in some states included Congressional Representatives. In our state it never got to that point. I feel that if any term limits should be imposed, it should be imposed on them also. Since it isn't and we are only dealing with our own situation and the Constitutional Officers, I feel that we have a responsibility knowing that we have lost experience here and knowing how valuable experience is to send this back out to the people of the State of Maine.

When I made my presentation to Legal and Veterans Affairs, I went back and I looked at how many years of experience will disappear from this Legislature after the next turn as far as people in this Legislature that will be leaving. Four hundred and fifty-five years of experience have left this Legislature since 1995. I think that is a shame. One or two have come back. It is great that they were able to do that. The argument is that you can run for the Senate. I don't think so. I think that a lot of us, not only do we love the House, but it costs so much money to run a Senate campaign and others that we probably would never come back to this situation. I would urge you to vote against the Indefinite Postponement and at least let the people have an opportunity to reconsider their actions even if it is on a limited basis in the upcoming years. Thank you.

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

Representative DAVIS: Mr. Speaker, Men and Women of the House. I urge you to vote for Indefinite Postponement. I have only been here six months, but it seems to me that the bureaucracy has a lot of power and the lobbyists have a lot of power, an inordinate amount of power. At one time I thought that term limits were a good idea, but being here for six months, I do

not think they are a good idea. I would urge you to vote against this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rome, Representative Tracy.

Representative TRACY: Mr. Speaker, Ladies and Gentlemen of the House. I never believed in term limits. I never supported term limits, but I will be voting for the Indefinite Postponement of this bill and its accompanying papers. I am a recycled Representative. I spent four two-year terms in District 58. I came out of the Town of Rome, which was the second smallest town in District 58 and worked twice. The second time I beat the incumbent from Livermore Falls. I was down here for four years and then I lost my primary to the Representative from Norridgewock, Representative Meres, when she was a Democrat and she ran against me in the Democratic Primary. After that, I ran again in the General Election and lost. Yes, I ran against last fall and I am here again. Getting back to the concept, I do not believe in term limits. Every individual who goes into that voting booth has a right to term the individual out. Ladies and gentlemen, I am proof of that. I will be voting for the Indefinite Postponement of this bill because the people of the State of Maine have spoken very clearly.

I will get back to the good Representative from Bangor, Representative Stevens' comments about the history of bills and stuff. You will recall during some of these bills that are debated on, especially the container bill, the good Representative that used to sit next to me, Representative Danny Warren from Scarborough, him and I worked together to kill that bill and I was surprised to see it back. It is just like the pick up truck bill. That bill had been around for years and years and years. Losing that historical perspective is absolutely right. You can do what you want to do, but I am going to vote for the Indefinite Postponement of this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Perkins.

Representative PERKINS: Mr. Speaker, Men and Women of the House. This is a 12 to 1 again and I am the 1 again. I want to explain why. I still have ambivalent feelings about term limits. The entrenched power is definitely not a good thing. The three previous speakers who support this bill made strong arguments for term limits. The memory, the inordinate power of the Executive now and the lobbyists. Those are all good arguments. The reason I voted against this in the committee, I have to admit that I didn't really have any lofty reasons like some of the other speakers. I kind of wish I did. It is just more practical. Back home when I go around talking with people and even though they are saying you are doing a good job, then they usually say how many more terms you got? I can run one more if I decide to. I kind of wait and hope they are going to say, that darn term limits, I wish you could get rid them, but they never have so far. They just haven't done that. When it came time for this in the committee, I had to look back at my folks back home and I couldn't think of one of them that ever said they wish we could get rid of that so you could run again. I am not sure a 12 year old chestnut is any better than an 8 year old chestnut. Thank you.

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

Representative MENDROS: Mr. Speaker, Ladies and Gentlemen of the House. First of all, do we need term limits to get rid of people or to get in here as an advantage? I think I am living proof that you can run and win. Anybody can run and win.

The odds are there running against an incumbent. The odds are against you. You work hard and you can get in. You don't need term limits to do that.

However, there are a few points that I would like to make about the balance of power going to the Executive Branch. I have seen a lot of department bills and things come from the department. I have seen a lot of 11 to 2 reports come out and 12 to 1 reports come out and a lot of challenging to these department bills. I have noticed my name on many of these. I have noticed the good Representative from South Portland, Representative Glynn's name on many of these and the Representative behind me, Representative Trahan as well. They are all newcomers here. They are all ones challenging the Executive Branch. They are here as freshman. I don't see how bringing new people in, brings more power to the Executive Branch. I have challenged many times here on the floor of this House when we are giving up more power to the Executive Branch. I don't think it is right that that power should be going to Legislative Branch. I have seen many others of the people here in their first term doing the same thing. As far as the institutional memory, there is a lot of institutional memory. There are experts in areas that talk about bills. A good place to find institutional memory is right downstairs in the Law Library where they can dig up just about anything you want to know about any bill. I have done research down there and I encourage any of you, no matter how many terms you have been here, to go down and use that. It has all the institutional memory you want. Another argument to the institutional memory is when our Constitution was written by Thomas Jefferson, he didn't have a whole lot of institutional memory, but he wrote our Constitution for our country.

Where does the real knowledge come from? The real knowledge comes from the people. That is why we have a Citizen Legislature to get more citizen people in here. That is what we should be looking at. What harm will it do to send this out? The people of this state wanted term limits. They went out and they signed a petition and they brought it forward. If the people of this state are sick of term limits, the people can go get signatures and overturn it. There has been no effort to that. It has come from us to get rid of it. The harm is we are not listening to the people and that is what the people are going to think. They may be right thinking that because that is certainly the message we are sending. I hear term limits are bad on principle. You know, I might agree with that. Term limits, on principle, are a bad thing. What I really think on principle is a bad thing is to overturn the will of the people and that is what we will be doing. The people have voted and went out and got signatures and voted for it. If the will of the people changes, the people will go out and get signatures and overturn this. You have the survey in front of you, as well, that shows you what the people want. I urge you not to vote against what the people of this state want. Thank you.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative Hatch.

Representative HATCH: Mr. Speaker, Ladies and Gentlemen of the House. I thought I was done for a while. I had put in one of those bills that we are all discussing tonight. Mine looked like let's end the term limits. Let's send it out to referendum and let's get rid of them. Unlike the good Representative from Penobscot, Representative Perkins, I have heard from a lot of my constituents that they did not vote for term limits. As a matter a fact, they didn't vote and they would like to vote on it, because they don't think it is right or fair. I have had

them tell me to my face on several occasions in the grocery store and as I went door to door. There are a lot of people out there folks who did not vote to give us term limits who would like a second chance to turn out. That is in my district. Maybe we are a little more feely in my district as far as telling people what our true intentions are.

Having arrived here in 1993, much like the group of freshman did this year, it was an exciting time. I have served under four speakers. I have seen them mature and grow. The first speaker had matured before I ever got here. It is exciting. We did a lot more one on one. We had senior legislators who took us under their wing and actually walked us through the process. I know that a lot of freshmen here did not have that experience of working and being able to be with a senior legislator on a day to day basis because a lot of us that are senior legislators are now chairing committees and don't have a chance to do as much one on one as we would like.

I want you to know something folks. We have lost a lot. I think if we are going to do this then we are going to have to work on it. I would suggest that we start small and say that this is an idea that we have that we would like to put this out and we work on it for the next four months and it will become a reality. If we put this out there at this time and we all sit back and wait for the voters to arrive at the polls in November and make another decision, then we are probably going to do it wrong. This is one legislator who is willing to go out there and work on the people in my area to get them out to the polls. For every one of you who decide to sit back when your term comes to be term limited out, you too will leave this institution. I think we are just on a short string here in this body anyway. Every two years if we don't do our jobs, guess what, we can be gone. Sometimes we are gone if we don't pay attention and people run nasty campaigns. That is a reality in this body. I can honestly tell you in my heart of hearts with all good intentions when my legislation was put in, that I intended to work as hard as I could from whatever time this went on the ballot to let people know what is happening to this institution.

This year has been the worst. This has been the absolute worst for lobbyists in this body that I have ever seen. They have been here on every issue. I have watched them pressure the new people. They know exactly who you are. They have been in your face. They have been doing what they have to do. There has been a lot more of them. I think if you check around, there have been a lot more lobbyists this year from the big companies here. That is a reality. The departments have had a lot more say. Yes, they have because we have demanded more of them because we have had to over the last eight years. No longer do we have those groups of people, those 30 or 40 people, who have served multiple terms here. We have a handful, a very small handful of people here who actually have historical perspective.

I would ask you tonight to vote against this Indefinite Postponement if you really mean it to put this out to the voters and to go out there and work. The reason I say that is we have term limits every two years. You know that and I know that. We have it every two years. We go to that ballot box and if we haven't done our homework, guess what. If we have done our homework, I can't think of any corporation out there that hires you to be a manager and says in eight years you are gone because we term limit everybody out. If you do your job and you do it correctly and you do it to the best of your ability and you serve the people in your district, they will vote you back in.

Otherwise, you don't belong here either and neither do I. I ask you to vote against this Indefinite Postponement. I think it is time. I think it going to take a lot of work and every one of us is going to have to get out there and we are going to have to sell this idea. Believe me there are a lot of lobbyists upstairs hoping we can't sell this idea or none upstairs because they all have gone home and we are sitting here on a Thursday night after 10:00. For whatever reason, there will be forces out there working against you, but there won't be a million dollar campaign out there this time. I ask for your support of the Indefinite Postponement and let's move on. Let's put this bill out there and let's see what we can do. Thank you.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Davidson.

Representative **DAVIDSON**: Mr. Speaker, Men and Women of the House. I stopped the Representative from Eagle Lake out in the hall. The Representative from Topsham did his calculations; I realized that the Representative from Eagle Lake actually accounts for 400 of those 455 years that were lost. I want to talk about this issue from maybe a slightly different tact. I think that the issue of term limits and whether they are good or not for this body is not the question before us tonight. The question before us tonight is really what does four extra years get you. The second part is why do we need to send it to the voters? Why don't we take care of it here? One of the things that I think most of us have tried to do in our different ways is to try and run this place, the Legislature, like a business. One of the things that I have been surprised about over the past couple of years is as I have stayed here now going into my sixth year, my third term, is the enormity of the administration in this place. This year is my first year serving as a committee chair. I have been amazed at how the complexities of public hearings and the Legislative Council. This is a place that is run by us. It is run by members of leadership from both corners in both bodies.

The Representative from Harpswell and the Representative from Portland, the Speaker, will probably tell you that my first couple of years I used to sit in the cars and we would carpool up and I would talk about how easy a job I thought this was to be mediocre at. It is easy to come here and you flip your switch and you return constituent calls. Over the course of time I realized that the flip side of that is that this is almost an impossible job to be great at. Everyday we are faced with different issues. We are doing moose permits one day and we are doing choice bills the next day and we are doing utility deregulation the next day and we are doing transportation issues. It is an impossible job to be great at. It is a nearly impossible job to be very good at. One of the things that I have found is that as I have been here longer, I have realized that in my first year and my first term, I thought I was the best legislator in here. I now think that I am somewhere well below the middle of the pack and I am trying to inch myself up daily, because it is a tough, tough job this job.

Over the last year, a year ago, I started a business with a couple of other guys. Everyday that I walk into this business these guys have a collective experience in what I do in investment banking of probably 100 years. Every day I walk in I thank the good Lord that there is that experience behind me. Most of the time I don't have a clue what I am doing. I think about the fact that if I applied the same rules, if you take this as a business that we are doing here and in many ways it is a business. This is a huge institution that we are running here with employees and pensions and retirement systems. Everything is run by us. It is run by the good Speaker, the Representative

from Kennebunk, Representative from Bowdoinham and it is run by us. I think that if in my business or probably your business if you thought about taking out your best and your brightest and tossing them out after eight years and putting in a whole new crop, if you take it from that angle, it is kind of an interesting way to start thinking about this. So, not to argue the term limits approach, whether it is good or not, but just what four years gets you, I think from my personal experience and we can only talk from our personal experience, but of also watching my friends who I have grown up here and their growth, we talk about it all the time about how much I feel like they have grown and how much I have been impressed with their development and how much they have to learn. How much we all have to learn and how everyday I ride home with my good friend, in fact we talked about it last night, the Representative from Harpswell, how I didn't feel good about some of the things I had done that day and some of the issues I had taken stands on. If I had the day to do over again, I would do it differently and I would try not to make the same mistakes twice.

The final issue, I am sorry to belabor the point, is why do we send this to the voters. I have heard people talk tonight about why are subverting the will of the people by doing this. Are we? I would argue that this issue is in an entirely different class than tire dump bond issue cleanups, clear-cutting referendums, bond issues or clean election campaigns because if you ever sit in this chair and you take yourself out of the technicalities, the laws, the statutes, the amendments and the things that come across our desk everyday and you think about who you are. You are 8,000 or 9,000 plus people. I kind of get chills when I think about that sometimes because I think that is lost on me what an important responsibility that is. The ability to send issues like this back and say, I don't have any problem doing that, this is the most important decision you will make on your ballot at anytime, who you send up here. You know why, you are at home working and you are at home with your kids and I am your voice. I am you. I am the only one up here speaking for you. The idea that we would send this back and let the people decide if I want to have Tom Davidson be that much better, that much more learned.

I gotta tell you, from my perspective, I really don't want to stay doing this for a long time. I love this job and I want to go do different things. I just think that this opportunity that we have today to really not talk about any of the issues that we face here day to day with people learning the rules and learning how to make motions on the floor of the House. I have just been amazed by my realization of how much everyday I have to learn in this job and how much eight years is really doing to cut that short. I encourage you to vote against the Indefinite Postponement of this bill and really do something that I think is in the best interest of the people of Maine. Give them a chance to shout about what kind of people they want up here and what kind of job performance they want up here. I thank you for your time on this.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative McAlevey.

Representative **MCALVEY**: Mr. Speaker, Ladies and Gentlemen of the House. As a member of the freshman class of term limits I think it gives some of us a unique perspective. I used to kid that I didn't believe in term limits until I came here. We have seen the effects of what term limits are doing. The public doesn't perceive that yet. It hasn't been time enough for them to get that percolated down to them. We see it because we

live it every day. I do agree with the Representative from Eagle Lake that if we are going to go back to the people, we need to make sure that we are going back on an up and down situation, not extending it four more years. Perception is reality. We go back to the public and say we need four more years after having been eight to do it. The argument is if you didn't do it in eight, what makes you think you are going to do it in 12? Look around the chamber and you look around the chamber in the other end of this building. This is the proving ground. This is where our Governors come from. This is where our AGs come from. This is where our Treasurers come from. Eight years is not enough time in public service in this institution to get a good grasp on what is going on. I think two or four years from now we are going to have a better sell to the public because I think by that time it is going to peculate down to them through the press and through other means that term limits are not doing what they expected it to do. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. We are now approaching 25 minutes of 11. All this talk is very interesting, but I think all of us know where we are on this issue. As an old comrade of ours said in the previous Legislature, Representative DiPietro, I think it is time to move on. I suggest everybody reads all of Supplement 13 to realize where we are with this issue. Thank you.

The SPEAKER: The Chair recognizes the Representative from China, Representative Bumps.

Representative **BUMPS**: Mr. Speaker, Ladies and Gentlemen of the House. I will be brief because I do recognize that the hour is late, but I would like an opportunity to respond to, at least in part, to a couple of comments that have been made and to explain why I will be voting for the pending motion. I think once you hear my comments, you might decide that that vote is not consistent.

I want to suggest to you this evening that as a member of the State and Local Government Committee we had a bill brought to us by Representative Cameron. It was LD 1001. It was similar in some ways to this bill in that it would have repealed term limits outright. I did something the day of that public hearing that I have not done since I came to the Legislature. I chose to spontaneously testify on the bill. It is something that I was a bit uncomfortable with and probably some of my committee members would tell me something I ought not to do again. I have to tell you what compelled me to do that.

In 1995, just one year after the voters of Maine had enacted term limits, I wrote a 125 page thesis about what I suspected would be the effects of term limits in Maine. I contemplated photocopying it and sending it around for your reading tonight, but I suspect you will all thank me for not having done that. In that thesis I drew some conclusions. Some of which I am happy to tell you were, in my opinion, correct and others, which I think were wrong. The conclusions that I would draw bring me back to the comments made by one of the first speakers, the Representative from Eagle Lake. Personally I believe that term limits have affected the historical memory that makes this institution work in the way it should. I think that it has enhanced in some ways the power of the lobby, although I think we overestimate that. I think it is enhanced in lots of ways. Perhaps in some that we underestimate, the power of the Executive Branch. I will tell you tonight that if we are going to send this issue to the voters, we need to have the courage to do

it all or to do nothing. Don't inch our way there. Don't be afraid to send out the question of term limits by inching it up two terms or four years.

Representative Martin is right. You are going to have one chance to do this. If you, like the majority of the Committee on Legal and Veterans Affairs feels that term limits are not the right thing for this institution, then you need to send this out and you need to do it all. You can't do part of it. You darn well better be sure the timing is right. The time isn't right. The very last speaker suggested that it hasn't filtered down. The public doesn't see what you and I and others see here every single day and that is absolutely true. Representative Hatch has suggested that we need to go and sell it. I am afraid that between now and November there is not enough time to sell the enormity of the problem. Give this a few more years. Give it an opportunity for it to settle in, exactly what has been done with the implementation of term limits and then send it all out. Send out the entire package and allow the voters, as I suspect they will, to repeal them. I ask that tonight you vote for the Indefinite Postponement so that in a subsequent Legislature we can do the right thing. Thank you.

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

Representative **BRENNAN**: Mr. Speaker, Men and Women of the House. I think it is unfortunate that we are here tonight at this time talking about this issue. Not only because it is late, but because it is the end of the session and this is an incredibly important issue, because this strikes to the future of this body, this institution, and to how we run state government, whether or not we have term limits or we don't have term limits. Again, it is unfortunate that we are here tonight, at this late date, dealing with such an important issue.

I was first here when we talked about having term limits. People at that time talked about going ahead and passing the bill because we would be able to then, by statute, amend term limits. That would have been wrong. We need to send that out to the voters and let the voters decide what they wanted to do. I reject the notion that we have to wait several more years to decide whether or not this experiment has been a failure. Some people have good crystal balls, better than others about the political future. Mine is not that good. I think that what we know about term limits at this point is that it hasn't worked. It has been a bad experiment. I don't think we should wait. I think we should send this out to the voters this fall. I am term limited out. Regardless of the effect of this bill or the outcome in November, I don't intend to run again. This particular bill is not going to affect me personally. I do believe that we need to send this back to the voters and have another debate about this experiment and about the way we run this government. I urge you to vote against Indefinite Postponement.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Gagnon.

Representative **GAGNON**: Mr. Speaker, Men and Women of the House. I guess I have a little different perspective on this bill and the idea of sending this out to referendum. I remember spending a lot of time in my undergraduate years talking about distribution of power, separation of powers between the three branches of government as we have in this state. I have noticed that in this state we have a Citizen Legislature and we have essentially a professional Executive. We have an Executive that comes to office with term limits at a total of eight years. I am assuming that the original intent for our term limits of eight years

was because the Executive was set that way. There are certain advantages that the Executive has. He certainly has a full staff and he has himself. He only has to argue with himself. He only has to get along with himself and maybe more recently with his wife also.

We have to learn to get along with everyone else. We have to take a little time to do that. We have to learn the ropes. People have said in your first term in the Legislature you spend all your time trying to figure out where the bathrooms are. In your second term you don't have time to go. It is basic training your first term. We are citizens and we have other jobs. I like this bill. I have no apologies for voting for this bill. I happen to like term limits. I think there is a time when there needs to be a change every so often. I think the term limits for the Executive is proper, two terms, eight years. I think there is an imbalance when the Citizen Legislature, which doesn't have the advantage of a huge staff and having the advantage of just arguing with yourself. It doesn't have the disadvantage that we have of having other jobs at home. I thought that four years was the appropriate balance in my mind, two years for the basic training and two years because we have other full-time jobs.

I have no apologies for this bill. People are talking as if there should be term limits or not term limits. I support term limits. I didn't when I came to the Legislature, but I do know. I don't think the balance is proper with the separation of powers that we have. Mr. Speaker, I would not support the Indefinite Postponement. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Trahan.

Representative **TRAHAN**: Mr. Speaker, Honorable Members of the House. I will not apologize for getting up. I think this is a very important issue and I would like to make one good point. I will be brief. I am a direct result of term limits. The man I replaced was out on term limits. The reason why I think term limits are important is, and I will tell you a little story. When I was playing high school football we had this one kid on the team, his name was David Walker. He was big and he was strong and he was a hustler, but he wasn't a very good ball handler and he wasn't a very good football player. When the team would get slow and lazy, sitting around doing nothing, the coach would put this player in. He would hit everybody in sight. He would hustle on every play. He made everyone around him better because the hustled and he worked hard. That is why I think bringing new people into the Legislature is important. Sure, we want to bring the right people here, but we also have to have one little check and balance in there to keep everybody on their toes and keep everybody sharp. You get new people in here and you have all seen it. They come in hustling. They work hard and they want to better themselves and they want to better their communities. That cannot hurt this body. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Cameron.

Representative **CAMERON**: Mr. Speaker, Ladies and Gentlemen of the House. I make no promise about being brief. I apologize up front. New people are not the issue. We have always had new people in this Legislature and we always will have. We didn't need term limits to accomplish that. I voted for term limits. It is the worst vote I have ever made in my life. I stand before you and I stand before anybody else and tell you it was the worst vote I have ever made in my life. I am one of those people you heard about tonight that disrespects the public. My bill just abandoned them. It got rid of them. Face the tiger

and get it over with. I said I wouldn't run again, whether my bill passed or not. Guess what, guys let me off the hook. They killed my bill and they want to take this route. This is the only route left. This is the only route left that we have to address the issue. The most important issue about term limits that I have not heard anybody mention here tonight and if you have and I missed it, we are denying the public the right of choice. It is not up to me to vote for term limits and deny the people of Bangor, the people of Portland or the people of Fort Kent or anybody else to choose who they want to represent them. Whether I like that person or not is irrelevant. Whether the people in Bangor like me is irrelevant. The people of my district chose to send me here.

Term limits, to me, is about denying the public the right of choice. You have heard that this is disrespectful to send this back to the public because this is what they voted for. This is what they will have an opportunity to vote for again. I ask you not to forget what happened with the Maine Turnpike. A special interest group or a group of people got together and got some money and created a campaign and they stopped the widening of the turnpike. Does anybody recall how the widening of the turnpike is now coming about? It started right here. It didn't go through another citizen referendum. It started here. If we think it is wrong, if we think the people need another choice or opportunity, it needs to start here.

The people of the United States are watching what is happening here. When I put my bill in to abandon term limits, whether it was disrespectful or not, I felt we needed to face the tiger. I knew in my heart that I would be called everything, but a good guy from every corner of the State of Maine. Guess what, I got one phone call. That is it. It was saying something other than a good guy I was. It was pretty explicit. It was pretty clear, but it was only one. We have heard about surveys. Surveys are a joke, ladies and gentlemen. You can get any answer you want in a survey. Having said that, I happen to have a survey that I did in my district and 68 percent of the people said get rid of term limits. That is not why I am doing this. I did the survey after I put the bill in. Every place I have gone since I put this in and there was an opportunity to talk about it, I have talked about term limits. People said to get rid of them. Nobody has jumped on me. Nobody has said I was disrespectful and nobody said I was nuts, but that is another issue.

The people, I believe, need another opportunity. It is not going to happen unless we make it happen here. You heard the good Representative from Eagle Lake make a comment about the money that was involved. There was probably a million plus dollars spent on this issue by an individual. Is that what democracy is about ladies and gentlemen? One of our greatest criticisms that we hear, unfounded I might add, from the public is the influence of money on this body. What do you think a million dollar campaign to create something by an individual citizen is if that isn't money impacting? All of the people in this room, I know, didn't spend a million dollars on campaigns. We have heard about lobbyists. Nobody said tonight if you talk to lobbyists privately they hate term limits. They hate them because instead of spending time serving the purpose that they are supposed to be serving they are spending time to help educate us. They are trying to figure out who these new people are and where they are philosophically and where they are geographically and all the other things they do. They hate term limits.

I don't know who is benefiting. We have heard tonight that the people benefited, the lobbyist benefits and the Executive benefited. I don't know who has benefited. I don't know any law that was passed since term limits went into effect that couldn't have been passed before. I don't know of any law that has been rejected that couldn't have been rejected before. While I agree that I would like to have seen a straight up or down vote, this is all we have.

I said people of the United States are watching what is happening here. I had an article done about my bill in the *Christian Science Monitor*. I have been called by the *USA Today* to talk about this issue. I had an article done on an interview with a newspaper in Sacramento, California. People are watching what is going on here tonight. People are very interested in term limits. They may not have made up their mind, but they want to re-examine it. They are not going to have their chance unless we give them that chance. This supposed ground swell support for term limits, I haven't found it and I have been looking for it. I have been looking and I cannot find it. I may be looking in the wrong place and I will admit that. Eight years, I heard that somebody assumed it was because of the Governor. I believe that was an arbitrary number picked out of the sky that happened to be two years less than 10 where we qualified for retirement. I really believe that is what that is about. I may be wrong, but I am sure if I am somebody will tell me. I believe that is where eight years came from. Is that what we want to base our decisions on? Arbitrary things like that. I don't think so. The good Representative from Brunswick talked about one thing that I want to emphasize.

If anyone of you was a CEO of a fortune 500 company and we talk about nearly a \$9 billion budget in this state, including the things we don't have control of. If you were the CEO of that corporation, would you fire your best people because they have been here eight years? I think not. That would defy logic. It would absolutely defy logic. The people of Maine deserve a chance to vote for whomever they want. If they choose to turn us out, so be it. That is what a Citizen Legislature is about. Sometimes it seems like we forget that we are also citizens. I hear about the Citizen Legislature and the great thing it will create. We are all citizens, folks and that is why we are here. We have a Citizen Legislature and 8 years, 10 years or 20 years doesn't make any difference. We are all still citizens regardless of what we do at home. That won't change. I implore you. Please vote against this Indefinite Postponement. Give the people of Maine another chance to decide and stop denying them the right of choice of their representation. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wayne, Representative McKee.

Representative MCKEE: Mr. Speaker, Men and Women of the House. Just to make a point. The good Representative Cameron brought up democracy. This about participatory democracy also. I voted for term limits and certainly after I got here I discovered the same things that you discovered. I also saw some wonderful things too. I see people who are only in their second terms who are on Appropriations and in spots that people coveted for years and years and years before they got there. I see a woman who has been here for seven years and is not the Chairman of the Appropriation Committee and doing a wonderful job. If all of us left today, 151 of us, and went back into our communities 151 people out of a quarter million people would be able to come back here and find out what this is all about. They would have run like crazy like we did to figure it out,

read, study on our own, not rely on the lobbyist out there, if you allow them to, they will educate you, but you have a responsibility just like I do to educate yourself. I don't see it as a bad thing. You have been to Washington and you have walked behind the suits. You have seen the glazed over look and you have said, come home and see what it is like at home. We will send you back after you have been home a while. I sit on a committee where a man has been out for two years and has come back. His district has brought him back here. He has new energy. He has given life to this place again. He was out for two years. We don't lose by ending our term at two years. We can go home and serve in equally important places where we once served or if we didn't serve ever there before we got there, it is time to go back home and be a part of that. We can still come back. I will sign that citizen initiated referendum for open term limits when the citizens themselves say it is time or I begin to read in the papers from editors across the state, let's get rid of term limits. We need to keep these people here a long time. When that happens, I will be ready. I don't think the public is ready. I would be fearful that if we go out to referendum, we will fail and then that would be far worse. Thank you.

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

Representative GERRY: Mr. Speaker, Ladies and Gentlemen of the House. I am a supporter of term limits. I have made no bones about hiding that. As you look on the walls as we leave the chamber, you will notice the pictures on the wall. Most of the Speakers on the wall only served for a term or two. There was only one Speaker that lasted longer and that was the good Representative from Eagle Lake. If it wasn't for the fact of term limits, I doubt very much and I kind of wish he wasn't standing up front, that our present Speaker would have been elected or the past Speaker from last term or even the term before that. I know there is some form of term limits on Speakership, but because of the way the political process is made, I don't think the present Speaker this term or last would have been given their fair chance to be the Speaker of the House.

Term limits for me does not give the power to the Executive Branch. It is only power we lose if we, ourselves, choose to let it go. When I first ran for this seat that I am in, I had said to my constituents that I will only serve three terms. I have said that every time I have run. This is my last term. I feel other residents in my town should have the right to run for office. The longer a person stays in office, the less likely there will be a candidate to go against him or her in the primary or against him or her in the general. We have seen that in past elections. It is very hard to beat an incumbent and to raise the money. It is not a sure thing. We have seen legislators this term that have beat incumbents. I take great pride in being a legislator, but I come here with not a whole lot of education. It did not take me that long to get caught up on the system. It is true that once I learned where the bathrooms were, that was one of the bigger steps. The process was not that hard. Being a new person here and wanting to keep on top of things made me look for the information myself. I don't rely on the lobby. Lobbyists seem to avoid me very much because they know I will take their information and I will weigh it against whatever else I might hear.

I think it is one of the best things about having new members here. It gives the lobbyists something that they have to work on, how to get into a new person's head. They have to work even harder. One of the biggest lobbyist groups that I have

seen up here yet was from Scarborough Downs. I don't think there have been that many from the other agencies. If there was, they all handled different issues. It wasn't all on one particular issue. The part about term limits I like is it gets people to take a break to recharge their batteries as it has been previously stated.

It has also been stated that when current members get termed out we lose institutional memory. I disagree with that. Like what has already been said, old members come back and they share the information. When a member is new, within their first or second term, they seem more aggressive and they seek the information themselves like the good Representative from Lewiston, Representative Mendros. He has been down in the library I don't know how many times I have passed by there looking at my local paper and seeing him in there chasing down information. He is aggressive. He is hardworking. He does his research. I have seen a lot of other new members doing that to trying to keep up on speed. I don't see a lot of the older members. That is the thing. The longer we are here the less likely we are searching and seeking the information for ourselves. We rely more on a committee clerk and our analyst and sometimes even the lobbyist.

As I have mentioned, this will be my last term. I will be proud when that ends. Not that I regret being a legislator because it has been one of the most rewarding experiences. When I do leave, I will go home and I will share with my constituents my rewarding experiences or things good or bad. I never intended to be a career politician. I think by me going back home and sharing what I have learned here will encourage others into more public service. I am willing to help any party run for office.

It was a very hard decision to make this motion to Indefinitely Postpone the bill. It is something that I did not make very lightly. At that I will close.

The SPEAKER: The Chair recognizes the Representative from Lisbon, Representative Chizmar.

Representative CHIZMAR: Mr. Speaker, Men and Women of the House. Unlike the Representative from Auburn, I did not support or vote for term limits. My Town of Lisbon did not support term limits. I do believe it is an issue that the public should be able to look at again. Putting this issue to referendum is the way this should be resolved.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Buck.

Representative BUCK: Mr. Speaker, Ladies and Gentlemen of the House. This debate has gone on long enough and I think we should perhaps put it into some historical perspective. I am reminded of almost two centuries ago when Benjamin Disralle was leader in the House of Commons. A new member of the House came up to him and inquired how often should I speak on an issue. Disralle replied, "It is much better that the House should wonder why you do not speak, than why you do."

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Bill and all Accompanying Papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 328

YEA - Andrews, Belanger, Berry DP, Bouffard, Bowles, Bragdon, Bruno, Buck, Bumps, Campbell, Carr, Chick, Cianchette, Clark, Clough, Collins, Cote, Daigle, Desmond, Dugay, Duncan, Foster, Gerry, Gillis, Glynn, Gooley, Honey,

Jodrey, Jones, Joy, Kasprzak, Kneeland, Lemoine, Lindahl, Lovett, MacDougall, Mack, Madore, Mailhot, Martin, Marvin, McAlevey, McDonough, McKee, McKenney, McNeil, Mendros, Mitchell, Murphy T, Nass, Norbert, Nutting, O'Brien JA, Peavey, Perkins, Plowman, Richardson E, Richardson J, Rines, Savage C, Schneider, Shields, Shorey, Sirois, Skoglund, Snowe-Mello, Stanley, Stanwood, Stedman, Stevens, Tobin D, Tobin J, Tracy, Trahan, Treadwell, Usher, Volenik, Waterhouse, Weston, Wheeler GJ, Winsor.

NAY - Ahearne, Bagley, Baker, Berry RL, Bolduc, Brennan, Brooks, Bryant, Bull, Cameron, Chizmar, Colwell, Cowger, Cross, Davidson, Davis, Dudley, Dunlap, Duplessie, Ethier, Fisher, Frechette, Fuller, Gagne, Gagnon, Green, Hatch, Heidrich, Jabar, Jacobs, Kane, Labrecque, LaVerdiere, Lemont, Matthews, Mayo, McGlocklin, Murphy E, Muse, O'Brien LL, O'Neal, O'Neil, Perry, Pieh, Powers, Quint, Richard, Rosen, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Shiah, Sullivan, Tessier, Thompson, Townsend, Tripp, Twomey, Watson, Wheeler EM, Williams, Mr. Speaker.

ABSENT - Goodwin, Pinkham, Povich, Sherman, True, Tuttle.

Yes, 81; No, 64; Absent, 6; Excused, 0.

81 having voted in the affirmative and 64 voted in the negative, with 6 being absent, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** in concurrence.

SENATE PAPERS

Non-Concurrent Matter

An Act to Require a Written Record of the Subject Matters Discussed in Executive Sessions (MANDATE)

(H.P. 143) (L.D. 205)

(C. "A" H-635)

PASSED TO BE ENACTED in the House on May 25, 1999.

Came from the Senate **FAILING** of **PASSAGE TO BE ENACTED** in **NON-CONCURRENCE**.

Representative GLYNN of South Portland moved that the House **INSIST** and ask for a **COMMITTEE OF CONFERENCE**.

Representative RINES of Wiscasset moved that the House **RECEDE AND CONCUR**.

Representative MENDROS of Lewiston **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

ROLL CALL NO. 329

YEA - Andrews, Bagley, Belanger, Berry DP, Bragdon, Brooks, Bruno, Bull, Bumps, Cameron, Carr, Chick, Cianchette, Colwell, Daigle, Desmond, Dudley, Dugay, Duncan, Dunlap, Fisher, Fuller, Gagne, Gooley, Hatch, Heidrich, Honey, Jabar, Jodrey, Joy, Labrecque, Lemont, Lindahl, Lovett, Martin, Matthews, Mayo, McAlevey, McDonough, McGlocklin, McKenney, Murphy E, Muse, Nutting, O'Brien JA, Peavey, Pieh, Powers, Quint, Richard, Richardson E, Richardson J, Rines, Rosen, Sanborn, Savage C, Saxl JW, Saxl MV, Shiah, Sirois, Skoglund, Stanley, Stanwood, Stedman, Sullivan, Tobin J, Tracy, Treadwell, Usher, Weston, Wheeler EM, Wheeler GJ, Williams, Winsor.

NAY - Ahearne, Baker, Berry RL, Bouffard, Bowles, Brennan, Bryant, Buck, Campbell, Chizmar, Clark, Clough,