

Roebuck, Caleb

From: Dan Davis <dansd36@gmail.com>
Sent: Sunday, April 7, 2019 3:24 PM
To: ENR
Subject: Distribution - ENR - Testimony - LD 1287

Senator Carson, Representative Tucker and members of the ENR Joint Standing Committee:

My name is Dan Davis, one of the 1.33 million clients of the State. I've opted to provide written considerations of the following bill:

(YES) LD 1287 - An Act To Protect the Penobscot River and Penobscot Bay from Mercury Contamination – This is a competent and reasonable bill proposal to clean-up the mess of a prior taxpayer-subsidized business and of a prior generation that was charged with caring for our state's resources and failed.

Thank you,

*Dan Davis
(Porter - District 19 Senate, District 70 House)*

Exegesis: Like many other taxpayers, I forgo income when exercising the right to speak and participate in Augusta, as we are not lobbyists and do not have unlimited external resources to influence our state government on a daily basis.

Sending a testimony is a medium that legislators have suggested is of lesser value than sacrificing a day's wage to travel four hours to Augusta to speak for three minutes every time a committee reviews any of their 2,000 plus bill proposals that effect my life (which all of them should, according to the Constitution of this State). If I attend them all, I would be unemployed (fired), if I am unemployed and want to attend, I can't afford it. This is not competent or reasonable and is a barrier to those who gave consent to be governed.

In a vast and impoverished state such as Maine, if taxpayer attendance is a prerequisite to consider any idea, then it is just another deep structural flaw in our way of governance and something to reflect on and explore.

It is also not competent or reasonable for the process to require that citizenry send separate letters of concern on a bill-by-bill as well as a day-by-day basis to each and every committee in order for citizens to work within "the system". It would require the average citizen to employ labor (beyond their legislators) and to acquire additional funding, as they do not have full time lobbyists to do this (beyond their legislators). Is this also barrier to entry and participation of those who gave consent to be governed?

*Example: If committees review approximately 100 bills a week for five (5) months straight and a person has an opinion or concern on about 50 of them each week, rather than being permitted to send a dozen emails to the various committees aligned to their work week calendar, the "process" requires a citizen to send **50 letters** individually. And a citizen also has to cull those 50 bills to directly share opinions with co-sponsors and sponsors who initiated the idea (because the JSC committees don't), in order to assure the most thorough argument for and vetting of a bill (the only laws that have justifiable integrity have been vetted rigorously through debate).*

Beyond these two examples indicating the in-feasibility of citizen participation, the current process already does a disservice to the people of the State of Maine, as the constitutional authority of the legislature has been misconstrued to allow political corporations the power to disproportionately represent each congressional district and authorize each committee (representing 7% of this state) to disenfranchise 93% of the states citizenry and relieve those legislators representing the 93% of their constitutional duty (committees essentially determining the failure and success of bills rather than being performed by the upper and lower chambers). Historically, committees have also behaved largely on political party coercion rather than what is in the best interests of the people of Maine (another subversion of the State's constitution).

When the constitution is violated by the state that defines, administers, and enforces the rule of law, who would be the highest law enforcer in Maine charged with rectifying it? Is the only remedy of the body politic to test it in the courts? If reform is proposed via bills, will the legislators (largely under the thumb of their corporate handlers) be willing to curtail customs and habits that hurt the citizenry and that do not align with the State's Constitution? Is a radical remedy required for rampant disease?