

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Tenth
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

MAY 4, 1981 to JUNE 19, 1981

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gave you \$42 million, what do you mean when you say we don't care about the local communities?

On top of that, we gave 50 percent of the cost of education in this state. I don't know how often you get lobbied, but I get lobbied a lot by local officials and by the Maine Municipal Association saying "you don't do enough; you don't do enough." They never mention how much we do do, and I think this is a way of showing it, and I honestly don't see any sinister plot of dipping into this money to fund something else.

How many of you really believe in here that there are people who would want to do away with revenue sharing on the local level? Why, your property taxes would go up and you know the pressure that you would get by the voters. I think it would be foolhardy to cut revenue sharing to the local level. It is not an attempt to do that at all, it is just to show it.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: Far be it from me to accuse the Appropriations Committee of doing anything sinister; I would never think of such a thing.

But, my city is opposed to this, and I agree with them, and I think many cities are.

Ladies and gentlemen, I think the present law, as might have been said, I am sorry if I didn't catch it, cities can, in their budgeting process, plan on this money being there. It is a set amount, everyone knows it is going to happen. It is an annual thing, it is a certainty. Under this proposal, it would be completely uncertain. Municipal budgeting would be a disaster because they simply could not be certain of the kind of money that would be forthcoming in the next biennium, or however your local government does their budgeting process.

Ladies and gentlemen, I think the present system works well and I think we would be wise if we killed this bill.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker and Members of the House: Just one quick point. My good friend from Old Town suggests that nobody would dare to take dollars away from their municipalities. I would just like to point out to him, remind him of what transpired with the inventory tax reimbursement to the municipalities. I would just like to point out to him, remind him of what transpired with the inventory tax reimbursement to the municipalities. What started at 100 percent level is now down to a very small amount and is scheduled to disappear completely.

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Miss Aloupis.

Miss ALOUPIS: Mr. Speaker, Ladies and Gentlemen of the House: There are several questions that I would very quickly like to answer. It was a 10 to 3 report; I am part of that majority, I am from Bangor and the Dean was on the Minority Report. All we want to do is very up front and honestly show that we do support our municipalities and show this in the budget to you so that you know that in this biennium there is \$33 million going, and there is an anticipation of \$42 million coming.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Brennerman, that this Bill and all its accompanying papers be indefinitely postponed in non-concurrence. All those in favor will vote

yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Beaulieu, Bell, Bordeaux, Brannigan, Brennerman, Brodeur, Brown, D.; Brown, K.L.; Callahan, Carrier, Carter, Clark, Canary, Connolly, Crowley, Davies, Dexter, Diamond, J.N.; Dudley, Erwin, Fitzgerald, Foster, Fowlie, Gowen, Hall, Hanson, Hickey, Higgins, H.C.; Holloway, Hunter, Jacques, Jordan, Kane, Kany, Kelleher, Ketover, Kilcoyne, Lancaster, Lisnik, Livesay, Locke, Macomber, Mahany, Manning, Martin, A.; McHenry, McPherson, Michaud, Mitchell, E.H.; Mitchell, J.; Murphy, Nadeau, Nelson, M.; Norton, Paradis, E.; Paul, Perkins, Perry, Post, Pouliot, Prescott, Racine, Reeves, J.; Reeves P.; Ridley, Roberts, Rolde, Salsbury, Smith, C.B.; Soule, Stevenson, Stover, Strout, Studley, Swazey, Tarbell, Telow, Theriault, Thompson, Tuttle, Webster, Wentworth.

NAY — Aloupis, Armstrong, Austin, Benoit, Berube, Boisvert, Boyce, Brown, A.; Cahill, Carroll, Chonko, Connors, Cox, Curtis, Damren, Davis, Day, Diamond, G.W.; Dillenback, Drinkwater, Gavett, Gillis, Gwadosky, Hayden, Higgins, L.M.; Huber, Hutchings, Ingraham, Jackson, Joyce, Kiesman, LaPlante, Lewis, Lund, MacBride, MacEachern, Masterman, Masterton, Matthews, McCollister, McGowan, McKean, McSweeney, Michael, Moholland, Nelson, A.; O'Rourke, Paradis, P.; Pearson, Peterson, Randall, Richard, Sherburne, Small, Smith, C.W.; Soulas, Treadwell, Vose, Walker, Weymouth, The Speaker.

ABSENT — Cunningham, Hobbins, Jalbert, Laverriere, Martin, H.C.; Twitchell.

Yes, 83; No, 61; Absent, 6; Vacant, 1.

The SPEAKER: Eighty-three having voted in the affirmative and sixty-one in the negative, with six being absent, the motion does prevail.

Sent up for concurrence.

Bill Held

Bill, "An Act to Provide a Referendum to Abolish County Government and Authorize Reassignment of its Functions and Duties to Appropriate State and Municipal Departments and Agencies" (H. P. 1040) (L. D. 1259)

—In House, Insisted and Asked for a Committee of Conference on May 15, 1981.

HELD at the request of Representative Carter of Winslow.

Mr. Carter of Winslow moved that the House reconsider its action whereby the House voted to Insist and ask for a Committee of Conference.

On motion of the same gentleman, tabled pending his motion to reconsider and tomorrow assigned.

The Chair laid before the House the following matter:

Bill "An Act to Provide for the Limitations of Liability in Regard to Certain Insurance Inspections" (H. P. 631) (L. D. 712) which was tabled earlier in the day and later today assigned pending further consideration. (In the House—passed to be engrossed as amended by Committee Amendment "A" H-369—In Senate—passed to be engrossed as amended by Committee Amendment "A" H-369 as amended by Senate Amendment "A" S-231 and "B" S-239 thereto in non-concurrence)

On motion of Mr. Brannigan of Portland, the House voted to recede and concur.

The Chair laid before the House the following matter:

Bill "An Act Relating to Periodic Justification of Departments and Agencies of State Government under the Maine Sunset Law" (Emergency) (H. P. 1411) (L. D. 1576) which was tabled earlier in the day and later today assigned pending further consideration. (In House, passed to be engrossed as amended by House Amendments "B" H-319, "C" H-324, and "D" H-329;—In Senate, passed to be engrossed

as amended by House Amendments "B" and "D" in non-concurrence.

Mrs. Berube of Lewiston moved that the House recede and concur.

Mr. Strout of Corinth requested a vote.

Whereupon, Mrs. Berube of Lewiston requested a roll call vote.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one-fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The Chair recognizes the gentlewoman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker, Ladies and Gentlemen of the House: If we don't vote to recede and concur, you will effectively, perhaps, be killing the bill, and I realize there is an item that is of some concern to a few people and I would like to briefly rebut some of the arguments that we have heard and I hope that I am not repetitious.

It is not an easy thing to work on an appropriations committee, I suspect it must be very difficult, and it is not any easier to work on our committee, because we have to review programs with the objective to look at the cost effectiveness of that particular program, and I feel that the committee, in bringing out our report, did so without jeopardizing services. If we don't accept recommendations which are carried out in a very rational and impartial manner, then we open the way to proposition two and a half or whatever they are called.

In the case of the motor vehicle inspection, which is what we are talking about right now, there is some concern that the Motor Vehicle Division within the Secretary of State's Office would not be able to do the job as effectively. I submit that they would simply because they are presently doing the automobile dealers, over 800 of them, throughout the state. And if you will look at the manual from the State Police, which I have here, and you look at the manual from the Motor Vehicle, which I have here, you will find that the responsibilities parallel one another. For example, what do they look for—and bear in mind that they are merely inspecting on the highway, we are talking of the inspection of stations alone.

Under the responsibilities of the state police, they make sure that signs are conspicuously displayed, they make sure that the license of the inspection station is current, they look at the tools and equipment requirements, some of which I will name—the wheel puller, they have to make they have go a wheel puller. And if you look at the Secretary of State, Motor Vehicle, they also have to make sure there is a wheel puller. The state police look to see if the lift is capable of lifting the vehicle by use of outer edge of local control arm. If you look at the Secretary of State's manual, it is nearly verbatim, except theirs is plural, so I suspect that they do more than one job.

The state police look at the ball joint gauge, and the Secretary of State, or the Motor Vehicle, does the same thing in the plural.

Last year, the state police made 3,277 inspections of motor vehicle inspection stations, nine troopers with a gun in the holster, with the high powered vehicle. We are not saying that they did not do a good job, we are merely saying that we do not need to have this sophisticated equipment go along simply to inspect the station. And out of those 3,277 inspections, averages about twice a year, and it boils down to about 1.2 stations per day per man—1.2 stations per day.

If you think that the savings of \$124,513 for the first year and approximately \$148,000 for the second year—bear in mind also that these are annual savings—if you don't think that justifies our reasoning, then I don't know what

else to say, but I think we have done a good job.

I would like to mention one other thing that was brought to my attention, that the signs on the outside of these stations would have to be replaced because they are a yellow background with red lettering. That would not have to be done, because of a cost of \$300, the department would simply paste on a reflectorized tape, and that should really satisfy the providers of the reflectorized material.

I will leave this to your good judgment, and I do hope that you will vote with us to recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Connors.

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: A number of years ago, this was done by the Motor Vehicle Division, where they want to put it now, and they had a lot of problems with it. It was taken out of there and put into the state police, and since then we have had very few problems with it.

I hope that you will oppose this motion to recede and concur today and then we can move to adhere.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker, Ladies and Gentlemen of the House: May I rebut this please. A number of years ago was 20 years ago and, again, I am not saying that the state police didn't do a good job in the meantime, in these 20 years; however, it is my understanding that a very few years ago, like four or five years ago, there were so many problems that our own Legislative Committee on Transportation had to hold hearings throughout the state, public hearings, and as a result, that committee re-wrote, in effect, the manual or the rules and regulations for those inspection stations.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, Members of the House: There seems to be one thing that we seem to be misled about, and that is that the state police, and I was an inspection station for a long time, came and inspected the station and they do two and so many tenths a day or something, but while they were there, their radio is on and if they got a call up the road that some drunk is there, they have to go after him, he drops everything and goes to tend to it, so he is on duty there at the place where he is making the inspection just as much as if he was parked beside of the turnpike waiting for a speeder to come along, except he is doing something while he waits.

I never saw one of them come and inspect my place that he didn't have his radio on and never was out of reach of that, so I don't feel that he was only inspecting my station, he was on duty as much as he would have been if he wouldn't have been inspecting the station and seemed to be doing more good than if he was parked beside of the turnpike waiting for a speeder.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: A lot of discussion on this bill has taken place between last week and now, a lot of lobbying on both sides, I think. I think the bottom line comes down to this. The Audit and Program Review Committee has a particular purpose, purpose is to review periodically agencies and departments, but our prime emphasis is cost effectiveness and overall operation of the department. If a department or agency needs more money, I think we ought to recommend more money; if it needs less money, then we have a responsibility to recommend that. But the bottom line on this issue is fiscal responsibility, something that we have been hearing a great deal about over the last couple of years. I think this House and the other body has exercised that on a number of occasions. I think we have a rare opportunity to exercise that right now.

Again, the bottom line on this issue is \$462,-

000 it costs to administer this program under the state police. Under the Department of Motor Vehicles it will cost \$336,000, roughly, so there is roughly a \$130,000 net savings to the state of Maine for a transfer of responsibility that will, in effect, do nothing in terms of the quality of the inspection of these inspection stations.

I think if we delete this from the sunset bill, it would be a shame, and I would certainly hope that you would support the gentleman from Lewiston's motion and recede and concur on this.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mrs. Huber.

Mrs. HUBER: Mr. Speaker, Members of the House: Clearly, I can't add much of substance to what has been said this afternoon in favor of the gentlelady's motion. However, I do feel it is important to impress upon you the committee's strong feeling about the fine training, the excellent equipment that the state police have, is basically best used in their primary function, and to the committee's thinking, and I can't help but believe to most of you when you analyze it dispassionately, that function is enforcing the law, not inspecting an inspection station. That job can be done by well qualified but lesser paid and later retiring other state employees. Let's give them a chance to do it well.

Mrs. Berube of Lewiston was granted permission to speak a third time.

Mrs. BERUBE: Mr. Speaker, Ladies and Gentlemen of the House: I apologize for getting up a third time, but I would like to rebut, if I may, one point that was brought out by the gentleman from Enfield. When they patrol, these law enforcement officers who are inspecting stations, they only patrol and we get this, by the way, I have in my hands, the Maine State Police Officer's Activity Report of each of the nine officers who are in this division. Their patrol hours average 1.3 percent. They have speaking assignments, they have report writing, they do court appearances, they do administrative, and inspection stations are 28.2 percent of their time.

While I am on my feet, if I may, and then I will sit down, what we are suggesting is that the nine people who are presently doing a job which could be handled in a much more cost-effective manner by another division, these nine people will still be listening to their radios, two-way radios, and monitoring calls and going after speeders or whatever they are supposed to be doing, because they will be freed to do this fulltime.

Also bear in mind that the Appropriations Committee, in the Part I Budget that we all passed, and I don't believe there was even a recorded vote, I suspect it was unanimous, that this legislature has given funding for 12 additional, new positions.

I feel that they could handle this very well in the Motor Vehicle Division and I ask very sincerely that you support our motion.

The SPEAKER: A roll call has been ordered. The pending motion before the House is on the motion of the gentleman from Lewiston, Mrs. Berube, that the House recede and concur. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Austin, Baker, Benoit, Berube, Boisvert, Boyce, Brennerman, Brodeur, Brown, A.; Callahan, Carroll, Carter, Chonko, Conary, Connolly, Cox, Crowley, Curtis, Davies, Davis, Diamond, G.W.; Diamond, J.N.; Fitzgerald, Gwadosky, Hall, Hayden, Hickey, Higgins, H.C.; Huber, Jackson, Joyce, Kane, Kany, Kilcoyne, LaPlante, Lewis, Lisnik, Livesay, Macomber, Manning, Masterton, McGowan, McHenry, McKean, Michael, Mitchell, E.H.; Mitchell, J.; Moholland, Nadeau, Nelson, M.; Norton, O'Rourke, Paradis, P.; Paul, Pearson, Peterson, Pouliot, Racine, Randall, Reeves, P.; Richard, Rolde, Smith, C.W.; Swazey,

Telow, Theriault, Thompson, Tuttle, Vose, The Speaker.

NAY — Aloupis, Armstrong, Beaulieu, Bell, Bordeaux, Brannigan, Brown, D.; Brown, K.L.; Cahill, Carrier, Clark, Connors, Damren, Day, Dexter, Dillenback, Drinkwater, Dudley, Erwin, Foster, Gavett, Gillis, Hanson, Higgins, L.M.; Holloway, Hunter, Hutchings, Ingraham, Jacques, Jordan, Kelleher, Ketover, Kiesman, Lancaster, Locke, Lund, MacBride, MacEachern, Mahany, Martin, A.; Masterman, Matthews, McCollister, McPherson, McSweeney, Michaud, Murphy, Nelson, A.; Paradis, E.; Perkins, Perry, Post, Prescott, Reeves, J.; Ridley, Roberts, Salisbury, Sherburne, Small, Smith, C.B.; Soulas, Soule, Stevenson, Stover, Strout, Studley, Tarbell, Treadwell, Twitchell, Walker, Webster, Wentworth, Weymouth.

ABSENT — Cunningham, Fowlie, Gowen, Hobbins, Jalbert, Laverriere, Martin, H.C.

Yes, 70; No, 73; Absent, 7; Vacant, 1.

The SPEAKER: Seventy having voted in the affirmative and seventy-three in the negative, with seven being absent, the motion to recede and concur does not prevail.

The Chair recognizes the gentleman from Newport, Mr. Reeves.

Mr. REEVES: Mr. Speaker, I move that we adhere.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mrs. Huber.

Mrs. HUBER: Mr. Speaker, I move that we insist and ask for a Committee of Conference.

Mr. Strout of Corinth requested a division.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Falmouth, Mrs. Huber, that the House insist and ask for a Committee of Conference. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Baker of Portland requested a roll call.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

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

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Baker.

Mr. BAKER: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to point out something that I think is very, very important. We are in danger of jeopardizing the entire bill and all of the cost savings involved. All right? Just keep in mind that money is very tight right now and it is very important that we insist and have this Committee of Conference so that we can save the bill and we will have some money saved as a result.

The SPEAKER: The Chair recognizes the gentleman from Newport, Mr. Reeves.

Mr. REEVES: Mr. Speaker, Ladies and Gentlemen of the House: I feel that this item had a very good debate last week and the vote at that time was very decisive.

I would like to say today that we are not trying to kill the bill by adhering. The Senate can recede and concur. If we adhere, we are not killing the bill. We are merely trying to leave the motor vehicle inspection with the Department of State Police.

As I stated last week, I don't think that this bill is going to save money. I feel that it is going to cost money. What it will do is create a new group of people working in the Motor Vehicle Department under the Secretary of State.

It was stated earlier that the manuals and the signs and so forth can still be used. I went at great length to point out to you last week that the manuals will have to be changed because they are all signed rules and regulations by the Chief of the State Police. All of the signs on the buildings will have to be changed. As I

told you at that time, it is an official inspection station but it says "Authorized by the Maine State Police" and that has nothing to do with the background being yellow with red letters. The fact is that it is authorized by the state police and would have to be changed.

As I pointed out last week, all of the station licenses, some 1800, would have to be changed because they are all signed by the Chief of the State Police. The same with all of the inspection mechanic's licenses, because they, too, are signed by the state police.

Ladies and gentlemen, I submit to you that the inspection program has worked well for the past 20 years. Someone mentioned a few moments ago about state troopers inspecting and checking these stations with high powered cars. The reason that they are there with high powered cars is because they are state police officers, they are in uniform, they are on patrol and have traffic under observation when they are going from one station to another or from one town to another or one country to another. They are police officers out there on the road helping to protect you and I and everyone else.

Someone mentioned that these new inspectors under Motor Vehicle could inspect these stations just as well and have good qualified people. Ladies and gentlemen, I submit to you that you have some of the most qualified people in the State Police Department of this state.

Again, I do not feel that this is going to save money; I think it is going to cost money.

I believe it was Mrs. Berube who pointed out a few minutes ago that Appropriations was going to authorize the hiring of 12 new troopers. Again, ladies and gentlemen, as I pointed out to you last week, if the state police loses the inspection bureau, those nine troopers will be retained and it will take most of the money that the Appropriations Committee will allow for these 12 new troopers, to sustain these men. Therefore, the 12 new troopers would most likely be going down the drain. I don't think that that is the direction that we should be taking in this state at this time.

So many of you are complaining about the rise in crime and the rise in operating under the influence, I think we should have some more troopers out there on the road, and if this bill passes and it is transferred, we are going to have less troopers on the road.

I hope that you will stick with us and adhere on this item so we can send it back to the Senate, and again I say, I am not trying to kill the bill. I am just working on the inspection part of it.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I hesitate to debate the substantive issue that we have just been discussing because I think we settled that with our first vote. I have a lot to say about why I voted with the rest of our committee in the recommendation that we did, but I think what I would like to discuss now is whether we would put this bill into jeopardy by voting to adhere.

It is an important bill, it is a bill that this committee has worked on all year and a good part of last year. It is a bill that would save over \$2 million to the state, and I think the more rational, reasonable approach, without abandoning your position, would be to vote to insist and ask for a Committee of Conference. If we do vote to adhere, we are going to put this bill in jeopardy. Nobody can assure us that we are not, and this is a very, very important bill, and I ask you to think very, very carefully before you vote to adhere.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to point out to you that it costs you \$34,000 for a state trooper in his first year. This is for his new vehicle, his uniform, including all the fringe benefits.

The second year he gets \$29,000, it drops back, the cost factor. I think we should utilize them in their career, in the profession that they are trained for, not inspecting garages. I think my brother from Newport here is defending the fact that he spent years in this type of work. He was involved in police inspection of automobile inspection stations. He spoke with more authority one time when he thought differently, but it seems he has now changed his color and he now supports his brethren.

I am interested in saving money and utilizing money more proficiently down here, and if you want more potholes to ride on, just go ahead and keep spending the way you are, because if you don't want to send a man out for \$16,000 to do a job that is costing \$34,000 a year to do, then keep spending money wildly because you sure are spending it the wrong way.

The state police should be out enforcing crime, not out inspecting garages. How many criminals do you find hiding in garages? How ridiculous can we get?

The SPEAKER: A roll call has been ordered. The pending question before the House is on the motion of the gentleman from Falmouth, Mrs. Huber, that the House insist and ask for a Committee of Conference. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Alopis, Austin, Baker, Benoit, Berube, Boisvert, Brenerman, Brodeur, Brown, A.; Carrier, Carroll, Carter, Chonko, Conary, Connolly, Cox, Crowley, Curtis, Davies, Davis, Day, Diamond, G.W.; Diamond, J.N.; Dillenback, Fitzgerald, Gillis, Gowen, Gwadosky, Hall, Hayden, Hickey, Higgins, H.C.; Holloway, Huber, Ingraham, Jackson, Jacques, Joyce, Kane, Kany, Kilcoyne, LaPlante, Lisnik, Livesay, Locke, MacBride, Macomber, Manning, Martin, A.; Masterton, McGowan, McHenry, McKean, McSweeney, Michael, Mitchell, E.H.; Mitchell, J.; Moholland, Nadeau, Nelson, M.; Norton, O'Rourke, Paradis, P.; Paul, Pearson, Peterson, Post, Pouliot, Racine, Reeves, P.; Richard, Rolde, Smith, C.W.; Soule, Strout, Swazey, Theriault, Thompson, Walker, Webster.

NAY — Armstrong, Beaulieu, Bell, Bordeaux, Boyce, Brannigan, Brown, D.; Brown, K.L.; Cahill, Callahan, Clark, Conners, Damren, Dexter, Drinkwater, Dudley, Erwin, Foster, Gavett, Hanson, Higgins, L.M.; Hobbins, Hunter, Hutchings, Jordan, Kelleher, Ketover, Kiesman, Lancaster, Lewis, Lund, MacEachern, Mahany, Masterman, Matthews, McCollister, McPherson, Michaud, Murphy, Nelson, A.; Paradis, E.; Perkins, Perry, Prescott, Randall, Reeves, J.; Ridley, Roberts, Salsbury, Sherburne, Small, Smith, C.B.; Soulas, Stevenson, Stover, Studley, Tarbell, Telow, Treadwell, Tuttle, Twitchell, Wentworth, Weymouth, The Speaker.

ABSENT — Cunningham, Fowlie, Jalbert, Laverriere, Martin, H.C.; Vose.

Yes, 80; No, 64; Absent, 6; Vacant, 1.

The SPEAKER: Eighty having voted in the affirmative and sixty-four in the negative, with six being absent, the motion does prevail.

The Chair recognizes the gentleman from Portland, Mr. Baker.

Mr. BAKER: Mr. Speaker, having voted on the prevailing side, I now move reconsideration and hope you vote against me.

The SPEAKER: The gentleman from Portland, Mr. Baker, having voted on the prevailing side, now moves that the House reconsider its action whereby the House voted to Insist and ask for a Committee of Conference. Those in favor will say yes; those opposed will say no.

A viva voce vote being taken, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Brenerman.

Mr. BRENERMAN: Mr. Speaker, having voted on the prevailing side, I now move that the House reconsider its action whereby Bill

"An Act to Make Funding of the "Local Government Fund" Part of the Appropriations Process" (S. P. 90) (L. D. 206) was indefinitely postponed earlier in the day.

Miss Alopis of Bangor requested a Division.

The SPEAKER: The pending motion before the House is the motion of the gentleman from Portland, Mr. Brenerman, that the House reconsider its action whereby L.D. 206 was indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

40 having voted in the affirmative and 86 in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mrs. Huber.

Mrs. HUBER: Mr. Speaker, having voted on the prevailing side on House Paper 1361, L.D. 1546, Resolve to Authorize Expenditure of Certain Federal Funds for New or Expanded Programs, I move we reconsider our action whereby this Resolve was passed to be engrossed and I would request a roll call.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Falmouth, Mrs. Huber, that the House reconsider its action of earlier in the day whereby this Resolve was passed to be engrossed. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Alopis, Armstrong, Austin, Bell, Berube, Bordeaux, Boyce, Brown, D.; Cahill, Carroll, Conners, Curtis, Damren, Davis, Dexter, Diamond, G.W.; Dillenback, Foster, Gavett, Hanson, Hickey, Higgins, L.M.; Holloway, Huber, Hutchings, Jackson, Jordan, Kiesman, Lewis, Lund, MacBride, Matthews, McPherson, Murphy, Nelson, A.; Peterson, Post, Randall, Sherburne, Small, Smith, C.W.; Soulas, Treadwell, Walker, Weymouth.

NAY — Baker, Beaulieu, Benoit, Boisvert, Brannigan, Brenerman, Brodeur, Brown, A.; Brown, K.L.; Callahan, Carrier, Carter, Clark, Conary, Connolly, Cox, Crowley, Davies, Day, Diamond, J.N.; Drinkwater, Dudley, Erwin, Fitzgerald, Gillis, Gowen, Gwadosky, Hall, Hayden, Higgins, H.C.; Hobbins, Hunter, Ingraham, Jacques, Joyce, Kane, Kany, Kelleher, Ketover, Kilcoyne, Lancaster, LaPlante, Lisnik, Livesay, Locke, MacEachern, Macomber, Mahany, Martin, A.; Masterman, Masterton, McCollister, McGowan, McHenry, McKean, McSweeney, Michael, Michaud, Mitchell, E.H.; Mitchell, J.; Moholland, Nadeau, Nelson, M.; Norton, O'Rourke, Paradis, E.; Paradis, P.; Paul, Pearson, Perkins, Perry, Pouliot, Prescott, Racine, Reeves, J.; Reeves, P.; Richard, Ridley, Roberts, Rolde, Salsbury, Smith, C.B.; Soule, Stevenson, Stover, Strout, Studley, Swazey, Tarbell, Telow, Theriault, Thompson, Tuttle, Twitchell, Vose, Webster, Wentworth.

ABSENT — Chonko, Cunningham, Fowlie, Jalbert, Laverriere, Manning, Martin, H.C.; The Speaker.

Yes, 45; No, 97; Absent, 8; Vacant, 1.

The SPEAKER: Forty-five having voted in the affirmative and ninety-seven in the negative, with eight being absent, the motion does not prevail.

The Chair laid before the House the following matter:

RESOLVE: Authorizing the Governor, Acting on Behalf of the State, to Execute Certain Quitclaim Deeds (S. P. 605) (L. D. 1604) which was tabled earlier in the day pending final passage.