

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

**Volume II**

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**Index**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

from Solon, Mr. Faucher, moves that this Bill and all accompanying papers be indefinitely postponed.

The gentleman may proceed.

Mr. FAUCHER: Mr. Speaker, Ladies and Gentlemen of the House: I feel that I have to say a few words on this bill. Bigelow Mountain happens to be — quite a lot of land is in my legislative district. I have testified at the hearing that none of the people in my district are in favor of this. If they are, they haven't called me up or said anything about it, but the Friends of Bigelow, as they call themselves, went around the state and got petitions to have the State of Maine, you and I, buy this 40,000 acres of land with no price tag on it and without telling us who is going to pay the taxes on that 40,000 acres of land.

I know a little bit about this. We have land developers who own some of that land who would like to spend a couple hundred million dollars, that is quite a lot of money, to start a four-season enjoyment there, a ski area, condominiums, and it would employ about four or five hundred people.

I happen to live in Somerset County where the employment is quite low. We need jobs for people. They are kind of hungry and they would like to have a few jobs. We don't have many jobs in Somerset County, and with 500 jobs available, that would be pretty nice for our people up there.

So, out of the 40,000 acres of land, they would take about 800 acres for development. They would still have 32,000 acres for people who like to hike, canoe or whatever.

In the State of Maine, the paper companies own about 17 million acres of land, about two-thirds of the land in the State of Maine, and I believe we have got plenty of recreation in the state for anybody who would like to go hiking or fishing or anything else, so I feel this is a bad bill, it is one of the worst bills I have seen this year, and let's kill it right now.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker, I would just like to say that I got blamed by some people for 1994 last year, which wasn't funded at the time and I didn't vote for it. So I would just enjoy getting blamed for something rightly this time. I don't think the people realize there should be a fiscal note on this, so I don't believe they will blame the legislature for turning it down. They will have a chance to come again at the special session if they think they should put a price tag on it. I am for the indefinite postponement of this bill.

Thereupon, Mr. Finemore of Bridgewater requested a roll call vote.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I feel about this bill that if it goes to referendum, it may or may not pass, but of course if we pass it here, then there is no question about it, it is the fait accompli.

I have a letter from one of my constituents. It is very brief and I think it is a very good letter and I would like to read it if I may. It is to a man by the name of Ken Spaulding. My constituent says, I will not circulate the petitions of the Friends of Bigelow. I too am an AMC member. I am interested in protecting our ecology. I am an ordinary Maine native not a self-styled Friend of Bigelow. Your January 7th letter and the petition

accompanying it, disappoint me. Why? You overstate your case in the letter. I know of no proposal to bulldoze Mt. Bigelow, yet our slogan is to save Bigelow from the bulldozer. You talk about the entire western Maine mountain area being threatened. I don't know how you define the entire western Maine mountain area, but I do know that those who cry wolf so carelessly do the cause of ecology no good. The bill contained in your petition directs the purchase of 40,000 acres of land. It authorizes no expenditure of funds. There is no estimate of the cost of acquiring this land in the Statement of Fact. It is an obvious inference that you do not think the initiative petition would get the necessary signatures if an honest estimate of the cost of this legislative proposal was set forth in the Statement of Fact. I, therefore, say to you may the petition of the Friends of Bigelow be scorned as it deserves to be. As an AMC member, I add my resentments that you involved that worthy organization in what I consider a shoddy effort to promote a selfish cause. Sincerely yours, Willis A. Trafton Jr." Mr. Trafton, was at one time, the Speaker of this House.

The SPEAKER pro tem: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to point out this is a nine to four "Ought Not to Pass" report. The reason I signed it "Ought Not to Pass" was because there was no means of funding the acquisition of the property.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Jensen.

Mr. JENSEN: Mr. Speaker and Members of the House: I would like to pose a question to anyone who might answer. If this referendum is sent out, would it be possible for the legislature to put along with it any estimate of cost without interfering, without sending a separate question out?

The SPEAKER pro tem: The gentleman from Portland, Mr. Jensen, poses a question through the Chair to anyone who cares to answer.

The SPEAKER pro tem: 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 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 pro tem: The pending question is on the motion of the gentleman from Solon, Mr. Faucher, that the House indefinitely postpone Bill "An Act to Establish a Public Preserve in the Bigelow Mountain Area" Initiated Bill 1, L.D. 1619. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Albert, Ault, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Bowie, Burns, Byers, Call, Carey, Carpenter, Carroll, Carter, Connors, Cote, Curran, R.; Curtis, Dow, Drigotas, Durgin, Dyer, Farley, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gould, Gray, Hall, Hennessey, Higgins, Hinds, Hunter, Hutchings, Immonen, Jalbert, Kauffman, Kelleher, Kelley, Laffin, Laverty, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lovell, Lunt, Lynch, MacEachern,

Mackel, MacLeod, Mahany, Martin, A.; Maxwell, Mills, Miskavage, Morin, Morton, Nadeau, Norris, Palmer, Pelosi, Perkins, T.; Peterson, P.; Raymond, Rideout, Rollins, Snowe, Sprowl, Strout, Stubbs, Susi, Tarr, Teague, Theriault, Torrey, Tozier, Twitchell, Webber, Winship.

NAY — Bachrach, Bagley, Bustin, Chonko, Clark, Connolly, Cooney, Cox, Curran, P.; Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hobbins, Hughes, Ingegneri, Jackson, Jensen, Kany, Kennedy, LaPointe, McKernan, McMahon, Mitchell, Mulhern, Najarian, Peakes, Pearson, Perkins, S.; Peterson, T.; Pierce, Post, Rolde, Saunders, Shute, Silverman, Snow, Spencer, Talbot, Usher, Wilfong.

ABSENT — Churchill, Dam, Davies, DeVane, Doak, Dudley, Hewes, Jacques, Joyce, LeBlanc, Martin, R.; McBrearty, Powell, Quinn, Smith, Tierney, Truman, Tyndale, Wagner, Walker.

Yes, 88; No, 42; Absent, 20.

The SPEAKER pro tem: Eighty-eight having voted in the affirmative, and forty-two in the negative and twenty being absent the motion does prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: Having voted on the prevailing side, I move reconsideration whereby this bill was indefinitely postponed and urge you all to vote against me.

The SPEAKER pro tem: The gentleman from Wayne, Mr. Ault, moves the House reconsider its action whereby this bill was indefinitely postponed. All in favor of that motion will say yes; those opposed will say no.

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

The Chair laid before the House the thirteenth tabled and today assigned matter:

An Act to Clarify Certain Provisions of the Maine Right to Know Law" (H. P. 848) (L. D. 1035) (S. "A" S-201) (C. "A" H-285)

Tabled — June 5, by Mrs. Najarian of Portland.

Pending — Passage to be Enacted.

On motion of Mr. Snow of Falmouth, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

On further motion of the same gentleman under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" was adopted.

The same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-683) was read by the Clerk.

The SPEAKER pro tem: The Chair recognizes the gentleman from Falmouth, Mr. Snow.

Mr. SNOW: Mr. Speaker and Members of the House: This amendment to "The Right to Know Law," which was sponsored by the Speaker with myself and the representative from Kennebec as co-sponsors would clarify those provisions of The Right to Know Law which permits joint legislative committees to meet in working sessions. What it does, it gives us the opportunity to decide whether or not we wish the privilege of excluding non-committee members from working sessions of joint legislative committees. I

was moved to sponsor this amendment because the presence, particularly of lobbyists, during working sessions of some of the committee meetings, has not worked as many of us hoped it would have worked. They have debated with the members in some cases. They have, by their very presence, have inspired some of the committee members to address themselves in a fashion to the problems which they would not have addressed it, had the lobbyists not been there.

This does not allow for voting in working sessions with the public or lobbyists or both excluded. It merely permits the committees to have discussions solely between committee members and to exclude, if they so wish, those who are not members of the committee during these discussions. I hope that the House will favorably receive this amendment.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: I hope that we do not accept this amendment. I have been, personally, been very, very proud of the legislature this year for opening up our working sessions. I view this particular amendment as once again going to closed government. I hope sincerely that this amendment is not accepted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: In agreement with the gentlewoman from Waterville, Mrs. Kany, we have come a long way in opening up government, and some of us, while being a little thick skinned about opening up, have finally agreed to the opening up as much as we are opening up. I would move indefinite postponement of this amendment.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I object to indefinite postponement of this amendment. I feel that many times when we have our committee hearings that people have been coming in there and then intimidating the committee with their presence. I feel we should have a free discussion amongst the committee members and then we should open up the meeting and vote with people present if they so wish. I don't think either that we should tie down future legislatures with this in mind. I think each session of each legislature should use their own rules and each committee should make its own rules. I don't think we should mandate anything for the future.

So, I support this amendment, I think it is a good amendment and I feel that we will be more freely to work on decisions that the committee makes than we are at present when there are people standing over our heads almost with intimidation.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Henderson.

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I support the indefinite postponement of this amendment. It seems that in the guise of lobbyists out of our committee working sessions or, in fact, giving committees the right to keep everybody out of our working sessions. As far as the objection of individual non-members of the committee, let's say, debating with committee

members, as far as I am concerned, that is absolutely intolerable for any committee to permit that and that if they want to eject those individuals who won't abide by the rules, that is, to maintain silence while the committee goes about its work, unless they are asked to participate, that seems perfectly reasonable, get them out. As far as letting people sit and listen, I would have to ask, what is it that we have to hide from the public at large or the lobbyists, so to speak? What is it that we have to fear that they are sitting there listening to the discussion? If they do happen to come up with a valid point, all fine and dandy. It seems like what we are saying, we don't trust the other members of our own committee, obviously not us, to be able to take the pressures of people knowing exactly where we stand on these issues. I don't see where there is any need for this particular amendment.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Brunswick, Mr. Bachrach.

Mrs. BACHRACH: Mr. Speaker, Ladies and Gentlemen of the House: It seems to me that it is strictly up to the chairman of the committee to control what happens with the people who are present during committee sessions, executive sessions, and that it is useful to have the people there that might be able to contribute if you wanted to verify any facts or any previous statements that have been made. I don't feel any sense of pressure at all from having people in attendance on committee sessions.

The SPEAKER pro tem: The Chair recognizes the gentleman from Falmouth, Mr. Snow.

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: I would merely like to point out that this gives the committee the option of excluding non-committee members. It does not mandate it. Under amendments to "The Right to Know Law," which we have previously passed in this session of the legislature, the reasons for which executive sessions may be held, are rather carefully outlined. I feel that committees for the legislature, should a situation arise during a committee hearing, where they wish to have private discussions, that they should be able to do so. They are in no way required to do so. In most cases this would be by vote of the committee. I think many of the members of the house well know that there have been occasions where the committee chairmen have not wished to silence witnesses, that they have permitted them to debate with members of the committee, that they have raised the situation which is not a pleasant one, and which a free exchange of ideas is difficult. I would again remind the House that this is strictly optional, the committee may vote to exclude non-committee members or it may admit them, this gives them the power without any question to bar them, should they wish to do so.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, Ladies and Gentlemen of the House: May I pose an inquiry to Mr. Snow. Are we asking special privileges to legislative committees that we are denying to other bodies that meet to deliberate?

The SPEAKER pro tem: The gentlewoman from Vassalboro, Mrs. Mitchell, poses a question through the Chair to the gentleman from Falmouth, Mr. Snow who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: The answer is, in this case, I am afraid the answer is, yes. I personally raised some questions about the law previously but the House was not very sympathetic to my point of view. So, the answer to your question is, yes.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Call.

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: I am opposed to indefinite postponement of this amendment, because I think this amendment is needed. In fact, I am opposed to all this Right to Know Law because it is very, very artificial and unrealistic. People are led to believe that what they are supposed to find out, they are going to find out through the news media. Well, they aren't going to find out through the news media, if the news media doesn't choose to bring up certain matters or to quote very important statements. I could go on and give many examples of this at the present time, but I will just state again that the thing to do is to vote against the indefinite postponement and to pass this amendment and hope that some day we will wipe all of this foolishness against so called right to know.

The SPEAKER pro tem: The Chair recognizes the Senator from Kennebec, Mr. McMahon.

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: As a co-sponsor of this bill, with the gentleman at the rostrum, I thought a long time before deciding to speak, but I feel that I must.

I agree with the motion to indefinitely postpone the bill with all deference to my friend and co-sponsor, Mr. Snow, because, I think, number one, that the second paragraph of the amendment really isn't needed, it doesn't accomplish that much. Secondly, I think, the amendment runs against the grain of the intent of this bill and the intent of the earlier bill, L. D. 899, which has been signed into law by the Governor.

With the Senate Amendment on this bill right now, legislative committees would follow the same general guidelines as every other public agency. I think that we should not be willing to ask other public bodies to abide by rules differently than we will abide by.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Ingegneri.

Mr. INGEGNERI: Mr. Speaker, Ladies and Gentlemen of the House: With reference to some remarks about what should be and what should not be open to the public or any other persons, I would say that when you begin to get selective about openness in government, you end up by closing most of the doors.

There was a remark made that each legislature at each session should take this question up. I say that if you have openness, you have it in one session, it is based on a democratic principle and it should be based on a statute which should exist forever, except if future legislatures wish to debate it and amend it. I would say in summing up, that as Woodrow Wilson said, "you have to have open covenance, openly arrived at." There is no gray area, it is either open, honest, government or it isn't.

The SPEAKER pro tem: The Chair recognizes the gentleman from Ellsworth, Mr. DeVane.

Mr. DeVANE: Mr. Speaker, Ladies and Gentlemen of the House: Of all the public bodies whose proceedings should be open to all interested parties, paid agents, citizens, press and anybody who care to come, it should be legislative proceedings and the work of legislative committees. I would ask you to support the amendment for indefinite postponement.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Waterville, Mr. Carey, that the House indefinitely postpone House Amendment "A" to Committee Amendment "A". All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

71 having voted in the affirmative and 16 in the negative, the motion did prevail.

Thereupon the House voted to accept Committee Amendment "A" in concurrence. The Bill passed to be enacted and signed by the Speaker and sent to the Senate.

The Chair laid before the House the fourteenth tabled and today assigned matter:

**RESOLUTION**, Proposing an Amendment to the Constitution to Provide for Direct Initiative for Proposed Amendments to the Constitution. (H. P. 1421) (L. D. 1806) (C. "A" H-397, S. "A" S-214)

Tabled — June 5, by Mr. Rolde of York.

Pending — Final Passage. (Roll Call Ordered)

The SPEAKER pro tem: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: We had a pretty good discussion on this last week. I think, as far as I am personally concerned, I am very reluctant to see the Constitution opened up, as was pointed out last week, that this has happened at least at one state and the comment was made, it has turned the Constitution somewhat into a hodgepodge. I just hope that you will not vote for enactment of this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Standish, Mr. Spencer.

Mr. SPEAKER: Mr. Speaker, Ladies and Gentlemen of the House: This did receive a full discussion last week and I would just like to make one point, that is, as this bill is written it provides for an initiative mechanism for a constitutional amendments. It is not an initiative mechanism which requires that the proposal go on the ballot. What it provides is simply that if the requisite number of signatures is obtained, the proposed legislation will come to this legislature. It then must receive a majority of the full membership of each House in the legislature. It is not a majority of those present and voting but a majority of the full membership. If it doesn't pass that test, it is then dead and it does not go out to referendum; if it does receive a majority of the bill membership of the legislature, it then goes to referendum and must receive two thirds vote of those voting on it in the referendum. There are 14 states which have initiative mechanisms for constitutional amendments and of those 14 states, this proposal would be far the most conservative. The state that was referred to where this has created a problem requires that once you get the signatures, it goes on the ballot and this bill is very different from that bill.

Questions have been raised as to the impact of this bill on the bonding authority of the state and we requested an opinion from John Benoit in the Attorney General's Office and he has informed us that it would not have any effect at all on the bonding power authority of the state or on the states bond rating. We also checked with Rodney Scribner and he felt there would be no effect on the states bond rating, it is an entirely different subject and it simply establishes a mechanism whereby the public can initiate in a forceful way, a constitutional amendment. The Bill of Rights are excluded to cover situations that made some people on the committee nervous so that the initiative petition could not relate to an amendment of Article 1 of the constitution. I think that this is a very conservative initiative mechanism and I think that the fears which have been expressed in the corridors are largely unfounded. I would urge you to support it.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I consider that we have a fine group of people headed by Attorney General Brennan in the Attorney's General office. I have checked with them and I agree with the gentleman from Standish, Mr. Spencer. I have checked with Mr. Scribner, I had a long discussion with him. I have also checked with other people I consider are experts in the field and my fears have been relieved. On that basis, I am going along with this piece of legislation. I was concerned with these bonding programs and my fears are unfounded and I am satisfied that the gentleman from Standish, Mr. Spencer, was stating the facts as they are.

The SPEAKER pro tem: The Chair recognizes the gentleman from Solon, Mr. Faucher.

Mr. FAUCHER: Mr. Speaker, Ladies and Gentlemen of the House: I spoke on this bill last Friday, and I am not going to repeat what I said, but that bill was not good Friday and it is still not good today. I can assure you. It is just a backdoor approach to reduce this House. Now, if you read this bill and read it carefully and study it, this is what it is going to do eventually. So I hope you will go along with the motion to kill this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: Neither am I going to go over all the ground that was covered last week but inasmuch as in the debate it was pointed out that this was a bill for the people, I made an effort this weekend to talk to some of the people in the district where I come from and without anyone of them feeling any different, everyone of them rejected this concept. They feel as I do, and some of the others do, that the Constitution is in place and we shouldn't open up the possibility of having it modified on the basis of so-called popular wish. I hope we can let this little gem fail passage here today.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I wish to pair with the gentleman from Orono, Mr. Davies. If he were here, he would be voting yes; I am voting no.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Kelleher wishes to pair with the gentleman from Orono, Mr. Davies. If Mr. Davies were here, he would be voting yes; Mr. Kelleher would be voting no.

The SPEAKER: The Chair recognizes the gentleman from Blue Hill, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, I wish to pair with Mr. Tierney of Durham, if he were here, he would be voting yes; I would be voting no.

The SPEAKER: The gentleman from Blue Hill, Mr. Perkins, wishes to pair with Mr. Tierney of Durham. If Mr. Tierney were here, he would be voting yes; Mr. Perkins would be voting no.

The SPEAKER: A roll call has been ordered. The pending question is final passage. This being a Resolution proposing an amendment to the Constitution, it requires for final passage the affirmative vote of two-thirds of the members present and voting. Those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Bennett, Blodgett, Boudreau, Burns, Bustin, Carroll, Carter, Chonko, Clark, Connolly, Cooney, Cox, Curran, P.; DeVane, Doak, Dow, Drigotas, Dyer, Farley, Flanagan, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Higgins, Hinds, Hobbins, Hughes, Ingegneri, Jackson, Jalbert, Kany, Kennedy, LeBlanc, Leonard, Lynch, Martin, A.; McKernan, Mitchell, Mulhern, Najarian, Norris, Peakes, Pearson, Pelosi, Peterson, T.; Post, Quinn, Rideout, Rolde, Snow, Snowe, Spencer, Susi, Theriault, Twitchell, Usher, Wilfong.

NAY — Albert, Ault, Bachrach, Bagley, Berry, G. W.; Berry, P. P.; Berube, Birt, Bowie, Byers, Call, Carey, Carpenter, Churchill, Connors, Cote, Curran, R.; Curtis, Durgin, Farnham, Faucher, Fenlason, Finemore, Fraser, Garsoe, Gould, Gray, Hennessey, Hunter, Hutchings, Immonen, Jensen, Joyce, Kauffman, Kelley, Laffin, LaPointe, Laverty, Lewin, Lewis, Littlefield, Lizotte, Lunt, MacEachern, Mackel, MacLeod, Mahany, Maxwell, McMahon, Mills, Miskavage, Morton, Nadeau, Palmer, Peterson, P.; Pierce, Raymond, Rollins, Saunders, Shute, Silverman, Sprowl, Strout, Stubbs, Talbot, Tarr, Teague, Torrey, Tozier, Tyndale, Walker, Webber.

ABSENT — Dam, Dudley, Hewes, Jacques, Lovell, Martin, R.; McBairty, Morin, Perkins, S.; Powell, Smith, Truman, Wagner, Winship.

PAIRED — Davies, Kelleher, Perkins, T.; Tierney.

Yes, 60; No, 72; Absent, 14; Paired, 4.

The SPEAKER pro tem: Sixty having voted in the affirmative and seventy-two in the negative, with fourteen being absent and four paired, the Resolution fails of final passage.

The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker, having voted on the prevailing side, I now move for reconsideration and ask that you all vote against me.

The SPEAKER pro tem: The gentleman from Calais, Mr. Silverman, moves that we reconsider our action. Those in favor will vote yes; those opposed will vote no.

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

Sent to the Senate.

The Chair laid before the House the