

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

May 16, 1983 to June 24, 1983

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ABSENT—Armstrong, Brannigan, Brown, K.L.; Callahan, Dudley, Kane, Mahany, Masterton, Murphy, T.W.; Racine, Rotondi, Strout.

Yes, 115; No, 23; Absent, 12; Vacant, 1.

The SPEAKER: One hundred and fifteen having voted in the affirmative and twenty-three in the negative, with twelve being absent and one vacant, the motion does prevail.

Sent up for concurrence.

Non-Concurrent Matter

Bill "An Act to Create a Statutory Will" (H. P. 1182) (L. D. 1575) which was passed to be engrossed in the House on May 10, 1983.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-126) in non-concurrence.

In the House: The House voted to recede and concur.

The following papers appearing on Supplement No. 2 were taken up out of order by unanimous consent:

Bill "An Act to Effect Changes in the Statutes of Various Occupational and Professional Licensing Boards" (S. P. 562) (L. D. 1625)

Came from the Senate referred to the Committee on Business Legislation and ordered printed.

In the House, was referred to the Committee on Business Legislation in concurrence.

Bill "An Act to Establish a Program to Abate, Clean up and Mitigate Threats to Public Health and the Environment from Uncontrolled Hazardous Substance Sites" (Emergency) (S. P. 565) (L. D. 1638)

Came from the Senate referred to the Committee on Energy and Natural Resources and ordered printed.

In the House, was referred to the Committee on Energy and Natural Resources in concurrence.

The Chair laid before the House the following matter:

Bill "An Act to Include the Term 'Sexual or Affectional Orientation' in the Maine Human Rights Act" (S. P. 237) (L. D. 679) which was tabled earlier and later today assigned pending the motion of Mr. Connolly of Portland that the House recede and concur.

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

Mr. CONNOLLY: Mr. Speaker, Members of the House: I don't intend to renew the debate because yesterday virtually all the arguments for passage of this bill were made. Obviously, the vote of yesterday was very, very disappointing to those of us who have not only in this session but in the past tried to have this type of legislation enacted.

The fact of yesterday's vote and the fact that it was defeated by just about a 3 to 1 margin doesn't change the issue at all. The issue that is represented in this legislation is one of discrimination and protections that would be offered to protect a minority against discrimination, and that purely and simply is the issue. It seems a shame that we had an opportunity yesterday to do something not only historic and courageous but something very constructive. It is a shame, from my point of view, the kinds of things that have been done throughout history in the name of God and in the name of religion. I firmly believe that if the vote in this House were done by secret ballot, that this bill would pass overwhelmingly.

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

Mr. JALBERT: Mr. Speaker, Members of the House: Unfortunately, for a couple reasons I couldn't be here yesterday and the Speaker knows about it because I spoke to him about it. This morning I was strolling out of the hospital and I ran into a gentleman and he said, "are you one of the 37—in lieu of the word that we used to use around here and I have used it my-

self, it is not, I think, very nice. Yesterday I would have voted no. I spoke to him and I said, "young man, if I were you, I would not repeat what you just said because instead of going out that way to the hospital, you would be going in this way. I don't like that kind of conversation."

I have decided that people have a right to live their lives the way they want to live them. It is their business, it isn't my business what they do where, when or how. It is their business, not mine. I am going to vote no and I don't give a darn who knows it.

Mr. Speaker, Ladies and Gentlemen of the House: There are only two things that I want to say. I want the opportunity today to vote two times instead of one, because I forgot to vote yesterday in the course of the excitement and many other things. So I want to ask for 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 in favor of 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 desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Portland, Mr. Connolly, that the House recede and concur. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA—Andrews, Baker, Beaulieu, Benoit, Brodeur, Carroll, D.P.; Chonko, Connolly, Cooper, Cox, Diamond, Gauvreau, Hall, Handy, Hayden, Higgins, H.C.; Hobbins, Jalbert, Joseph, Kelleher, Ketover, LaPlante, Locke, Martin, A.C.; Melendy, Michael, Mitchell, E.H.; Mitchell, J.; Murray, Nadeau, Nelson, Pouliot, Reeves, P.; Rolde, Seavey, Soule, Stevens, Thompson.

NAY—Ainsworth, Allen, Anderson, Bell, Bonney, Bost, Bott, Brown, A.K.; Brown, D.N.; Brown, K.L.; Cahill, Carrier, Carroll, G.A.; Carter, Cashman, Clark, Conary, Conners, Cote, Crouse, Crowley, Curtis, Daggett, Davis, Day, Dexter, Dillenback, Drinkwater, Dudley, Erwin, Foster, Greenlaw, Gwadosky, Hickey, Higgins, L.M.; Holloway, Ingraham, Jackson, Jacques, Joyce, Kelly, Kiesman, Kilcoyne, Lebowitz, Lehoux, Lewis, Lisnik, Livesay, MacBride, MacEachern, Macomber, Manning, Martin, H.C.; Masterman, Matthews, K.L.; Matthews, Z.E.; Maybury, McCollister, McGowan, McHenry, McPherson, McSweeney, Michaud, Moholland, Murphy, E.M.; Norton, Paradis, E.J.; Paradis, P.E.; Parent, Paul, Perkins, Perry, Pines, Racine, Randall, Reeves, J.W.; Richard, Ridley, Roberts, Roderick, Salsbury, Scarpino, Sherburne, Small, Smith, C.B.; Smith, C.W.; Soucy, Sproul, Stevenson, Stover, Swazey, Tammaro, Telow, Theriault, Tuttle, Vose, Walker, Webster, Wentworth, Weymouth, Willey, Zirnkilton.

ABSENT—Armstrong, Brannigan, Callahan, Kane, Mahany, Masterton, Murphy, T.W.; Rotondi, Strout, The Speaker.

Yes, 38; No, 102; Absent, 10; Vacant, 1.

The SPEAKER: Thirty-eight having voted in the affirmative and one hundred and two in the negative, with ten being absent and one vacant, the motion does not prevail.

Thereupon, the House voted to adhere.

(Off Record Remarks)

On motion of Mr. Handy of Lewiston,
Adjourned until nine o'clock tomorrow morning.