

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME II

FIRST REGULAR SESSION

House of Representatives
May 17, 1993 to July 14, 1993

situation information that have no relationship to the investigation.

As far as setting precedence, we have quite a bit of the federal case law that addresses this and I would just like to read to you the statement from Elarez vs. the National Labor Relations Board to show that our federal courts have seen that there might be some of the questions that come up as to going into cases where we wouldn't normally go. So, the quote is, "If there is important public interest in disclosure of information and the invasion of privacy is not substantial, the private interest and protection of disclosure must yield to the superior public interest. However, if the invasion of privacy is serious and there is little or no public interest involved, the information is exempt from disclosure."

As you can see from the bill that we put forth, we found that there was public interest and public need to know. It was a unanimous report from the committee and I would appreciate your support.

The SPEAKER: The Chair recognizes the Representative from Waldo, Representative Whitcomb.

Representative WHITCOMB: Mr. Speaker, Men and Women of the House: I urge you as well to support the members of the Judiciary Committee in supporting this piece of legislation.

The reason I arise to speak briefly on the subject is I have, as you do, a copy of the concerns expressed by a lobbyist with a number of those concerns that were read into the Record by the Representative from Rockland. This lobbyist apparently represents some unknown clients, unknown to me anyway, who are concerned about this information being released. I appreciate that this lobbyist is paid to present that point of view. However, I think the overwhelming concern and consideration of this issue is the concern expressed by the sponsor of this piece of legislation, the Representative from Washington, and the public's right and need to know the full details of this sorry incident. So with that, I urge you to support the piece of legislation in front of you.

Mr. Speaker, when the vote is taken, I request the yeas and nays.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than 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 and voting having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before the House is final passage. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 206

YEA - Adams, Aikman, Aliberti, Anderson, Ault, Bailey, H.; Bailey, R.; Beam, Bennett, Birney, Bowers, Brennan, Cameron, Campbell, Carleton, Carr, Chase, Clukey, Cote, Cross, Dexter, Donnelly, Dore, Dutremble, L.; Faircloth, Farnsworth, Farnum, Farren, Foss, Gould, R. A.; Gray, Greenlaw, Gwadosky, Heino, Hillock, Hoglund, Johnson, Joy, Kerr, Ketterer, Kilkelly, Kneeland, Kutasi, Lemke, Lemont, Libby James, Lindahl, Lipman, Look, Lord, MacBride, Marshall, Michael, Murphy, Nadeau, Nash, Nickerson, Norton, Ott, Paradis, P.; Pendexter, Pendleton,

Plowman, Pouliot, Reed, G.; Reed, W.; Richardson, Robichaud, Rotondi, Rowe, Simoneau, Small, Spear, Stevens, A.; Stevens, K.; Strout, Taylor, Thompson, Townsend, E.; Townsend, G.; Townsend, L.; Tracy, Treat, True, Tufts, Whitcomb, Winn, Young, Zirkilton.

NAY - Ahearne, Carroll, Cashman, Chonko, Clark, Cloutier, Coles, Daggett, Driscoll, Erwin, Fitzpatrick, Gamache, Gean, Hale, Hatch, Heeschen, Hichborn, Holt, Hussey, Jacques, Joseph, Kontos, Larrivee, Libby Jack, Marsh, Martin, H.; Melendy, Michaud, Mitchell, E.; Mitchell, J.; Morrison, O'Gara, Oliver, Pfeiffer, Pineau, Pinette, Rand, Ricker, Ruhlin, Rydell, Saint Onge, Saxl, Simonds, Skoglund, Sullivan, Tardy, Walker.

ABSENT - Barth, Bruno, Caron, Cathcart, Clement, Coffman, Constantine, DiPietro, Jalbert, Plourde, Poulin, Swazey, Vigue, Wentworth, The Speaker.

Yes, 89; No, 47; Absent, 15; Paired, 0; Excused, 0.

89 having voted in the affirmative and 47 in the negative with 15 being absent, the Resolve failed of final passage. Sent up for concurrence.

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

The Chair laid before the House the third item of Unfinished Business:

An Act to Strengthen the Public Disclosure of Lobbying Activities (H.P. 1038) (L.D. 1390) (H. "A" H-593 and S. "A" S-317 to C. "A" H-528)
 TABLED - June 14, 1993 (Till Later Today) by Representative PARADIS of Augusta.
 PENDING - Passage to be Enacted.

On motion of Representative Joseph of Waterville, under suspension of the rules, the House reconsidered its action whereby L.D. 1390 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, Committee Amendment "A" (H-528) was adopted.

The same Representative offered House Amendment "B" (H-668) to Committee Amendment "A" (H-528) and moved its adoption.

House Amendment "B" (H-668) to Committee Amendment "A" (H-528) was read by the Clerk.

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

Representative JOSEPH: Mr. Speaker, Men and Women of the House: This is clarifying technical language that makes clear the intent of the committee as they passed the bill.

Subsequently, House Amendment "B" (H-668) to Committee Amendment "A" (H-528) was adopted.

Committee Amendment "A" (H-528) as amended by House Amendments "A" (H-593) and "B" (H-668) and Senate Amendment "A" (S-317) thereto was adopted.

The bill was passed to be engrossed as amended by Committee Amendment "A" (H-528) as amended by House Amendments "A" (H-593) and "B" (H-668) and Senate Amendment "A" (S-317) thereto in non-concurrence and sent up for concurrence.