

# MAINE STATE LEGISLATURE

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Senate Legislative Record  
One Hundred and Twenty-Second Legislature

State of Maine

Daily Edition

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December 4, 2004 to March 30, 2005

Pages 1 - 410

**NAYS: Senators: BARTLETT, BRENNAN, BROMLEY, BRYANT, CLUKEY, COURTNEY, COWGER, DAMON, DIAMOND, DOW, GAGNON, HASTINGS, HOBBS, MARTIN, MAYO, MILLS, MITCHELL, PERRY, RAYE, ROSEN, ROTUNDO, SAVAGE, SCHNEIDER, STRIMLING, SULLIVAN, TURNER, WESTON, WOODCOCK, THE PRESIDENT - BETH G. EDMONDS**

**EXCUSED: Senator: NUTTING**

5 Senators having voted in the affirmative and 29 Senators having voted in the negative, with 1 Senator being excused, and five being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Dr. Robert E. McAfee** of Portland, for reappointment to the Dirigo Health, Board of Directors was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber **Dr. Robert McAfee** of Portland. Would he please rise and accept the greetings of the Maine Senate.

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Off Record Remarks

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Out of order and under suspension of the Rules, the Senate considered the following:

**ENACTORS**

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

**Emergency Measure**

An Act Concerning the Confidentiality of Records Held by the Gambling Control Board

S.P. 32 L.D. 90  
(C "A" S-47)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with 2 Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

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Senate at Ease.  
Senate called to order by the President.

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Out of order and under suspension of the Rules, the Senate considered the following:

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act To Extend Civil Rights Protections to All People Regardless of Sexual Orientation"

S.P. 413 L.D. 1196

In Senate, March 29, 2005, **PASSED TO BE ENGROSSED.**

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "I" (H-92)**, in **NON-CONCURRENCE.**

Senator **HOBBS** of York moved the Senate **RECEDE** and **CONCUR.**

**THE PRESIDENT:** The Chair recognizes the Senator from York, Senator **Hobbs**.

Senator **HOBBS:** Thank you, Madame President and members of the Senate. I'll call your attention to House Amendment "I" (H-92) that has been attached to this bill. I just wanted to clarify what this particular amendment does. This amendment provides that the bill may not be construed to change any right to marry that exists under the United States Constitution, the Maine Constitution, or any law of the state. The original bill, which was voted on in this body, there was no nexus between what is known as the defense of marriage act, what is known as gay marriage, and the original bill. However, this amendment will make sure that everyone knows that there is no nexus and it was decided by both the opponents and the proponents that it would be better to, for clarification sake, even though it doesn't need to be clarified, have this amendment on the bill.

On further motion by Senator **HOBBS** of York, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#33)**

**YEAS: Senators: BARTLETT, BRENNAN, BROMLEY, BRYANT, COWGER, DAMON, DIAMOND, DOW, GAGNON, HASTINGS, HOBBS, MARTIN, MAYO, MILLS, MITCHELL, PERRY, RAYE, ROSEN, ROTUNDO, SCHNEIDER, STRIMLING, SULLIVAN, TURNER, THE PRESIDENT - BETH G. EDMONDS**

**NAYS: Senators: ANDREWS, CLUKEY, COURTNEY, DAVIS, NASS, PLOWMAN, SAVAGE, SNOWE-MELLO, WESTON, WOODCOCK**

**EXCUSED: Senator: NUTTING**