

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Fifteenth Legislature

OF THE

State Of Maine

VOLUME III

FIRST REGULAR SESSION

Senate

December 5, 1990 to May 20, 1991

Which Reports were **READ**.

On motion by Senator **CLARK** of Cumberland, Tabled 1 Legislative Day, pending **ACCEPTANCE OF EITHER REPORT**.

Senator **COLLINS** of Aroostook moved that the Senate **RECONSIDER** it's action whereby it **INSISTED** on:

Bill "An Act to Prevent Discrimination"
S.P. 175 L.D. 430
(C "A" S-32)

(In Senate, March 28, 1991, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (S-32).)

(In House, April 1, 1991, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.)

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Gauvreau.

Senator **GAUVREAU:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I would object to the motion by my good colleague from the County of Aroostook, Senator Collins. This matter, L.D. 430, has received as extensive and thorough of a debate as I believe is possible and practical. I think at this point further discussion would not be warranted. I think we have arrived at our respective positions, and I would therefore urge your opposition to the motion of my good colleague. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Matthews.

Senator **MATTHEWS:** Thank you Mr. President. Ladies and Gentlemen of the Senate. With respect to this item, which I am now asking for an opportunity, as well as some of us in this Chamber, to debate this issue, I do not agree with my good friend from Androscoggin, Senator Gauvreau, that this issue has received enough discussion. I ask anyone in this Chamber to stand up and say that they haven't heard from their constituents back home over the last few days. There is a great deal of outcry about the actions that this Legislature, some members of the Legislature, are trying to take on this issue. Many people do not agree with this particular Bill. Myself included. And simply, I must state for the Record my dismay, my somewhat state of shock in walking into this Chamber and finding this issue very quickly voted upon, and I must state further for the Record, that had I been in this Chamber and looked around this Chamber of the Senate and not seen the principal people on the opposition side, I would not have wanted to see this issue come up. That's considered basic protocol and courtesy, and I find that I am a little bit taken aback. This issue does need to be debated, ladies and gentlemen. It goes to the heart of what many of us in this Chamber, Republicans and Democrats, feel is a family issue. A moral issue. As important, in fact, more important than budgetary items, or other kinds of items that

are taking a great deal of time down here. I find it appalling! From the outset of this debate, some individuals would have us believe that the Senate, this Body of duly elected members, and the citizens of this State should not participate in this discussion, is amazing to me. Absolutely amazing. Victory at all costs.

Ladies and gentlemen, I hope that you will vote to reconsider this issue and give this issue an opportunity to be discussed by the membership of this Body. The public demands it, and I believe that your oath demands it as a Senator on an issue of this magnitude, and I hope you will vote to reconsider. Thank you.

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

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Clark.

Senator **CLARK:** Thank you Mr. President. Ladies and Gentlemen of the Senate. I must respond to the ever so gently phrased allegation of my good colleague, the Senator from Kennebec, Senator Matthews, in that a breach of protocol and/or courtesy occurred here this evening, and would apologize to any of those among my colleagues who feel that trickery was afoot.

I was requested to remove this item from the Tabled and Specially Assigned Table at the request of two Senators, who have obligations in their Senate Districts early this evening. Surely, we all knew that we were to convene at 5:00 o'clock, and that we were able to hear the bell, and be attendant to our responsibilities in a prompt and prudent fashion. If those among my colleagues this evening are offended, than I would submit that they have the option of accepting my sincere apology, but they also have my equally sincere invitation to be at their post of duty at the appropriate time. Thank you Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by Senator **COLLINS** of Aroostook, to **RECONSIDER**.

A vote of Yes will be in favor of **RECONSIDERATION**.

A vote of No will be opposed.

Is the Senate ready for the question?

Senator **TWITCHELL** of Oxford who would have voted **YEA** requested and received Leave of the Senate to pair his vote with Senator **BALDACC**I of Penobscot who would have voted **NAY**.

Senator **DUTREMBLE** of York who would have voted **NAY** requested and received Leave of the Senate to pair his vote with Senator **BRAWN** of Knox who would have voted **YEA**.

Senator **THERIAULT** of Androscoggin who would have voted **YEA** requested and received Leave of the Senate to pair his vote with the Senator **ESTES** of York who would have voted **NAY**.

President **PRAY** of Penobscot who would have voted **YEA** requested and received Leave of the Senate to pair his vote with Senator **ESTY** of Cumberland who would have voted **NAY**.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators **CAHILL**, **COLLINS**, **FOSTER**, **GOULD**, **HOLLOWAY**, **LUDWIG**, **MATTHEWS**, **PEARSON**, **RICH**, **SUMMERS**, **WEBSTER**

NAYS: Senators **BERUBE**, **BOST**, **BRANNIGAN**, **BUSTIN**, **CARPENTER**, **CLARK**, **CLEVELAND**, **CONLEY**, **GAUVREAU**, **GILL**, **KANY**, **MCCORMICK**, **MILLS**, **TITCOMB**, **VOSE**

ABSENT: **EMERSON**

PAIRED: **BALDACCI**, **BRAWN**, **DUTREMBLE**, **ESTES**, **ESTY**, **THERIAULT**, **TWITCHELL**, **THE PRESIDENT - CHARLES P. PRAY**

Senator **BERUBE** of Androscoggin requested and received Leave of the Senate to change her vote from **YEA** to **NAY**.

11 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 8 Senators having paired their votes, and 1 Senator being absent, the motion of Senator **COLLINS** of Aroostook to **RECONSIDER**, **FAILED**.

SENATE PAPERS

Bill "An Act Regarding Survivor Benefits in the Event of Remarriage"

S.P. 549 L.D. 1453

Presented by Senator **MATTHEWS** of Kennebec

Bill "An Act to Amend Certain Laws Administered by the Maine State Retirement System"

S.P. 562 L.D. 1466

Presented by Senator **THERIAULT** of Aroostook

Which were referred to the Committee on **AGING, RETIREMENT AND VETERANS** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act Relating to Registration of Electrologists"

S.P. 561 L.D. 1465

Presented by Senator **TITCOMB** of Cumberland
Cosponsored by Representative **CARROLL** of Gray and Senator **CAHILL** of Sagadahoc

Bill "An Act to Amend the Electricians' Licensing Laws"

S.P. 565 L.D. 1485

Presented by Senator **MILLS** of Oxford
Cosponsored by Speaker **MARTIN** of Eagle Lake, President **PRAY** of Penobscot and Representative **PINEAU** of Jay

Which were referred to the Committee on **BUSINESS LEGISLATION** and **ORDERED PRINTED**.

Sent down for concurrence.

Bill "An Act to Make Miscellaneous Changes to the Maine Revised Statutes, Title 34-A"

S.P. 569 L.D. 1489

Presented by Senator **HOLLOWAY** of Lincoln
Cosponsored by Senator **SUMMERS** of Cumberland, Representative **MANNING** of Portland and Representative **BAILEY** of Farmington
Submitted by the Department of Corrections pursuant to Joint Rule 24.

Which was referred to the Joint Select Committee on **CORRECTIONS** and **ORDERED PRINTED**.

Sent down for concurrence.

Resolve, to Create the Commission to Study the History, Status, Impact and Role of Independent Higher Education in Maine

S.P. 548 L.D. 1452

Presented by Senator **CLARK** of Cumberland
Cosponsored by Representative **GWADOSKY** of Fairfield, Representative **CROWLEY** of Stockton Springs and Senator **FOSTER** of Hancock

Which was referred to the Committee on **EDUCATION** and **ORDERED PRINTED**.

Sent down for concurrence.