

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD
OF THE
One Hundred And Seventeenth Legislature
OF THE
State Of Maine

VOLUME II

FIRST REGULAR SESSION

House of Representatives
May 24, 1995 to June 30, 1995

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

ENACTORS

Emergency Measure

An Act to Correct Errors and Inconsistencies with Regard to the Restructuring of Maine Government to Conform with the Provisions of the Texas Compact (S.P. 383) (L.D. 1060) (C. "A" S-286)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 111 voted in favor of the same and 6 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Permit a One-time Transfer of Retained Funds for Community Corrections Programs (H.P. 1095) (L.D. 1539) (H. "C" H-509)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of the same and 0 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, to Preserve the Dairy Industry in the State (H.P. 1021) (L.D. 1436) (C. "A" H-518)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 118 voted in favor of the same and 6 against and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

An Act to Reestablish the Great Pond Task Force (H.P. 890) (L.D. 1243) (C. "A" H-514)

An Act to Increase Access to Primary Care Physician Services in Maine (H.P. 1063) (L.D. 1498) (C. "A" H-429; H. "A" H-546)

Resolve, Authorizing the Sale of Certain Property in Connor (H.P. 1129) (L.D. 1574) (Governor's Bill) (S. "B" S-289)

Were reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Resolve, to Require the Brookton Elementary School to be Used as a Community Center for Northern Washington County (H.P. 1131) (L.D. 1576)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative MARTIN of Eagle Lake was set aside.

On further motion of the same Representative, rules were suspended for the purpose of reconsideration.

On further motion of the same Representative, the House reconsidered its action whereby L.D. 1576 was passed to be engrossed.

The same Representative presented House Amendment "A" (H-559) which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative MARTIN: Mr. Speaker, Men and Women of the House: For those of you who are not aware, Brookton is an unorganized territory and in which the state maintained an elementary school. That school has now been closed by the Department of Education. The Community in the area has requested that this be turned over to non-profit organization so that they can operate it as a community center. Washington County does not want to acquire ownership and agrees with the transfer.

What the amendment will do basically is to require that the institution that takes over the school will be a non-profit corporation under 501C3 designation and can not be a profit making entity.

House Amendment "A" was adopted.

The Resolve was passed to be engrossed as amended by House Amendment "A" (H-559) in non-concurrence and sent up for concurrence. Ordered sent forthwith.

SENATE DIVIDED REPORT - Majority (9) "Ought Not to Pass" - Minority (3) "Ought to Pass" as amended by Committee Amendment "A" (S-237) - Committee on **Legal and Veterans Affairs** on Bill "An Act to Increase the Number of Signatures Necessary for a Candidate to be Listed on a Ballot" (S.P. 403) (L.D. 1091) - In Senate, Majority "Ought Not to Pass" Report read and accepted.

TABLED - June 19, 1995 (Till Later Today) by Representative JACQUES of Waterville.

PENDING - Motion of Representative NADEAU of Saco to accept the Majority "Ought Not to Pass" Report.

Subsequently, the Majority "Ought Not to Pass" Report was accepted in concurrence.

An Act to Amend the Maine Civil Rights Act (H.P. 866) (L.D. 1216) (C. "A" H-361)

TABLED - June 14, 1995 by Representative UNDERWOOD of Oxford.

PENDING - Motion of same Representative to reconsider passage to be enacted.

The House voted to Reconsider.

On motion of Representative WATERHOUSE of Bridgton, rules were suspended for the purpose of reconsideration.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby L.D. 1216 was passed to be engrossed.

On further motion of the same Representative, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (H-361) was adopted.

The same Representative presented House Amendment "A" (H-536) to Committee Amendment "A" (H-361) which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative WATERHOUSE: Mr. Speaker, Men and Women of the House: On our committee, in the Criminal Justice Committee, every time we had a bill come down before us that had to deal with any of the laws or changing the laws, one of the first things we did was to look to see if there are any statutes on

the books that are already on the books to cover these situations. In the bill that this amendment applies to, all those violations are already on statutes and all those violations are already covered in Title 5 section 4681. Violations of constitutional rights and also state statutes in the criminal code 17-A, chapter 21, in section 501, in particular, is disorderly conduct. Section 505 is obstruction of public ways, 506 is harassment by telephone. They're all covered by state statutes. So basically, what the committee amendment did was take these present crimes that are on the criminal statutes and made them civil rights violations. What my amendment does is make it comprehensive for everybody and makes a civil rights violation for anybody that has these violations done against them. I think the law should be consistent and protect all and basically what this amendment does is it does exactly that.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Treat.

Representative TREAT: Mr. Speaker, Men and Women of the House: I ask you in the strongest possible terms to vote against the pending motion and do not vote for this amendment.

This bill has been through 3 votes of this body and represents a unanimous report of all 13 members of the Judiciary Committee. As you know we don't agree on everything. We had a long debate yesterday in which we didn't agree on a bill is before you. The committee bill supported by both the life coalition and the choice coalition and it was negotiated and introduced by the attorney general of this state. Organizations that support the bill as amended by the committee, but do not support any further amendments to this bill, include the Catholic Diocese of Portland, the Christian Civic League Feminist for Life, Maine Choice Coalition, the Maine Medical Associations and other members of the Choice Coalition. I checked with the attorney general's office in terms of the language of this amendment. They have concerns about it because it is not clearly constitutional based on the decisions that we have had already. Where as we know that the amendment adopted by the committee, the committee report, is in fact constitutional. The compromise represented by L.D. 1216 is a very carefully balanced compromise between the rights of people who protest and access to constitutional rights. The provisions of L.D. 1216 apply to all buildings with exception of noise and what this amendment does is it amends the noise provisions to cover all buildings. Right now the bill just addresses hospitals and other health clinics. There's a very good reason for this because the noise provisions are so much more intrusive in terms of people's ability to have people protest and we do have constitutional authority to address hospitals. I would like to read to you very briefly. I don't want to get into a long debate here, but this has been addressed by the U.S. Supreme Court in a decision by Chief Justice Rehnquist, and this decision dealt specifically with ordinances involving noise around hospitals and I would like to quote from this decision, Chief Justice Rehnquist said, "Hospitals after all are not factories or minor assembly plants. They are hospitals where human ailments are treated. Where patients and relatives alike are often under emotional strain and worry. Where pleasing and comforting patients are principle facets of the day's activity and where the patient

and his family need a restful, uncluttered, relaxing and healthful atmosphere. The first amendment does not demand that patients at a medical facility undertake herculean efforts to escape the cacophony of political protest." This is a decision that has upheld what is in our committee amendment. We do not have a similar decision upholding the noise provisions everywhere else. I would like to stress to you again, what is before you in the bill that we have enacted 3 times by vote of this body is something that has been agreed to by people who normally do not agree on any issue that affects in any way the issue of abortion. As you know we had a very long and difficult debate on that subject previously. Just in summary, I would like to say, 6 months ago Bishop Gary of the Portland Diocese convened a group which came to be known as the Common Ground Group. This was in the wake of several shootings as you probably recall in Brookline, Massachusetts at a Planned Parenthood facility. Many of us were skeptical, and I have to include myself in this, that this group could actually come to any kind of common ground and that there was a point in having people represent the life and choice coalitions getting together and talking. Many of us felt this is such a divisive and difficult issue that there can be no common ground. In fact, there was common ground and the common ground is the bill that we have passed in this body, and passed in the form that is already before you. It is a good bill the way it is. Please do not vote for this amendment. Please oppose the pending motion.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative WATERHOUSE: Mr. Speaker, Men and Women of the House: I disagree with the good Representative, Representative Treat. This is not, in my estimation, and I would like to see whether she got a finding from the attorney general or just a discussion, these are already violations in criminal statutes that are listed in this bill.

This is not a question of freedom of speech or first amendment rights. You have first amendment rights to peacefully assemble and whatever, but once you go into criminal violations in the code, which are listed in 17-A, you go beyond your first amendment rights. I can not for the life of me think of a reason why your first amendment rights or your civil rights, stop or begin at the entrance of an abortion clinic. They should be comprehensive and for everybody. If these violations listed in criminal statutes, now if you're in violation of 17-A in one of these sections, you can be arrested. You don't have a first amendment right to violate the law and these are already listed in criminal statutes. So if we're going to make them civil rights violations for any certain situations, they should be for everybody. I would say that if a good lawyer could take the committee amendment and take that to Supreme Court and find that this was an unconstitutional bill itself, because it does not apply equally to everybody.

I realize that in health care facilities, they can't get away from the noise, but there's a lot of other people in buildings that also can't get away from noise and they could have health conditions, too. They could have hypertension, They could have a heart condition, whatever, and if you're violating criminal code, and it's a civil rights violation for

one person, it should be a civil rights violation for everybody. I hope you'll support this amendment.

The SPEAKER: The Chair recognizes the Representative from Enfield, Representative Lane.

Representative LANE: Mr. Speaker, Ladies and Gentlemen of the House: I don't have the bill right in front of me or the amendment, but I have read both. I was rather alarmed when I read the bill because it seemed to me that the compromise, one, was one that was directed to abortion clinics and protestors outside of abortion clinics and we all have come to an agreement that's a good bill and it's passed thus far, then this amendment, I feel, makes it a better bill because it extends the same rights to everyone else and I urge you to adopt the amendment. We're not saying the other is a bad bill, we just want to make it more equitable and a better bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Plowman.

Representative PLOWMAN: Mr. Speaker, Men and Women of the House: I would urge you to oppose the adoption of the House amendment. This bill was hard worked long before it came to us. We looked it over. There is a difference between demonstrating outside of a health care facility and outside of the state house.

I still remember driving through Lewiston, pass St. Mary's and seeing "quiet, hospital zone." It impressed me then and it impresses me now when I drive by other hospitals. I don't think that it would have been fair for us to walk out on the balcony and tell state employees yesterday that they had no right to be here, because I have hypertension, or I have a heart problem, but I do think that if I'm in my doctor's office having a procedure done, a surgical procedure, I don't care if they are removing a mole off my finger, I really don't want the doctor to slip, I really don't want the doctor to be distracted. That is why we put this in, because the noise level does get to that detrimental level. I respect the opinion of the persons behind me who would like to have this extended, and I can understand why, but I also very much understand why this was put in and I understand how much hard work went into getting it there and I will be opposing the adoption of this house amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Lemke.

Representative LEMKE: Mr. Speaker, Men and Women of the House: I urge you to vote against the pending motion. I find it really remarkable that at this hour we are even debating this issue. This was a unanimous vote of the Judiciary Committee, it went under the hammer three times. It is a good fair piece of legislation, it has a wide range of support that cuts across partisan ideological lines. The good Chair quoted to you the opinion of Chief Justice Rehnquist. I really don't understand why we should be debating this, but I do understand that we should vote against the pending motion and I urge you to do that.

The SPEAKER: The Chair recognizes the Representative from York, Representative Ott.

Representative OTT: Mr. Speaker, Men and Women of the House: I believe that this amendment goes too far. The problem which brought this issue before the legislature was the escalating tensions in the on going controversy and debate over those who share a pro life philosophy and those who share pro choice.

This bill, as is presently amended and now before us, as has been indicated by Representative Treat, has been narrowly crafted and carefully designed to address the concerns on both sides of this debate. As you also just heard from Representative Lemke, it was the unanimous decision and report of the committee that it pass.

The proposed amendment that has now been placed before you tries to, I think, extend the bill and address a problem that doesn't exist. We're not talking about situations here, about demonstrations on college campuses, or before a nuclear power plant, or before some military base, where I think there is a different agenda on those who are conducting the demonstration. We are, however, with this bill, as it's presently before you, talking about extremely high emotional tensions that have brought about some of the tragic results that have just been mentioned. In my opinion, often times and perhaps maybe most of time, there's usually an underlying agenda with the demonstrations in front of abortion clinics, that involve more than just expressing opinion. Often times, there's an agenda of coercion, or intimidation, or just plain discouragement.

The bill in the present form, I think, provides a good balance between the constitutional rights of free expression, free assembly, and the need to address. What I think we can all admit and recognize it's a dangerous conduct that has escalated itself to often into the tragic violence and circumstances we hear about on the six o'clock news. I think adopting this proposed amendment would open up serious questions of constitutionality and other areas. I think, we need to preserve as places we can freely assemble and exercise our freedom of speech and one that comes to mind is our just recent demonstration and assembly before this state house just yesterday. I would hate to think that we would be involved in protecting rights, or suggesting that somebody's health may have been jeopardized or affected by the gathering before the state house steps. I don't see the need to go any further and I think we are just opening up Pandora's box for problems, enacting a bill that I think has been carefully crafted and deserves our passage. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative WATERHOUSE: Mr. Speaker, Ladies and Gentlemen of the House: I think we are missing a key point in this whole discussion. We're not talking about peaceful assembly. We're not talking about peaceful demonstrating, and I want to get on the record that state workers demonstrating in front of the state house yesterday were perfectly within their first amendment rights. They were not in violation of code 17-A, in the criminal code. This would only take place when you're in violation of the code. Now you're trying to tell me that if somebody's violating the code in 17-A for disorderly conduct that they're exempt. This has nothing to do with the first amendment right of freedom of speech and demonstrating. You didn't see the police out here yesterday arresting state workers for demonstrating, because they were not in violation of the criminal code. What we have listed in the committee amendment is a violation of criminal code statutes. They're already crimes. There's no contesting that. It's not a first amendment demonstration right conflict. Now if you want to

take criminal statutes out of the book and make them civil rights violations for one set of people and not civil rights violations for another set of people, that is not equality in law. First you have to have a violation of the law. Peaceful demonstrating outside a college campus, outside the state house, is not in violation of the criminal code of the state. These violations listed in the committee amendment are. There's the difference, folks. A rational person can see that. We're picking out one group of people, let's make it for everybody. It has nothing to do with first amendment rights. If you're going beyond your first amendment rights, you'll get arrested in the code in 17-A. Please support this amendment. Thank you.

Representative WATSON of Farmingdale requested a roll call on adoption of House Amendment "A" (H-536) to Committee Amendment "A" (H-361).

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 members present and voting. All 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 Chair recognizes the Representative from Bangor, Representative Lumbra.

Representative LUMBRA: Mr. Speaker, Men and Women of the House: I rise today in support of this amendment, but also in support of the bill. I am very pleased to hear that the pro choice and pro life people came together and found some common ground. I think that's great, but I don't look at this bill as a pro life, pro choice bill, I look at it as just a civil rights bill and I wish we could separate ourselves from the pro life, pro choice issue at this point since that is so divisive. The amendment here, I think, is a good one. The amendment to the original bill that we passed simply says that we're having added protection. The amendment broadens the original bill by making the added protection applicable in all contexts rather than only to civil rights violations that physician offices and health clinics that provide reproductive service. Then it goes on and where it broadens it is noise. The violation is if there is noise being made, the person making the noise has the intent to interfere with another person's right. That's simply what it says, with another person's right. So if we're going to do that, and we're going to say that we are going to put into law that we want some restrictions of noise being made outside of a reproductive clinic or health care clinic because of noise, and that may interfere with somebody else's right, I think churches have that right, I think many other buildings have that same right, that they shouldn't also be interfered with and all Representative Waterhouse's amendment says is it simply takes and changes two words. It changes the word from reproductive facility or health care facility to building. It's as simple as that. I think that's just a fair amendment and I do think it adds to this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Hartnett.

Representative HARTNETT: Mr. Speaker, Men and Women of the House: The real issue here, like so many of the issues we face, what is the problem we're trying to solve? As the good House Chair of the

Judiciary Committee, Representative Treat said many months ago a unique coalition, which had so long been on opposite sides of an issue decided to put down the rhetoric and the signs for just a moment to deal with a problem in our society and that was escalating violence in front of abortion clinics, health clinics, call them what you want, I'm not going to argue that point. We all know there was a problem arising in this country and given the deeply emotional and personal and moral nature of this issue, emotions were running very, very high and violence was starting to crop up. In an effort to sort of defuse this situation, this unique group of people, and I know you've heard it over and over again how many people were involved, but this the Maine Right to Life Committee, the Catholic Diocese, the Christian Civic League of Maine, Feminist for Life, a pro-choice Coalition involving business and professional women, the Family Planning Association, Maine Civil Liberties Union Planned Parenthood, and the Maine's Women's Lobby, these are not people who sit down to the table and agree on things too often and yet they were able to do it with this bill. The main difference between the committee's report and this proposed amendment is what we have and the committee report has withstood constitutional challenge. We know that it will work to defuse dangerous, potentially violent situations.

Representative Waterhouse, well intentioned as he is, and he may have a very good amendment, something that warrants further consideration, but we don't know it will withstand constitutional challenge. At the moment, we need that kind of law, we need to have it in effect so we can defuse potentially violent situations now, not waiting to have a court case to decide if we're okay.

I'm going to tell you something that I've only allowed to a few other members. I had a certain degree of ambivalence about this bill in committee. There are some serious freedom of speech issues and freedom of assemblies and things like that, well also I felt well this is Maine, it's not Massachusetts, and we won't have such situations. We are after all often rated the most safe state in the nation. I will admit that I even told the sponsor of this amendment that I had a fair degree of you know it could go either way. Then last Friday we had two very emotional issues regarding abortion debate on the floor of this House, you recall the 24 hour waiting period and the parental notification bill. I sat out the first and I think I spoke with a great deal of enthusiasm on the latter, after a long time arriving at that decision. I knew it wasn't going to be the most popular thing to say, because it's an emotional issue. I'll tell you what happened to me later on that afternoon, as I was intending to leave this House, walking down the glass, a member of this House stood and blocked my path. I went to step aside and they moved and again blocked my path, I went to step to the other side and again they moved to block my path, all the while muttering something which in the moment of tension I really didn't understand except that they were extremely displeased with what I had said on the floor of the House this morning regarding the abortion issues and that they never thought they would see the day and on, and on and on they rambled. I won't tell you what I said to this person, because it would be stricken from the record, but suddenly I realized what we are dealing with here. It's occasionally given the nature of

these issues, people will step over the line, will go too far. They won't allow your opinion to be expressed without getting in the last word, without trying to intimidate you or trying to block you. Suddenly my ambivalence on this bill just evaporated. I think this is a very good bill and I think this is a very bad amendment. I hope you will object the amendment, I hope you will go on to pass the bill.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse. Having spoken twice now requests unanimous consent to address the House a third time. Is there objection? Chair hears no objection, the Representative may proceed.

Representative WATERHOUSE: Mr. Speaker, Ladies and Gentlemen of the House: I disagree with my good friend and fellow Representative, Representative Hartnett. I think this amendment is constitutional. I think it would stand the test of constitutionality. It has the consistency of law. Now if you read the amendment and I strongly believe in the original committee amendment, I think it is a real good bill. I don't think anybody has a right to block anybody's entrance to a building. I don't think anybody has the right to make threatening phone calls and all the rest of the violations that are listed in the committee amendment. This does expand it, but it only expands it for the following reasons: you're not allowed to jeopardize the health of the person in a building, jeopardize the health, or to interfere with the exercise or enjoyment by any person in this building of rights secured by United States Constitution or the laws of the United States or rights secured by the Constitution of Maine or the laws of the state. Now if you think that other people have the right to preempt your rights beyond the sanctions of an abortion clinic and I have no problem with the laws restricting demonstrators that go beyond their bounds. I'm 100 percent for it and anybody who was on the Criminal Justice Committee with me can tell you, I'm not soft on crime. I'm very tough on crime. This is not an attempt to soften the original bill. This is not an attempt to go after somebody else's constitutional right of free speech or peaceful assembly. You can not tell me that there has not been other situations in other buildings, in other occupations when people have violated somebody else's civil rights under these statutes. Like I said, when you read the amendment, all it is is protecting your constitutional rights. It has nothing to do with freedom of speech or demonstrations. I don't think any lawyer could look at this and get this out of this. They have to be violating your constitutional right in the United States Constitution or the State Constitution. If they are not doing this, this bill is not going to affect them. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is the motion to adopt House Amendment "A". All those in favor will vote yes; those opposed will vote no.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

ROLL CALL NO. 218

YEA - Ahearne, Buck, Clark, Clukey, Driscoll, Dunn, Gerry, Gieringer, Guerrette, Joy, Keane, Lane, Layton, Look, Lumbra, Marshall, Meres, Murphy, Pinkham, Pouliot, Rice, Stedman, Tufts, Underwood, Vigue, Waterhouse, Wheeler, Whitcomb.

NAY - Adams, Aikman, Ault, Bailey, Barth, Benedikt, Berry, Bigl, Bouffard, Brennan, Bunker, Cameron, Campbell, Carleton, Chartrand, Chase, Chick, Chizmar, Cloutier, Cross, Daggett, Damren, Davidson, Desmond, Donnelly, Dore, Etnier, Farnum, Fisher, Fitzpatrick, Gamache, Gates, Gooley, Gould, Green, Greenlaw, Hartnett, Hatch, Heeschen, Heino, Hochborn, Johnson, Jones, K.; Jones, S.; Joseph, Joyce, Joyner, Kerr, Kilkelly, Kontos, Labrecque, LaFountain, Lemaire, Lemke, Lemont, Libby JD; Libby JL; Lindahl, Lovett, Luther, Madore, Martin, Marvin, Mayo, McAlevey, McElroy, Mitchell EH; Mitchell JE; Morrison, Nass, Nickerson, O'Gara, O'Neal, Ott, Paul, Peavey, Pendleton, Perkins, Plowman, Poulin, Povich, Reed, G.; Reed, W.; Richardson, Ricker, Robichaud, Rosebush, Rowe, Samson, Savage, Saxl, J.; Saxl, M.; Shiah, Simoneau, Sirois, Spear, Stevens, Stone, Strout, Taylor, Thompson, Townsend, Treat, Tripp, True, Truman, Tuttle, Tyler, Volenik, Watson, Winglass, Winn, Winsor, The Speaker.

ABSENT - Birney, Dexter, DiPietro, Jacques, Kneeland, Nadeau, Poirier, Rotondi, Yackobitz.

Yes, 28; No, 114; Absent, 9; Excused, 0.

28 having voted in the affirmative and 114 voted in the negative, with 9 being absent, House Amendment "A" (H-536) to Committee Amendment "A" (H-361) was not adopted.

Subsequently, Committee Amendment "A" (H-361) was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" (H-361) in concurrence.

The Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

The following items were taken up out of order by unanimous consent:

REPORTS OF COMMITTEES

Ought to Pass Pursuant to Joint Order (H.P. 582)

Representative SAXL from the Committee on State and Local Government on Resolve, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 1995 (EMERGENCY) (H.P. 1137) (L.D. 1580) reporting "Ought to Pass" Pursuant to Joint Order (H.P. 582)

Report was read and accepted. The Resolve was read once.

Under suspension of the rules, the Resolve was given its second reading without reference to the Committee on Bills in the Second Reading.

The Resolve was passed to be engrossed and sent up for concurrence. Ordered sent forthwith.

On motion of Representative CLOUTIER of South Portland, the House recessed until 6:45 p.m.

(After Recess)

The House was called to order by the Speaker.