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against adopting the loon plate because they would have lost that revenue. I also feel that this is very important that we have a plain plate. People don't want to spend the extra money. They register their car and you can identify it. If you don't want that plain plate, you will flip the extra $20 to parks and endangered game species animals will benefit. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Chartrand.

Representative CHARTRAND: Madam Speaker, May I pose a question through the Chair?

The SPEAKER: The Representative may pose his question.

Representative CHARTRAND: Madam Speaker, Men and Women of the House. What would be the trim color of the plain plate? Would it all be the same color or would there be color around it and the words a different color? Also, would it say Vacationland or not?

The SPEAKER: The Representative from Rockland, Representative Chartrand has posed a question through the Chair to any Representative who may care to respond. The Chair recognizes the Representative from Northport, Representative Lindahl.

Representative LINDAHL: Madam Speaker, Men and Women of the House. When I presented this initially I asked for a lobster plate without the lobster. It would be exactly the same. I do have an amendment, a House Amendment, that would remove the word Vacationland.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Wright.

Representative WRIGHT: Madam Speaker, Men and Women of the House. At first glance, a plain plate also appealed to me. Driving down the road I noticed that state government vehicles and federal government vehicles are all black and white. Do we want to be known as a branch of the federal government? I think not. Please defeat this motion.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Wheeler.

Representative WHEELER: Madam Speaker, Men and Women of the House. I am still Representative Wheeler from Eliot. I urge you to defeat the pending motion so that we can adopt Committee Amendment "B." Just a little clarification, the slogan vacationland is the oldest slogan on a license plate in the United States.

The SPEAKER: The Chair recognizes the Representative from North Berwick, Representative MacDougall.

Representative MACDOUGALL: Madam Speaker, Men and Women of the House. I will just say it very quickly. In deference to my fellow colleague, Representative Lindahl, that the Quoddy license plate has the support of most major newspapers and several major television channels throughout the state. Thank you.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Bodwell.

Representative BODWELL: Madam Speaker, Ladies and Gentlemen of the House. I urge everyone to vote for the black and white plate and to make the chickadee and the lighthouse plate specialty plates.

The SPEAKER: The Chair recognizes the Representative from Northport, Representative Lindahl.

Representative LINDAHL: Madam Speaker, Men and Women of the House. The loon plate was touted as the most successful conservation plate in the United States with over 96,000 of them having been sold. I think if you come out with a very attractive lighthouse plate, the sale of these loon plates is going to suffer and someone is going to have to make up the difference in this funding. Thank you.

The Chair ordered a division on the motion to accept Report "C" **"Ought to Pass"** as amended by Committee Amendment "C" (H-366).

A vote of the House was taken. 62 voted in favor of the same and 72 against, Report "C" **"Ought to Pass"** as amended was not accepted.

Subsequently, Report "B" **"Ought to Pass"** as amended by Committee Amendment "B" (H-365) was accepted.

The Bill was read once. Committee Amendment "B" (H-365) was read by the Clerk and adopted.

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

Under further suspension of the rules the Bill was passed to be engrossed as amended and sent up for concurrence.

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

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Paul who wishes to address the House on the record.

Representative PAUL: Madam Speaker, Ladies and Gentlemen of the House. This year, 1997, is the 50th Anniversary of the Maine Trappers Association. There are approximately 5,000 active trappers in the state. Eleven hundred of those belong to the association. Please join me in recognizing the men and women of the Maine Trappers Association on their 50th Anniversary. They are all upstairs.

On motion of Representative BUCK of Yarmouth, the House recessed until 5:00 p.m.

(After Recess)

The House was called to order by the Speaker.

Senate Divided Report - Committee on **Judiciary** - (8) members **"Ought to Pass"** - (5) members **"Ought Not to Pass"** on Bill "An Act to Prevent Discrimination" (S.P. 338) (L.D. 1116) which was tabled by Representative THOMPSON of Naples pending his motion to accept the Majority **"Ought to Pass"** Report.

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

Representative WATERHOUSE: Madam Speaker, Ladies and Gentlemen of the House. This is one of those issues not unlike issues that we have dealt with in the recent past. It is very emotional. There are strongly held feelings on both sides of the issue. I want to say right up front that I have deep respect for the opposing view on this situation. I would like to quote out of the Maine Constitution. It is a particular phrase that I love reading over and over again. It is on page 3 of the booklet, Section 6-A, "Discrimination against persons prohibited. No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of that person's civil rights or be discriminated against in the exercise thereof." I quote that because when I read that I have always felt as though the people throughout the state, no

matter who they are, are protected from discrimination. They have the same protections that I do. When we go beyond that, we set up a minority status when we chose to put people in the Maine Civil Rights Act. We feel that warrants that because of discrimination, abuse or whatever. We have a list of those on the bill that we are trying to add a new class of people.

This is not something that I have addressed recently. I have thought long and hard on this, years and years ago or through the years, I have dealt with this issue in different forums. I have heard all the arguments that I am sure all you have. We went through a long protracted situation with the question referendum one a while back. We heard the arguments then. We heard the expression special rights. The argument was, no, these aren't special rights, they are equal rights. I feel that when we go beyond the Maine State Constitution they are special rights because then you are in a class that warrants this type of status. If you are working at an establishment and an employer decides he is going to lay somebody off, it is only rational to conclude that somebody in the protected status is certainly going to be the last one to go because of the threat of being called discriminatory or having some civil violation or whatever.

When I look at the minority status, I look at the US Constitution. While it is used as warranting minority status, I am sure you have heard it all before, but I will read it again. The US Supreme Court has quoted three criteria. "One, an entire class. The class of members must show that they lack adequate education, income levels and the opportunity to advance in society. Two, an entire class have to show obvious characteristics that clearly identify them. Three, an entire class must show they lack political influence." If the question of referendum one taught us anything, I would put forth the argument that the group that is looking for that status now doesn't fit those criteria. I was amazed, as a lot of other people were, of the extreme amount of money that was raised in their campaign. Also, the large list of corporate people and whatever, large impressive groups were backing defeat of that referendum and the political clout. It was really impressive.

When I look at the gay community and I look at what is trying to be done with this bill as far a housing, employment and credit, I not only look at the information that I have had through the years and the different testimony, but I also throw in today my life experience. I haven't led a sheltered life. I have seen quite a bit of life. I am 54 years old and I am not saying it doesn't happen. We have evidence that it does happen, but I can tell you ladies and gentlemen, personally, that I have never heard of it myself. I have never had anyone come up to me and say, Paul, have you heard that so and so lost their job and I would say why, and they would say that somebody found out that they were gay. I never heard it in my life. I have never known anybody, personally, and I know gay people in my community and I have gay friends. In fact, the person who is a very dear friend of mine, almost a son, is a gay person.

When I look at the people throughout my community who are gay and I look at what kind of jobs they have or where they live and all the rest of that, this issue, barring the anecdotal evidence, doesn't warrant this special status. Ladies and gentlemen, this is not equal rights. Once you are in this group, a person who employs or does the other things have to be very careful that there is no insinuation that discrimination is a factor. Like I said, when I look around the community and I see people in my community who are gay and I look at the jobs they have, they certainly are not menial jobs, some do and some don't. They are just the average folks. I never heard that in my life. I was shocked when I heard testimony that somebody was refused to eat a meal in a restaurant. It is unbelievable. I have to ask myself when I walk into a restaurant, unless they knew me personally, how would they ever know I was gay to turn me down to eat? It is unfathomable to me. I am not saying it doesn't happen, but it is anecdotal.

One of the things I looked at when it came to housing, getting an apartment, I know renters, people I used to work for rented apartments. One of the big concerns of anybody who do rent can vouch for this, is getting your rent paid from your renter and making sure that they didn't damage the place. Hopefully, when they left you didn't have to put a lot of money into fixing it up. I can tell you, personally, myself, if I was running an establishment and if I knew the person was a homosexual, gay or whatever, I would never ever turn that person away. It is the same with a job. Most businessmen I know, we always heard the argument that business people, all they care about is the bottom line, making the big bucks. Well, you can be assured that businessmen do want to make money. If I had a carpenter working for me and he or she was dependable and they did a good job and they were making me money and I found out they were gay it would not make a bit of difference. They would still have their job as well they should. I put forward that 99 and nine-tenths of the time businessmen would feel that way. I can't imagine anyone getting rid of a good worker, good renter or a good person for a loan because they were gay. I am not saying it doesn't happen, but does it rise to the occasion that warrants this legislation?

We heard a lot in these debates on referendum one and we heard it from the executive and the side that wanted to defeat that referendum that this is a local control issue. I know you are going to debate that tonight. One of the things that was said at that time was they were worried about local control, but wait until it is time for state-wide gay rights. That will not be so much of a worry. Again, I hearken back to my community. I have never heard of a gay person being abused in my community. I have never heard of one losing a job in my community. I have never heard of one being turned down from getting credit in my community and my wife works in a bank, by the way. I would say that if you had that problem in your community maybe you need a little education. Maybe you need a forum to facilitate or work those things out in your community or maybe you ought to consider passing an ordinance, seems how referendum one was defeated. You have that option of doing that. If you think that local control was an issue back then, why isn't it an issue now? We have the City of Lewiston, I really didn't follow that too closely, but I guess they voted three to one to overturn it in their town and that supersedes local control.

We will be debating this for a while tonight. I do have a few other points then I will let other people talk, but I hope that you will put your emotions aside and take a look at this as a pragmatic issue. Does it rise to the point where this group of people deserve or warrant minority status in protection of the Maine Civil Rights Act or not? I guess that is the key question, I guess. I hope you will vote against the pending motion before you.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative THOMPSON: Madam Speaker, Men and Women of the House. The issue before us is extremely important. It is extremely serious and deserves all the respect that the men and women of this House can give them. The issue here is discrimination. There is discrimination against gays and lesbians in Maine. If you are fortunate enough to live in a place where you don't witness it, then you are a lucky person. As a heterosexual male, you are not likely to be the victim of such discrimination. You are not likely to be in a place where this is going to happen, but it happens. During our testimony at the Civic Center, we heard a number of people come forward and

give their personal stories, not anecdotal evidence, their own stories about events in their lives. Our neighbors and our friends being subject to humiliation, being fired from jobs, being denied housing and being denied credit so that they can buy a home because of discrimination. I won't even debate the issue of whether discrimination exists. It exists. The question is what we are going to do about it. We can sit on our hands. We can say it isn't so bad and it doesn't happen so often. We can hope it will go away, but it won't go away if we sit on our hands.

Discrimination, in any form, is wrong. Each one of you have an opportunity to help stop discrimination that is happening today and has been happening for as long as man has been alive, probably. I have seen it as a kid when other kids would get together and taunt someone they thought was a homosexual. I did it as a kid. I discriminated as an adult by laughing at someone's jokes. I am not proud of it. I can bet that today there are people who are around here who have heard jokes within the last day or two and chuckled at them. For every joke there is a victim of that joke and by sitting on your hands and doing nothing today, you are adding to that problem. I grew up believing that in America everyone is entitled to life, liberty and the pursuit of happiness. I was also taught, very basically, that every human being is entitled to three basic rights. You have the right to be fed. You have the right to clothing and you have the right for shelter. Yet, if we allow this discrimination to continue, we are interfering with each of those rights. No, gay and lesbians aren't going to go hungry. They will find a place to live and they will have clothing, but they don't have the same opportunities that you do for each one of those. Isn't that what it is all about? Not that any one of us are guaranteed a certain level of lifestyle or possessions, but that each one of us are guaranteed the equal opportunity for these things.

I sounds so simple to me. I understand arguments on the other side and they are good thinking people. I will never deny that. Every time we deny someone their rights we are diminishing all of us. I heard a lot of testimony and I heard a lot of issues raised. I heard that if we pass this that anybody could claim to be a homosexual and get special rights. It is not about special rights. It is about getting the same rights that you get. The great part about being where you are is that nobody denies you your rights. How do you identify a Catholic? How do you identify a Methodist? You don't. It comes up because somebody sees them go into a Catholic Church or they are in conversation and they mention they are a Catholic. The point is you can't discriminate against that person because of their religion. How will someone find out if someone is gay? Maybe they talk about it. Maybe all their friends know it. Maybe they really believe they have nothing to be ashamed of and they don't. All of that is a smoke screen. You have to believe that we are here to set public policy to protect people. I urge each and every one of you, especially those people who are undecided or on the line or leaning one way or the other, to vote from your heart to do what is right and to support this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Vigue.

Representative VIGUE: Madam Speaker, Ladies and Gentlemen of the House. In response of my good friend, Representative Thompson, in the 20s and 30s when there were very few blacks in the area, Catholics were being discriminated against by the KKK. They seemed to be coming after us. Don't feel that because you are Catholic and it doesn't show that you weren't discriminated against. I spent my life fighting a French battle when I got on the bus when I was a child and somebody would say that it must be that Catholic kid because I had certain odor. My mother used to put camphor around my neck. I know what discrimination is, but I tell you that I don't think that we have do go to this level. We have got numerous ways of approaching exactly what we are trying to do here. Normally, we argue the fact that we want to go with local control. Less than two years ago, gay activists told the people of Maine that they were against Concerned Maine Families referendum because they supported local control. How come they are now backing a state-wide gay rights bill that will take away everyone's local control? That does create some problems.

I have a letter that I just sent around from the Catholic Diocese of Portland where it shows that nine states have passed legislation giving rights to gays and lesbians, but they did take into account some of the problems inherent in the bill. That is to remove some of these positions. Nothing was even considered by the committee. This is the same bill that we looked at three times, in 91, 94 and again we are looking at the same bill. I think if we were so concerned about rights then we would consider the rights of Catholics and other Christians and try to live within the community. I would support the gay rights bill, if they would include some of these issues that were included in the other states, but not at this level. I think that we have to rework this and put on a couple of amendments. Then I would support it. This is a first, but we would have to have the amendments that are being proposed. I think Representative Waterhouse's amendment. I thank you.

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

Representative LANE: Madam Speaker, Ladies and Gentlemen of the House. This is a very difficult issue to debate. We all know that. We all wish that we could pass legislation to make hate go away. That is what we are facing here. We are faced with one segment of population judging another segment of population. One segment judges the others saying that you don't agree with our need for rights, you hate us. The other segment is saying that you don't understand us. We don't hate you. I want to say that I do not hate gays. I do not hate lesbians. I have worked with them. I have talked to them. I have gone to ball games with them. I like them or dislike them as people, that is all. I just don't happen to agree with their lifestyle. I don't happen to agree that we should pass a bill like this to give rights based on behavior. Race, color, sex, physical or mental disability, religion, ancestry or national origin are not behaviors. Sexual orientation is based on a behavior. I think it is wonderful that we seem to have a national guilt conscience and we have created such things as the hate crime unit to take care of some of these things. We have a hate crime division. We report incidents of bias. We have isolated things like sexual harassment and all sorts of crimes that have to do with judgment. I am afraid of the consequences of that. We are in a position where we are judging the motives of the heart. I don't think we need to pass statutes that judge people's motives or thought processes or behaviors.

There is one way of making this issue that has come before this Legislature time and time again to go away. There is one way to solve this problem, I think, so we are not repeatedly faced with referendums. I would suggest to the gay and lesbian community that they do a referendum drive and take it to the people of Maine. Put it on our ballot and let the people of Maine decide, once and for all. Do we want, as a state, to have special rights? I consider them special rights. If it passed, obviously people won't consider them special rights. Do we not want to have special protection for sexual orientation in our Constitution? Madam Speaker, may I pose a question, please?

The SPEAKER: The Representative may pose her question.

Representative LANE: I am sorry I am always catching you unaware. I don't do that intentionally. One thing that has always bothered me in this debate and perhaps a member of the

Judiciary Committee could explain to me and that is the word orientation. What exactly does that mean? If we pass this into law, who comes under it? Is that how you think or is it something you do? Is it behavior or a thought process and how do you prove it? Thank you.

The SPEAKER: The Representative from Enfield, Representative Lane has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Naples, Representative Thompson.

Representative THOMPSON: Madam Speaker, Men and Women of the House. Boy, I didn't think we needed definitions, but I think everybody knows what sexual orientation means. It is very clear. A man's sexual attraction is to another man. A woman's sexual attraction is to another woman. Thank you.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Kontos.

Representative KONTOS: Madam Speaker, Men and Women of the House. I am proud to have had the opportunity to be a cosponsor of, "An Act to Prevent Discrimination." I have been convinced that currently in Maine the rights of a certain minority continue to be violated. When I testified before the Committee on Judiciary I began with this quote which I share also with you. It is from the first inaugural address of Thomas Jefferson. "All too will bear in mind this sacred principle, that though the will of the majority in all cases is to prevail that will is to be rightful and must be reasonable and that the minority possess their equal rights, which equal law must protect and to violate that would be oppression."

In my judgment and in the judgment of many, this legislation is a civil rights bill. It makes discrimination unlawful. It gives no special rights to anyone, but it gives important protection to citizens of our state for whom a real problem of discrimination exists. It says a person cannot be fired from a job, evicted from an apartment, denied a loan or turned away from a restaurant or hotel solely because of his or her sexual orientation. The existing Human Rights Act already makes it illegal to deny employment, public accommodation or credit to all Maine citizens on the basis of race, color, gender, ancestry, national origin, age, religion and physical or mental disabilities. I believe, without a doubt and with my whole heart that we, as law makers, have a compelling responsibility to prohibit such discrimination on a statewide basis in order to protect all of our citizens. Not only do we have a responsibility, we have an opportunity tonight to demonstrate leadership in saying no to discrimination.

Contrary to the dissections of some, the Maine Human Rights Act does not give special job advantages to anyone. The act does assure that an employee or applicant for employment not be discriminated against because of sexual orientation, race, gender or religion. There is nothing in the Maine Human Rights Act that would require quotas. In fact, it would be unlawful discrimination under the act to do so. All other New England states have passed similar legislation. On Tuesday, New Hampshire, by an overwhelming majority made it illegal to discriminate on the basis of sexual orientation. Let us not be the only state in the region that allows this discrimination to occur. I suggest to you that the region and the nation, tonight, is watching us to see if we will make the right choice. Let us show them that we will not tolerate discrimination of any kind in our great state. For that reason, I urge you to vote for the Majority Report and make discrimination illegal in the State of Maine.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative O'Neil.

Representative O'NEIL: Madam Speaker, Colleagues of the House. In my short tenure in this body I have learned a few things. One of them is that when we approach an issue of this magnitude, the debate gets rather dull. I sense that the vast majority of us have pretty much made up our minds as to which way we will press that button when the time comes. For those few of you left who may be on the fence, I would like to impart a story. This story is about how I came to change my mind and come down on the side of Majority "Ought to Pass" on this particular LD.

It was several years ago that my best friend and I, who happens to live in Portland, were working together on a charitable event. We worked all day and he asked me if I would go out with him for a beer after we were done. I said, gladly. This person, you have to understand, at the time, was involved with the Equal Rights Law that was being enacted in Portland. He and I got into a philosophical discussion about that. I maintained my belief and my position that what he and his group were asking for was special rights. It sounds familiar to what we hear today. I maintained that belief. A little later that night when he and I were in what is known as a gay bar because this person happens to be gay, I have to tell you that I was the one that felt, you will excuse me, I felt like the "queer."

I really felt out of place in that room. It was a fabulous night spot as night spots go. He introduced me to several of his friends and acquaintances. Around midnight, feeling uncomfortable still, at least a little, albeit alighted a little, I told my friend that it was time for me to get out of there. I really did have to get up very early in the morning. I said my good-byes and made my way out. I want you to know that if I felt that uncomfortable in that environment, imagine how uncomfortable somebody who is gay feels when they are put in a compromising situation having to do with housing, employment, lodging or credit. I left this bar. My car was parked a good half mile away. It was midnight and who was at the top of the steps on this dark street to greet me as I left, wedding band and all, but a group of thugs. There were four maybe five of them. They proceeded to shout something at me that was really rather obscene and I immediately felt like saying, wait a minute guys, you don't understand, but I didn't go there. I kept walking. I was immediately fearful because they followed me. If I was this fearful, men and women of the House, over a case of mistaken identity, I ask you the empathize and think about how fearful somebody feels when they go into a situation of housing, employment, credit or lodging.

I proceeded to walk down the street and the jeers became a little louder and more frequent. They got closer. I decided it was a good time to break into a trot. Suddenly 10 or so feet beside me a bottle smashed. It wasn't a trot any longer. I scampered down an alley like a rat in the night horrified. I ask you if I was that horrified, again, over a situation of mistaken identity, imagine how horrified somebody would be in an issue of real gravity. Something that is important in their life. You see, I was a victim of gay bashing and that helped bring me around a little bit. I changed my outlook on whether or not folks needed to be protected. As to my friend, I have to tell you that he and I were friends for a good 15 years before I ever knew he was gay. When he told me he was, I was initially shocked a little bit, but I ultimately acquiesced and said that ultimately in addition to being gay, you have curly brown hair, blue eyes, right handed and you are the same guy. It just took me a couple of years and one frightening, horrifying experience in the streets of Portland to come around and realize that that political issue he was fighting for at the time was valiant.

My colleagues, if any of you still are swayable, I hope you can try to do as we were asked to do at the beginning of this session. You remember the walk a mile program. Try to empathize with the folks who get put into these situations of peril regarding housing, credit, employment and lodging. I am hopeful

that when you do, you will be able to confidently press the green button on the Majority "Ought to Pass" Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bucksport, Representative Bigl.

Representative BIGL: Madam Speaker, Men and Women of the House. I want to tell you how I am going to vote. Then I am going to give you a short little story of why I am voting that way. I am not debating an issue. I am just telling you how I am going to vote. I am going to vote for the "Ought to Pass." My dad came over from Germany in World War I. He lived in the community. We were members of the community and along came World War II. My dad became a dirty Nazi. It was different from being a Jew, right? I would see my dad come with his face smashed in. I would see my brothers come home hit with a baseball bat. I heard things said to me. At times I wished I was French. At times I wished I was Italian. I couldn't be any of those things because I was German. I had to live with that. I am speaking about discrimination. I am not speaking about the technicality. I am speaking about what comes from the heart and soul. That is why I am going to vote for this. Thank you.

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

Representative PLOWMAN: Madam Speaker, Men and Women of the House. Discrimination comes in different places and comes often. I have said this before. I have worked in a bank where the main branch was a size 8 and under. If you were a size 8, 6, 4 or 2 you could work downtown. If you were a 10 and above, you worked in a branch. I have seen it. There is no protection for that. Imagine looking around and finding out that everybody around you is a size 18 and you go down to the main branch to do something and everybody else is a size 4. You have to drive an extra 20 miles to get to work and everybody else gets to be downtown. There is nothing you can do about that in here.

I would like to tell you about a taxpayer supported group that gets together every once and a while and they hire people and they discriminate. Certain people, qualifications aside, will not be considered. In this group there are officers and the good jobs go to a certain orientation. If you are of the other orientation or another orientation, you don't stand a chance of getting that good job. There is nothing in here that says that you are protected. Would you like to know what that taxpayer supported group is? It is the Maine State Legislature. Every two years the majority party votes in nonpartisan officers. The party members that belong to the majority. If you, this year, were a Republican, you were discriminated against. You were not eligible for a $70,000 job. You are not eligible to work in one of the nonpartisan offices. You are not eligible to work in the partisan offices. I daresay that the Democrat National Committee would not hire me. I dare say that it is almost impossible to get a businessman in downtown Bangor to rent a Republican front space on the main street. They would rather lose money and have an empty store front than rent to a Republican. Political orientation is not protected.

Have I been discriminated against? I got thrown out of a store in my town by a Democrat when I first ran. He said, "I don't need your dirty Republican money." I couldn't buy anything in there if I wanted to. He wouldn't ring up my sale. Political orientation, I have been brow beat in the restaurants in my town. People have gotten up and said that I am not sitting next to a Republican. I had people tell me that they wouldn't sit next to a nursing mother. They found it reprehensible that I would actually nurse a child in public. There is no protection in here for a nursing mother. You can be asked not to do this.

So let's see. Nobody will rent to me. Nobody would hire me. I have been called a dirty Republican. I have had doors slammed in my face. I can't get a job in some of the best offices in the state, with the best paying and with the best benefits. Go figure. For those of you who are going to sit here and say that we are the only people that this ever happens to and we need protection, guess what? It happens to Republicans and 20 years ago it happened to Democrats. We have a Chief Executive Officer who is an Independent, but he may sometimes be misperceived as a Democrat. How would he fall in if we were to add religion as a protected? Would he have rights as someone who perceived him to be a Democrat when he was, in fact, an Independent and he wasn't hired for a job. I know a lot of people who are Independents. Would they be hired for a job unless they came right out and said that they supported all the Democrat principles so that they could have a $50,000 or $60,000 a year job? It happens. It is really fat. How many more categories do you want to keep adding?

I am not going to stand here and say some of my best friends are gay. Some of my best friends are my best friends and I don't care if they are gay or heterosexual or what. There is an assumption made here every time someone stands that people who are going to vote against this don't know anybody who is gay. They have never talked with anybody who is gay. They have never had someone say to them that they are gay and continued on as a friend. Can you say that you have never had a family member come to me and say I am gay? That is an assumption that you hear. Because I don't know anybody, I can't understand. I do know someone and he is very close to me. We talk and I have known him just about all of his life. Not once has he asked me to stand up for him in any other way, but as a person. I stand up for myself and I don't demand respect as a woman and I don't teach my kids to demand respect as little girls and little boys. I teach them to demand respect. I teach them respect. Gay bashing is not allowed in my house. My children are aware that people have different lifestyles. At the age of 10 my son is very accepting and knows that that is out there. He didn't learn it at school. I certainly got to him before he learned it on the playground.

I am ignorant according to the assumptions being made. The person that I am very near and dear to stands up for himself, but he deserves dignity for being himself. He does not take his dignity from being gay. He does not take his dignity from being French. He does not take his dignity from being Catholic. All of these other things and he does not rest solely on a gay identity. He is a wonderful three-dimensional person and, God loves him, he is a Democrat to boot. When we are talking about discrimination here, this taxpayer supported body does it every two years and in its hiring practices and does it with impunity. I ask you to defeat the pending motion.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Quint.

Representative QUINT: Madam Speaker, Esteemed Colleagues of the House. I am here today to present my personal testimony in support of LD 1116, "An Act to Prevent Discrimination." I struggled long and hard over what to say today because it is generally, even under the best of circumstances, not okay to say you are gay. I am proud of who I am and cannot separate the pride of being who I am for the commitment to serve the citizens of my district and the state.

This is not the first discrimination challenge my family of origin has had to endure. Forty years ago my father married a Catholic and I think they used to call them a "mick." My father's parents, my good and God fearing grandparents, refused to attend the wedding ceremony because my father was marrying one of those sinful Catholics. It is important to remember also that they stated that my father was making the biggest mistake. He was marrying a nonchristian and his marriage would probably

not succeed because of the incompatibility of Christian morals and Catholic values. My grandfather, before he died, made amends to my mother many, many years later. Forty years ago Catholics in my hometown were being denied employment, not getting loans for their farms and their homes and were denied public accommodations, in fact, as town history documents, there were even a few burning crosses found on the front laws of those Catholics. I am happy to say my parents are well, successful and still happily married. It is because of their commitment to God, their love of me and my strong Catholic and parochial upbringing that I have the courage and strength to stand before you today.

I am a second generation of the Quint family having to endure discrimination because of conservative, Christian principles. These same conservative principles who stated 40 years ago that my father's marriage to a "mick" was inappropriate behavior and are now saying today that my entitlement to civil right protections is about special rights and or a jobs bill. Not much has changed in 40 years and how the individuals of the conservative Christian right view members of my family, except today it is not about "micks" it is about "fags" and "dykes." I stand before you today to say discrimination against gays, lesbians, bisexual and transgendered individuals is an insidious and corrosive force in the State of Maine. Discrimination happens every single day. I know it because I have seen it. I have experienced it and I still carry around the fear, even the expectation that it could happen to me at any time. Every time I have to decide about where to stop on the road for a meal or think about applying for a job or considering getting a loan to make repairs on my home, I have to face the issue before you today. If I apply for a loan or a job, will I be discriminated against.

Ladies and Gentlemen, let's make it illegal. This bill needs your support because being gay is not a choice. The gay people of the state cannot avoid discrimination simply, as some people would suggest, by changing themselves. I know because I am gay and I know I cannot change that part of myself anymore than anyone else in this room can change their basic orientation.

Discrimination happens, I assure you. Many of my constituents and friends have shared with me personal experiences of being discriminated against and denied housing and employment opportunities strictly based on their sexual orientation. They live in constant fear of reprisal and concern for their jobs and housing. Discrimination based on sexual orientation is not only linked to urban areas or just Portland. Some of you may or may not know, but I was born, raised and lived 19 years of my life in Houlton. The shiretown of Aroostook County. It was a very common aspect of my life as a boy and as a young man growing up in Houlton to hear to the words "faggot" and "limp wristed sissy" and far more derogatory and insulting words. These words were intimidating and humiliating and painful to hear. These words were often spoken with angry and threatening gestures. Very often, as many people here today will testify, violence can also accompany those words. You may be thinking that this kind of conduct is about harassment. That is not what this bill is about. You may also be thinking that harassment and threats of violent behavior are already against the law and that there are criminal laws against such conduct.

Nevertheless, I will tell you this. If you are gay and you know there is no law protecting you from losing your job or your apartment should it become known that you are gay, then sometimes the only real choice is not to complain about harassment and not to seek police protection. This bill offers the kind of basic protection that gay people need just to be safely able to ask for police protection they too often need. I believe, I, and other gay people in Maine have something to offer in contributions to make to our communities and the state as a whole. However, as long as discrimination remains legal in Maine and as we keep 10 percent of our state's population from having civil rights, we effectively restrict the contributions of our gay citizens. This truly is a loss for all. We will not stop discrimination until legislation prohibits it. I am asking you to support me and all the other gay and lesbian Maine citizens by voting green on LD 1116.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Dunlap.

Representative DUNLAP: Madam Speaker, Men and Women of the House. A fair number of people have been asking me in the last couple months why I sought office. It is a good question. I think the answer must be that when I decided to seek this office, I wanted to look back in my old age and say that I didn't just sit back and make a squabble. I actually tried to make a difference. I really felt the effects of that sentiment yesterday during Welcome Back Day when the former Representative of Poland, Representative Goth was addressing us from the rostrum. It really made a big impact on me. He served in the 87th Legislature in 1935 and I am sure he made a good difference for his people. That is what I would like to do. I would like to make a difference for my people. I think when I look at this bill, it is very odd how we do it. We are always thinking of someone else. I think through many of these debates that we have had in this session, we are always talking about someone else. I find it curious that the information-communication age has so blinded us to ourselves that all we think of is other people. Someone else in the remote distance.

I have looked back through my somewhat shallow institutional memory and tried to think of an instance in looking at that listing of many times burdensome times when a group of people under that particular listing in the discrimination statute has made a mockery of it or abused it. I can't come up with that answer that a group of people listed in that statute has made a mockery of it by abusing it. I think we have heard a great deal of testimony here that is very compelling about various forms of discrimination. Of course, we are talking about one form of discrimination in this bill. The curious thing about it is that when you are talking about sexual orientation, if I were employed as a heterosexual, I am bringing this up because people keep bringing it up as a jobs bill. I don't think it is a jobs bill. That is why I mentioned that earlier point about how I don't think it has been abused in the past. If I were employed as a heterosexual man by someone who is gay, they can't fire me under this bill. I am as protected as they are. It is not just simply a protection for a group of people. It is a protection for everyone. I think that is the second point that we have forgotten in all of this.

I am going to vote yes. I am going to vote in favor of this bill. When I come back here in 2059 and Clerk MacFarland with the assistance of Assistant Clerk Mayo, is reading the roll, I can give that address from the rostrum. I am not saying I will be the oldest. Probably Brian Bolduc will be the oldest one because he will outlive me by a fair amount. If I am the oldest one, when I am 94 years old in the 149th Legislature when I address them, I will say that I made a difference. I helped protect the people around me. Thank you very much.

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

Representative JABAR: Madam Speaker, Men and Women of the House. I rise to urge those of you who are undecided to support this bill so that we, as Representatives of the State of Maine, can end discrimination once and for all. We must end discrimination, not because of the cards and letters we received and the numerous phone calls we received, but because it is the right thing to do. Do not be afraid, read John F. Kennedy's

Profiles in Courage. I am willing to bet that Representative Quint read his book. It is time to lead and it is time to tell our constituents why we did the right thing.

The arguments which have been presented to us are misleading and inaccurate. To label this a jobs bill is just simply wrong. Laws against discrimination do not afford special status to anyone anymore than it does to me being a Catholic. I cannot be fired because of my religion. I am protected by the law. I am 50 years old. I cannot be fired because of my age. I am of Lebanese ancestry. I cannot be fired because of that. These protections do not give me any special rights or any special status. It gives me protection. That is all this bill is doing, is giving protection from discrimination for gays and lesbians.

Most of us in this chamber are proud of our heritage and the heritage that we all share are common and diverse. Whether we are Irish, Franco-American, Polish, Native American, Jewish, German or Italian, it doesn't make any difference. We probably can all look back in our history and point to circumstances and times when our ancestors were discriminated against. That does not make it right. We have progressed in this country beyond that. We have outlawed discrimination against blacks, religion, women, disabled people and older people. It is now time to end this intolerance, this hatred and this discrimination against gays and lesbians.

I cannot tell you a story about someone I know or an incident that I was involved with involving gays. I urge you to support this bill because in your heart and in your conscience, you know it is the right thing to do. Recently, I went to the Holocaust Museum in Washington. It is really quite an experience. I witnessed and saw things about discrimination against not just the Jews, but against Catholics, gypsies, disabled people and, yes, against homosexuals.

I want to read to you a quote that I read from back in the 1940s. "I would like to develop a couple of ideas for you on the question of homosexuality. There are those homosexuals who take the view: what I do is my business, a purely private matter. However, all things which take place in the sexual sphere are not the private affair of the individual, but signify the life and death of the nation, signify world power or 'swissification.' The people which have many children has the candidature for world power and world domination. A people of good race which has too few children, has a one way ticket to the grave, for insignificance in fifty or a hundred years, for burial in two hundred and fifty years. . .

Therefore, we must be absolutely clear that if we continue to have this homosexual burden in Germany, without being able to fight it, then that is the end of Germany, and the end of the Germanic world. . ." Heinrich Himmler on a document entitled *Question of Homosexuality.*

I am not here saying that the people who do not support this bill are like the Nazis. The point I am trying to make here is that Germany back in 40s was a closed society, only to the Aryan race. There was no room for gypsies, no room for Catholics, no room for Jews, no room for disabled people and no room for homosexuals. I would like to think that in this country we have progressed well beyond that. We are an open, tolerant and enlightened society. In the United States we have always been proud of the fact that we are a melting pot of cultures, races, religions and ideas. What are we afraid of? We are not a nation built on fear. We have nothing to fear. It is time for us to now end this fear by supporting this bill and ending discrimination. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bath, Representative Mayo.

Representative MAYO: Madam Speaker, Ladies and Gentlemen of the House. I stand today in support of this particular piece of legislation as a cosponsor and as someone who feels very strongly on the issue. I personally feel that discrimination has no place in the State of Maine. Some of you may not be aware of the fact that I spent about half of my early years growing up in Old Town. Believe me, I saw considerable discrimination in that community. There was discrimination against the Franco-Americans and certainly against the Native Americans. We must not have people in this state allow discrimination against anyone, but particularly based upon sexual orientation, in the areas of employment, credit, accommodations and housing. If I felt that passage of LD 1116 was going to affect small business, I own three small businesses for over 30 years, I would have some concerns. We have not heard from NFIB, which represents small business in this state and we have heard on an affirmative basis from the chamber and business alliance. My constituents, by a small majority, are opposed to this particular piece of legislation. I have heard from many of them. Some with post cards and some with telephone calls and some with letters. However, I feel compelled to vote my conscience on this matter and I do hope that my constituents will understand the reasons for my vote when we vote tonight. I would urge that we accept the Majority "Ought to Pass." Thank you.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Davidson.

Representative DAVIDSON: Madam Speaker, Men and Women of the House. I am not going to expand too much on comments made by previous speakers although there was one point that was brought up earlier about political orientation. As someone who grew up in a huge family of all conservative Republicans, I am thinking about drafting an amendment.

Bills like these, the one before us, are the reason why I am here. We are asked on a daily basis to impart our judgment on hundreds and hundreds of bills. Today, for example, on the Banking and Insurance Committee we spent all day hammering out things like subrogation equity, insurance and ombudsmen for managed care. They are all important things. Very rarely, I would challenge you, that there is a bill that is going to be before us this session that goes right to the human spirit like this bill does. I was driving up today and felt really lucky to be able to be a part of this, what I hope is going to happen tonight.

I am strongly supportive of this bill. There are a couple of points that I want to make on it. I feel that a lot of times in this chamber, I am behind the eight ball. I came in here when I was 23 years old. I don't have the background of having a family, wife, kids and house. There are a lot of other things that I think generational gap that myself and other members of this body can bring to the ball game. One of my passions in life is studying African American literature. In particular, studying the history of the Civil Rights Movement. There are two points that have been brought up tonight that I couldn't help just sitting here and jotting down some notes that were directly relevant to that. If you go back and you read some of the testimony of certain Senators that were at that same moment, at their time and at their generation, that had the chance to vote on things like the Civil Rights Voting Act, you read a lot of people who look back now, 25 or 30 years later and you can read a tremendous article in the New York Times about this a while back about people who deeply, deeply regretted the decisions that they made 25 or 30 years ago in the way that history either smiles or frowns upon them.

I talked to my father, who was around my age in North Carolina while the Civil Rights Movement and a lot of the sit ins were happening down in his area. It is unfathomable for me. I literally can't believe the types of things that happened. I can't relate to them. I wasn't here. When I am married and I have

kids, I cannot wait to look those guys in the eyes and say that on May 8, 1997, I did what in my heart I knew was the right thing. Did everyone buy it? No. Was it comfortable for everyone? No. Was it comfortable for all my constituents? No, but it was the right thing to do.

On local control, you can go back further if you want to call it the Civil Rights Movement in the 1860s, emancipation proclamation, where people made what they thought were very, very good points that slavery is an integral part of the Mississippi economy. Let Massachusetts decide what they want to do and let Mississippi decide what they want to do. I assure you that in my heart there is no such thing as local control of basic human freedoms and basic human rights. I am strongly supporting this measure and I encourage you to embrace history and embrace this moment. You won't get many like them while we are here. Thank you Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Cowger.

Representative COWGER: Madam Speaker, Men and Women of the House. Let me first just say how proud I am to have Representative Quint as my seat mate. We should all be so lucky. LD 1116 is not, I repeat, not about providing special rights that we have so often heard. I draw your attention to the policy language in the bill and also the language of the Maine Human Rights Act, which calls upon us as a state to protect and I quote "All practices infringing on the basic human right to a life with dignity." As you have heard here tonight, if you are a Christian, Jewish, Buddhist or any other religion, you are protected against discrimination in the areas of employment, housing, public accommodations or credit. If you are married, widowed, divorced or single, you are likewise protected against discrimination against the Human Rights Act because of your marital status. If you are African American, Caucasian, Native American or another race or of a different ancestry then likewise, you too, are protected under this act. If you are physically or mentally disabled, male or female and regardless of age, you are also protected under the Human Rights Act, but you are not protected because of your sexual orientation. You can be fired from your job, kicked out of your apartment, denied lodging at a hotel or a bed and breakfast, legally, because you are gay or even if you are perceived to be gay. This is why there is a need for LD 1116.

I ask everyone in this room to consider personally the list of classes that are currently protected and whether you or someone you are close to is among this list. The only impact of this legislation is equal protection for everyone. I, again as I said, once before on the floor of this House, to call your attention to the Pledge of Allegiance, which we all took this morning, which said, "With liberty and justice for all." No where in this bill is there any language condoning or endorsing a particular lifestyle. This bill is just a protection of basic rights. Let's ask ourselves, do we have freedom from discrimination regardless of our religion, race or ancestry, sex or any disability or handicap? The answer is clearly yes. Is there the same protection from discrimination based on someone's actual or perceived sexual orientation? The answer is clearly no.

Please support this bill and show that Maine will not tolerate discrimination. I just want to make one other point. Maine, unfortunately will not be the first in the country on this issue. In many ways I am proud of our motto which says, "I lead" in translation. This is indicative of our independence and highly nature in the state. We need only look at New Hampshire, our neighbor, which only this week passed similar legislation. Many of my colleagues in this body point to New Hampshire as perhaps setting the model for Maine. I have spoken with some of you about New Hampshire's policy of no sales tax and you like that. Some of you have talked about lower paid legislators. They have that in New Hampshire. I am sure we will be discussing lower cigarette taxes, which encourage more sales over our border, they will have that. I ask you to take a look at this if you do not listen to anything else I say, and you agree with these issues, then join me in becoming the 11th state to grant equal rights regardless of sexual orientation.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Perkins.

Representative PERKINS: Madam Speaker, Colleagues of the House. I was torn on how to vote on this for a long time. The more I talked to the opponents and listened to the opponents the more I tend toward supporting this. I plan to vote for it tonight. Usually the discussion with the opponents came down to things we have heard tonight like special rights, jobs bills and all those things. I don't see how that is pertinent because the people are already listed in Maine. I don't see that as a problem. They talk about quotas and all those things. I don't see that as a problem with the groups that are protected now. The main thing that turned me around was when I looked at the opponents and looked them in the eye and said do you not believe there is discrimination based on sexual orientation? The answers that I got back are the reasons why I am going to vote for this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative O'Brien.

Representative O'BRIEN: Madam Speaker, Ladies and Gentlemen of the House. I am glad that Representative Davidson is comfortable and excited about this vote because I am clammy. I have to say that this is an extremely difficult decision for me. It has been throughout the campaign and before I decided to run. It has always been an issue that I have grappled with. Now I am here and need to make a decision. I know that opponents and proponents know that I am on the fence. I have been on the fence and I feel pulled in the last few days. I can't take two steps without hearing somebody else's view. I have sought out those views. Members of this body have given me books to read on both sides and I have done that. I have polled my constituents. Last night I talked to someone who wanted to speak to me who called herself a recovering lesbian. I also called a lesbian couple. I asked them the same questions back and forth. I have prayed about this. I have literally had nightmares about this. I have spoken to my minister about this and to me it isn't a political decision. It is a decision of conscience and it is a decision of my heart. I have finally come to the decision that I will vote for this.

I need to say that I am very uncomfortable. I have to say and I have expressed it to several people in the halls today. It is uncomfortable for me. It doesn't feel right. The gay lifestyle doesn't feel right to me. I will admit that. The bottom line is I had to think about what if one of my five children or if my brothers and sisters came to me and said that they are gay and am hurting. I am doing this for them. I am not rising to change anybody's view. Believe me, I wouldn't do that after what I have gone through the last few days. I would say that I ask for tolerance on both sides. Tolerance has to come from both sides. We can't claim to be tolerant and say we want diversity if we are not willing to listen to the other side. Both sides have very, very heartfelt views and they come from the heart and the gut. They are real. We need to remember that after we get out of here today, no one is a bigot, no one is a homophobe, no one is a whatever. This is probably the most difficult decision that many of us will have to make. Many of us are very comfortable with it and some of us are grappling. I implore you all to respect everyone's position on this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Kane.

Representative KANE: Madam Speaker, Ladies and Gentlemen of the House. The time has really come for this issue. We are finally at a point in history where we are able to reframe and redefine this whole issue, not as one of special rights, but as so many previous speakers have said, it is one of civil rights. Think for a moment the other protected categories currently covered, race, religion, nationality, gender, age and disability. Every one of the citizens in our country that have had to experience discrimination have gone through a very similar process, whether it is race, age or nationality.

We have heard stories from many of the speakers about their own and their families' experiences. Our society deals with these kinds of issues in a very predictable course. There is a history of oppression followed by a period of denial, rationalization and justification. Finally, an emerging period of enlightenment followed by, eventually, a period of action. We, ladies and gentlemen, are beginning to enter onto that bridge between enlightenment, which causes a great discomfort that many of us has expressed and action. We have a unique opportunity as several Representatives have indicated earlier of participating in a momentous event in the civil rights of our state. I urge you all to participate in that by supporting LD 1116. Thank you Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Saxl.

Representative SAXL: Madam Speaker, Men and Women of the House. I rise today as a cosponsor of LD 1116 and as a strong, strong supporter of this measure. When the vote is taken later today, I ask the Speaker for the yeas and nays. You have heard a lot of talk and I have read more than my share of day glow pieces of paper distributed by my colleagues on both sides of this issue. One this pervades this debate, discrimination is a reality in Maine today.

This is a story that I don't think I have shared with any member of this body. When I was growing up in Bangor, I had two very good friends. They were two of my very, very best friends. A young man I played hockey with since the age of six. I was on the left wing and he was on the right and another friend of mine who I grew up with and played senior little league with. He was on my baseball team. One day when we were in high school, one a sophomore and the other a junior and another friend of theirs went out into the streets of Bangor and they harassed a gay man. Not only did they harass him, but they beat him. Not only did they beat him, but they threw him over a bridge and he died. They did this because he was a gay man and because they feared him or they resented him or he was different.

Ladies and gentlemen of the House, discrimination is real in the State of Maine. I have heard my colleagues say that I am against discrimination, but. There are no buts today. Discrimination is never right. Nobody should be denied a bank loan solely because of their sexual orientation. No one should be denied that bank loan because they are a Catholic or a Jew. Nobody should be denied accommodations because of their sexual orientation, nor should they be kicked out of a hotel because they are old. This isn't about quotas. This isn't about special rights. This is about doing the right thing. My good friend, Representative Davidson, brought up the Civil Rights Movement. I think it is here today. Martin Luther King said to us that he had a dream that one day people should be judged by the content of their character and not the color of their skin. That is no less true today for us dealing with LD 1116, the civil rights bill. If Maine is truly the way life should be, then I ask you fellow members of the House to join me today in supporting this bill and making history in the State of Maine.

Representative SAXL of Portland requested a roll call on the motion to accept the Majority **"Ought to Pass"** Report.

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

The SPEAKER: The Chair recognizes the Representative from Wayne, Representative McKee.

Representative McKEE: Madam Speaker, Men and Women of the House. As I have said on this floor several times, I am a teacher. I teach at a high school not too far from here and I come from classrooms every single morning. I can tell you as a teacher of American literature and as a teacher who tries very hard to reflect a multi-asininity in America. As a teacher who has tried to expose students to the stories of Franco-Americans and African Americans and Native Americans and women and the survivors of the Holocaust. Having exposed them to the words of Martin Luther King and his letter to Birmingham Jail and listen to his responses to his quotation, "A threat to justice anywhere is a threat to justice everywhere" or "What affects one directly affects us all indirectly."

Leaving the classroom this morning I left Jim and Huck on the rack. At the school gym when Huck realized for the first time that Jim had feelings and he apologized for the first time in his life to a black man. Teachers across the State of Maine are teaching values every day by what we say, what we do, how we treat our students and by what we choose to teach in our classes. I can stand here and say tonight that I do believe that the children that I teach will go away from high school with a decent sensitivity toward African Americans, Native Americans, Franco-Americans, women and survivors of the Holocaust. I am worried about one group. I can tell you that what we do tonight will probably be the most important thing that I can tell my students tomorrow morning.

My students admit that they a homophobic. Mrs. McKee, I don't know why I feel this way. I just do. I don't like homosexuals. I say, remember when we read *Hunger of Memory* by Richard Rodriquez. Did we ask, is he gay before we read it? When we read that beautiful poem by May Sartin, did we ask, is she a lesbian? No. When we finished those books we had a heightened sense of what it means to be a Hispanic American. We had a heightened sense of what it means to be old and in a nursing home in the State of Maine. We had a heightened sense of what it means to be a human being. Have you ever seen a 17-year-old boy cry because he was being harassed because his parents, two women, who care for him and come in for conferences and love him? Have you ever seen a young 17-year-old unwed mother cry because she can't tell anyone else, except her teacher, that she is gay? Have you ever been in a crowded high school gym at an honors award ceremony with 10 people to be selected for a very select academic society when the spotlight suddenly flashes to a young man that you have watched grow, speak in class and you, is going to go on to make a great contribution to the world? When that spotlight goes on him there is a cat call. As he stands and he bravely marches down that aisle to accept the honor that he has worked so hard for to hear to gathering storm of cat calls. If we can do the right thing tonight, we can begin to address the remaining discrimination that I see in high schools.

I want to close with something that is on my bulletin board. It was written by a 14-year-old girl in an essay. "He prayed his prayer. It was not my religion. He spoke his language. It was not mine. He took my hand. It was not the color of mine, but then he laughed. It was the sound of my laugh. When I heard him cry it was the way I cried." I urge you to join me in voting to prohibit discrimination in the work place tonight in these halls.

The SPEAKER: The Chair recognizes the Representative from Rockport, Representative Powers.

Representative POWERS: Madam Speaker, Men and Women of the House. As I have talked to many, many people over the last year and a half knowing that this bill would be before us at this time, I find myself wondering why it is that I am so clear that I support prohibiting discrimination in Maine. I guess people on the basis of their sexual orientation. Actually that probably came from roots that I don't even remember although I can tell you I am proud that my grandmother and many of her contemporaries were deemed militant in their request for the right to vote. Their willingness to persist for what was only fair and just, despite all sorts of resistance, resulted in a social shift that none of us today questions. This is the same grandmother who after the second World War was willing to hire a young German refugee when most would not. In thinking about the conversation that goes back and forth about agendas and militancy. If there is any agenda in the effort to allow gay men and lesbians to have legal recourse when discriminated against, it is the agenda which seeks just the kind of fairness and justice that my grandmother stood for and for which I will vote.

Regardless of our agenda, for most of us here, it is unlikely that we will be discriminated against and if it were to happen most of us would have recourse to due process. Regardless of our gender we have that recourse as we heard of our religious traditions, racial and national backgrounds. We have that recourse. If any of us become physically or mentally disabled, if we are not already, we have recourse. I have not had to call upon our system of justice for protection from discrimination in any of these domains. Maybe you have, but most of you probably have not.

As with so many things we can forget and take for granted what our rights are, not even having to think that they are there to back us up. It is that to which we are entitled and we are fortunate to have others fight for the clear statement of those protections. For any of us who are not heterosexual, we cannot rest in the comfort of having recourse to due processes. If we are discriminated against because of the gender of a person we prefer to relate intimately with when it comes to matters of housing, credit, public accommodation and employment, we may not have needed that legal backup than I have needed to seek protection of the basis of my gender, age or ability. There is demonstrated discrimination against gay men and lesbians in Maine and there is no legal recourse. Again, it is about fairness and justice. It is not fair and it is not just. I urge you to join me in voting to accept the "Ought to Pass" Report on LD 1116.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Brennan.

Representative BRENNAN: Madam Speaker, Men and Women of the House. A couple of months ago there was a special on PBS on Thomas Jefferson. Part of the special had to do with the struggle Thomas Jefferson had in drafting the Constitution, but it also talked about the genius of Thomas Jefferson with coming up with the simple word, at that time, that all men are created equal. I am sure that if you were to draft it today that it would say that all people are created equal. Unfortunately we haven't always lived up to that lofty ideal that all people are created equal. My great grandfather and my great grandmother came over to this country from Ireland and were greeted by signs that said, Irish need not apply for jobs. That was discrimination. When I was 10 years old I lived in a town in the south and I went to the movies and to the bathroom and the sign over the bathroom said, White only. That was discrimination and the worst part about that discrimination was that it was sanctioned by law and it was sanctioned by the community. They said it was okay to discriminate. I would say that that discrimination against my great grandparents and that discrimination in that southern town was wrong. The discrimination today in this state based on sexual orientation is wrong.

I want to be able to tell my two sons that this state does not endorse by law the discrimination against people based on sexual orientation. I want to be able to go home tonight and tell them that this Legislature said that it is wrong. In 1993 I was here when this body of the Legislature, the House and the other body voted for the first time in the history of the state to end discrimination. I was proud we were able to move in that direction and it was unfortunate that there was a Governor's veto. It is rare, if ever, that I would ask anybody to try to repeat history but tonight I am asking each and every one of you to please repeat history. Repeat the history of 1993 because by repeating that history, we will make history. Thank you.

The SPEAKER: The Chair recognizes the Representative from St. George, Representative Skoglund.

Representative SKOGLUND: Madam Speaker, Ladies and Gentlemen of the House. There are a few here who were present when the anti-discrimination act came up a couple of sessions ago. We were privileged at that time to hear discussions similar to that which we have heard tonight. I want to thank my colleagues here for the elevating and uplifting discussion. It makes a lasting impression. Those of us who have heard it will not be exactly the same afterwards. I am grateful that I heard it before because it gave me great courage.

A few years ago I was sitting in church on a Sunday morning and opened the bulletin and the minister had inserted anti-gay pamphlets. It wasn't just information. It was inflammatory, complete with mean little cartoons of gay people. I was shocked and I was dismayed. After the collection was taken, I rose to my feet and I said, if you are as upset with this as I am, I want you to know that the deacons had no warnings that this would be inserted. It has never been the policy, nor the practice, of the church to engage in such activities. I sat down. Had I not heard from my colleagues giving testimonials on the anti-discrimination bill, I would not have had the courage or the good sense to have stood up at that point and spoken. It was an interesting outcome. Nothing was said. One old man said afterwards, "I am glad you said that." That matter never came up again. When people ask me how a deacon of a Baptist Church can support that kind of legislation, I say discrimination in my own church.

I know anti-discrimination laws are necessary, not only for the restraint of law, but for their educational value. This is an educational uplifting experience and I am glad to be a part of it for the second time. I remember how difficult it was to vote for the anti-discrimination bill the first time. It is not difficult this time. I do it with great confidence. I do it knowing that it is a good, kind thing to do. I hope you will join me in doing so. Thank you.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative Wright.

Representative WRIGHT: Madam Speaker, Men and Women of the House. During this debate I have been reflecting on my Irish Catholic upbringing. More than once I have caused the nuns to say a few rosaries for me. I am sure I drove my priest into fits by questioning what he said during the sermons. During my youth, I fell away from the church, teenagers know everything. Then seven years ago my father died and it has caused me to reflect on my Catholic upbringing. What keeps coming back are the words of Jesus. "Love your neighbor as you would love yourself. Do unto others and you would have others do unto you. Let those who have not sinned cast the first stone." I urge you all to reflect on these simple words as you vote tonight and I would also urge you all to vote to pass this. I thank you.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative MacDougall.

Representative MacDOUGALL: Madam Speaker, Men and Women of the House. I rise tonight because I am convinced that a broader agenda is behind this bill. Gay activists tell us that all they want is to be treated like everyone else and they do not intend to launch lawsuits or threaten civic organizations like the Boy Scouts. Within months following the enactment of Portland's gay rights ordinance, the Pine Tree Council of Boy Scouts of America headquartered in Portland was the target of homosexual activists. There were ugly demonstrations by about 50 members of Queer Nation and demanded that a lesbian be allowed to be a den mother. Following months of calls by gay activists, the United Way officially defunded the Boy Scouts in December of 1992 costing the Boy Scouts thousands and thousands in lost funding. The Portland United Way was the second chapter in the nation to take such an action. If we pass this legislation, ladies and men of the House, we will be setting up the State of Maine for attacks on fine organizations like the Boy Scouts. I think we all agree that the Boy Scouts are part of what is good in our nation and in the State of Maine and certainly within my own district. Thank you for listening.

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

Representative COLWELL: Madam Speaker, Men and Women of the House. I really felt compelled to speak since I am surrounded by the good Representatives Quint, Cowger and Jabar and they were so eloquent and I am so proud to be sitting back here with these fine men. I was raised to believe, like everyone here, that in America every person in our great country must be treated equally under the law. I was raised both to believe by my parents that it was never okay, never, to discriminate against anyone. In politics a lot of things are negotiable. This is not negotiable. Civil rights are not negotiable. Unfortunately in our state it currently is okay to deny housing, loans and jobs to people who are different. People who have different sexual orientation. That is why it is essential that we pass LD 1116 now. We need to send a message and we need to send a message that every citizen of the State of Maine does have equal rights.

The issue of special rights is a great advertising campaign, but it is a smoke screen ladies and gentlemen. This law guarantees no special rights. It only guarantees the same rights that all the rest of us have. Gay people do pay taxes. They do have the right to vote. They should have equal protection under the law. Currently they don't. I would suggest that a special right would be the result if we don't pass this legislation. That is the special right to continue discrimination in the State of Maine. That is why I urge this good body to vote yes on this LD. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Shiah.

Representative SHIAH: Madam Speaker, Colleagues of the House. I want to bring a little different perspective to this debate. What we are trying to do is amend the Maine Human Rights Act with this LD. The Maine Human Rights Act, as you probably know, is enforced by the Maine Human Rights Commission which is over in the Hallowell Annex in the old Stevens School in Hallowell. I happened to work for the Maine Human Rights Commission back in the late 80s. I sort of helped direct a project in housing discrimination. I got to see firsthand how the Human Rights Act is enforced in our state. I just want to mention a couple of things. How it works is someone who thinks they have been discriminated against under one of the categories contacts the commission office and an investigator is assigned to that case. Currently there are four investigators. What happens then is an investigator will go out and meet with the person and/or the person will come into the office and there will be an extensive fact finding discussion and research on each particular case. The investigators, after reviewing all this information, will bring it to the commission and ask the commissioners to make the final decision on each case. Currently some are concerned that maybe there are abuse or false charges brought that aren't true. I just want to let you know that the current investigators, of the four, I just talked to the director this morning, there is one who has two years experience in Maine and eight years of experience in Vermont for a total of 10 years experience in investigating human rights violations. Two of the other investigators have 10 years experience with the Maine Human Rights Commission and one investigator has 22 years experience at the Maine Human Rights Commission.

Those of you who may be concerned that there will be problems with enforcement or people will bring frivolous suits, I want to let you know that we are fortunate in Maine to have four very qualified and excellent professionals who investigate complaints on behalf of all of us. Traditionally, of all the cases that are brought to the Maine Human Rights Commission, approximately two-thirds are found not to have reasonable grounds or are dismissed for various other reasons and only one-third of the cases move forward. For those who might be concerned or are still undecided that there might be abuse of this law, I just wanted to let you know we are fortunate to have not only the commissioners themselves, but a staff of very professional and very capable people. I hope that is not one of your concerns in voting for this bill. I wish you would join me in strongly supporting this amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from Penobscot Nation, Representative Bisulca.

Representative BISULCA: Madam Speaker, Men and Women of the House. If I could vote, I would vote to support the pending motion to accept the Majority "Ought to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Glenburn, Representative Winn.

Representative WINN: Madam Speaker, Ladies and Gentlemen of the House. I, too, have conflicting emotional responses to this situation. However, what I am trying to focus on are the legal ramifications. It is an awkward position to be in because I think most people who know me think of me as a very compassionate and tolerant person. At least I think of myself as that. I think of myself as being a nice and decent person and certainly not a bully. However, I feel like if I vote against this bill, that I will automatically be classified as a bully. I want to stand here before you all tonight and let you know that that is not how I perceive reality. I don't think I am a bully.

I am planning on voting against this current motion as it currently exists for a variety of reasons. One is that I have asked numerous homosexuals in my district how they feel about this as well as other people around the state and the country. Most of the homosexuals really don't think this is necessary. I know not the ones in the balcony. A lot of them have said that it is really only the politically militant sexualities that are pushing this agenda and the mainstream average person really doesn't see the need for it. I have even asked some of the people in the balcony if they have ever needed this sort of protection and they said no, that they have never needed it. Nothing has ever happened, but they would like to have it there just in case. I would support some measures that provided equal protection for all human beings. I would support a measure that sends this out to a referendum so that all the people could vote on it. A couple of years ago $1 million was spent to convince people that this should be a local decision for each local community to decide for themselves. The state should not mandate the sexual issue on

the entire state. I have a district where I think that is very appropriate for each community to decide for themselves.

Orono tends to see this issue one way. Kenduskeag and Levant tend to see the issue completely differently. I think they should be allowed to make their own decisions. I could also support amendments that address the concerns that were raised by the Catholic Church. I think most of those are very reasonable. I could also very easily endorse changing the individual specific laws that are barriers to access. I have raised this issue to numerous people saying that it is really true that a bank is not going to lend to a person, no matter how much interest they can get, because of their sexual orientation, let's change the banking laws. If it is really true about housing, let's change the housing laws. If it is really true about labor, let's change the labor laws. I don't see a need to provide blanket umbrella protection because of sexual orientation. I am trying to show for the record that I am flexible. I am not a bully.

I am trying to take care of people, if they have a legitimate need, but since many people tonight have talked about their own personal perspective, I am going to talk about mine. The last time we had an emotional debate like this it was about abortion. As you will remember I had spoken and during the conservation I mentioned that I have a severely handicapped child. For those of you who have actually read this LD, on line 15 is the list of the protected categories. Right now it says that a person will have protection because of color, sex, physical or mental disability, etc. On line 15 they want to make it color, sex, sexual orientation and then physical or mental disability. Basically, what they are saying is that someone that is bisexual is going to have the same protection as somebody that is physically or mentally disabled. Down on line 27 or so it says bisexual or having a history of that preference or being identified with that preference. I have a hard problem saying that someone that is bisexual needs the same protection as someone who is physically and mentally disabled. I have a hard time saying that somebody that is homeless and mentally ill doesn't need more protection. I have a hard time saying that the gentleman that we saw this afternoon in the wheelchair is supposed to have the same protection as someone who is identified as being bisexual. I also have hard time with this existing language on line 20 where it references credit. It says you cannot be denied credit on the basis of age, color, race, sex or sexual orientation, marriage status, religion, ancestry or national origin.

Anyway, they are adding this credit, but you can't be denied credit because of your sexual orientation. They are allowing you to deny credit to someone who is physically disabled. Basically the gentleman we saw in the wheelchair out in the lobby is going to have a harder time getting bank credit than someone who is bisexual. I have a problem with that. For those of you who are interested in the historical perspective and a lot of people seem to be. There is a whole issue of providing protection for people who are physically and mentally disabled go back to the United States Constitution where it says that if we deprive somebody of their liberty, we have to provide them with due process of law. The point is if you lock somebody up, if government takes a mentally disabled person or physically disabled person and locks them up or deprives them of their freedom it is the responsibility of the government to ensure that extra special protection is there to make sure that the situation is not abused. For example, that is why we have the Pineland Consent Decree. Those mentally disadvantaged people were basically locked up in an institution because the government locked them up, the government was responsible to guarantee due process of law.

Many of you, especially on the Education Committee, have been hearing another bill about the black box, about taking handicapped children and locking them up in a black box in school. The reason why that is such an issue is because, yes, government can take disabled people and lock them up in a black box and granted there may be situations where that is appropriate. Because they have lost their liberties and their freedom, it is governments' responsibilities to provide extra measures to protect those people.

I, as I mentioned, have a daughter who is mentally disabled and she has a friend Darlene who is severely mentally retarded and another friend Amy who is a dwarf who is in a wheelchair. These people need us to help. These people need an extra hand. I am not convinced that the people because of sexual orientation because someone is identified as being a bisexual needs the extra hand. In helping me make this decision I referred to the United States Supreme Court which has three criteria for making a decision as to whether a group should receive protected status. The three criteria are basically that as a group they are identifiable. I will tell you personally I don't know, I don't care and I don't think about what people's sexual preferences are. I don't think anybody can identify this group as whole. I know I was speaking with another member of the body recently saying and expressing my concerns about this bill and then they told me during the conservation that, yes, they were now a homosexual themselves. I felt awkward, but the point was that I did not know who I was talking to.

In the bathroom a couple of hours ago I was in one of the stalls and there were a couple of other people in the other stalls and they were talking about this bill. One person said, "I want to have a sticker. I need to have a sticker. I feel the need to be identifiable today." The point being that without the sticker none of us knew who she was or how she felt or what she was inclined to think or act upon. The point is that as a group homosexuals are not identifiable. The second point is that as a group in order to receive protected status, you are supposed to show strong evidence that as a group you are consistently, economically and socially disadvantaged. I think all of us know that this isn't a criteria that this group has met. They have high incomes, very successful businesses, the most lovely homes in my district and high education levels. On the other hand, I do know a lot of other people who are mentally ill and physically disabled who are not able to enjoy that high standard of living. Again, the point is that as a group, I do not believe that at this point and time they are economically and socially disadvantaged.

The last point is that as a group in order to receive special protection you are to be politically powerless. I think it is obvious for anybody who knows, we have had people in the most powerful positions in the State of Maine, past and present, who control enormous amounts of wealth and enormous amounts of political pressure and power. They are extremely active and extremely effective. I am not going to go into all the different positions in this body, on the second floor and in the national level that are in this group, but it is a lot. They are not politically powerless. Again, looking at this criteria from the Supreme Court, I do not see why this group, or how this group, meets criteria logically for inclusion as special protected class. They are not identifiable. They are not disadvantaged and they are not politically powerless.

I see this in some ways, this is probably a creative alternative way of looking at it, but I see this as relating to the Endangered Species Act. I think it is true that there are certain species that need special protection, like the falcon and the bald eagle, but I don't think the robins and the chickadees need this special protection. It is not that it is a personal issue. I personally don't care for falcons. I personally am delighted when the robins return. I do honor the chickadees for their strength and endurance. The point is that there are some groups, categories and species that are truly endangered and truly need the extra

protection that government can provide them. I think it is an insult to the species if you add everybody into the endangered species act. If you add the chickadees and the robins, it is an insult to the bald eagles and the falcons and the whole concept behind it. It is supposed to be there for species that really need the extra hand.

Yes, I understand that a lot of painful things happen and I understand that people say mean things and that they don't follow the golden rule. I feel very bad about that. This law isn't going to stop people from being bullies. It is not going to make parents show up for a wedding if they feel the way they do. I know. I married a Democrat two decades ago and my parents still aren't talking to me, at least not much. I know how it hurts to have people call you names. I haven't said this for probably 30 years, but my nickname was jolly green giant. That hurt a lot. I know it is uncomfortable to have to censor yourself, but you would like to be free and say whatever it is you want to say, but it is true that we all need to censor ourselves. I have to censor myself about swearing and about smoking. I couldn't smoke during the whole campaign because I knew people wouldn't vote for me. When I lived in sin I couldn't tell my parents and played all sorts of tricks. I have had to pretend that I am not too smart because people don't like smart people. I have had to pretend that I am not too tall and back off and learn new body language. It is not nice to discriminate, but I think to a certain extent part of this happens and this law isn't going to stop that sort of thing from happening.

Again, I guess the final point is that there are some people that really, really need the extra hand and the special protection from government. Those are the mentally ill and physically handicapped people. I really don't think at this point in time that people who are bisexual really fall and meet those three criteria. The one point that I want to close in on besides showing that the logic does not warrant adding this group of people to protected status and reminding you that I am willing to change the individual laws or send this out to referendum or change the entire language to protect everybody equally. The last and final comment I want to make is regarding fear. People were saying that is a fear issue. It is not. I have two daughters. One who is handicapped and one who may very well turn out to be gay. I still feel the way I do. The handicapped daughter needs the help. The gay one will do fine on her own. Thank you very much for letting me explain my position.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Mailhot.

Representative MAILHOT: Madam Speaker, Ladies and Gentlemen of the House. I rise this evening as you well all know being on the Judiciary Committee. You all know my vote was in support of the act against discrimination. I will tell you why. As you all know, I am from Lewiston and that doesn't scare me a bit. I am very proud of it. At the public hearing at the civic center, a person from Lewiston stood right in front of me. They had tagged the front of the building with two or three rows from Lewiston. He pointed his finger right at me and he said, "Don't forget. Lewiston will remember you and we are going to remember the next time elections come." That didn't scare me either. There was a letter left in the doorway of my house with the voting records of 1993 on the anti-gay referendum that Lewiston had. They didn't scare me either. What does scare me is that about a year and a half ago I was in a place of business and this person that I know very well needed a receptionist. This gay man had applied for the job and this person had told me that this was the best person that I could ever get. He is great with a lot of credibility and integrity. This person would be the greatest person for this job, but I can't hire him because he is gay. I am afraid I am going to lose business and I can't take that risk. The other thing that really scares me and hurts me even more is that there are parents, relatives and friends that don't accept their children, their relatives and their friends when they do find out that they are gay or lesbians. That is a thing that should never, never happen anywhere. I beg you to vote not to discriminate in the State of Maine and support this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Chick.

Representative CHICK: Madam Speaker, Ladies and Gentlemen of the House. First off, I would say that I don't intend to spend a lot of time in mentioning things that have come to my attention this evening. I have said to people in the halls today that I intended to listen to the debate here this evening. I don't believe that I am about to expire. However, a lot of experiences in my life have gone across my mind this evening. I have served time in the military. I have spent many terms on school committees. I have served in municipal offices. I have served on both sides in labor, head of a union then I sat on the other side. Thinking about all these experiences, I am going to support this bill because I don't believe that it is really about some orientation. I believe it is about discrimination. The experiences I have had in my life have been many that I couldn't rule out that there wasn't discrimination. Simply put, I don't find any problem about looking around to see who is going to float a referendum to put it back on the voters. I believe that the district that I was elected from sent me here to make a decision and I am not going to shrink from that, not this evening. I would say that I intend to support this bill and to try, as best I can, to stop discrimination. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Chartrand.

Representative CHARTRAND: Madam Speaker, Men and Women of the House. Like my good friend from St. George, I have been very moved by a lot of the statements from my colleagues here tonight. I plan to vote for this bill, not because it will end discrimination against gay people or any other people, because it won't end that. We will have discrimination. Gay men and women will still be discriminated against in this state and in other states. Other people will be discriminated against for other reasons and be singled out because for some reason some of us feel that some people are lesser than ourselves at times. That is why it is important for all us in this chamber to send a strong message to our state and our constituents tonight that we believe it is time to at least make this type of discrimination illegal. It won't end, but it will give some of the people who are victims of it a legal outlet. It will give all of us a little better feeling or movement toward a spirit of tolerance in the state and elsewhere. It is important, I think, to send that message to the people of Maine with a strong majority. I urge all of you who might be still considering how to vote on this to join in with what we hope to be a strong majority to pass this bill and to send a message to all the people of this state that it is time to end or to at least begin to end this type of discrimination and create a little broader spirit of tolerance throughout the state. Thank you.

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative Bruno.

Representative BRUNO: Madam Speaker, Men and Women of the House. Like the good Representative from St. George, I was here four years ago when this bill passed the first time. I am ashamed to say that I voted against it the first time. It wasn't an easy vote. Anyone who is not feeling comfortable, like we heard tonight, this is not an easy vote because many of your constituents feel that this will not pass, but this comes down to your own personal judgment. My children say to me, "Why do you tell jokes like that?" I can't answer them. It is just plain wrong. In four years I probably have grown up a little bit or

matured a little bit and maybe got a little grayer, not as gray as my friend from Lebanon, but I am getting there. If someone like Representative Chick who has lived a lot longer than I have and has had many more experiences than me can vote for this bill, I know I can. I am glad to have come back and had another chance to do it again. I am in a different position now where I deal with different people. I think that experience that I have gained in the last four years has opened up my eyes to a lot of things. There is discrimination out there. This bill is not going to change that. You can't legislate the civility, rudeness and bad jokes. You can't change that. It is going to happen. What you can do is send a message from this body that the people of Maine respect that it is wrong. Maybe my children's children won't have to deal with this issue ever again. I am standing up here to let you know that four years ago I voted against this and I will support it tonight. I feel better for it. Thank you.

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

Representative BULL: Madam Speaker, Men and Women of the House. I rise tonight in very strong support of the Majority "Ought to Pass" Report on LD 1116. As the good Representative from Brunswick, Representative Davidson stated, this is truly a historic day. It is also an unfortunate day in that we even have to be dealing with this issue at all. It is too bad that we, the government, have to tell people, no it is not all right to discriminate against people. It is too bad that we have to have the Human Rights Act at all, but unfortunately we do. There is discrimination happening here in Maine against people because they may be a woman, black, Jew, Polish and yes, because they may be gay. I think it is very important that we understand that, no, this is not an easy situation for many people. I have been getting letters from both sides of this issue. This is an issue that you have to go beyond what you are hearing and do what is in your heart. You have to ask yourself as you get ready to push that button, if you have not decided yet, when the time comes to vote, you need to ask yourself what is the right thing to do? What is the legacy that we, as members of this body, want to leave for future generations? This is an issue that this state has been dealing with for many years. I guess almost as long as I have been alive. I hope tonight that we can finally say that we, here in Maine, say no against discrimination based upon persons' sexual orientation.

There has been a lot of rhetoric on this issue about why we don't need it and about how there is a gay agenda out there. I don't know about you, ladies and gentlemen, but I have not seen any gay agenda. There have been discussions about frivolous lawsuits, the assumption that gay people will get this right and go sue people. I think it is important to realize that in the City of Portland there have been four cases filed under their local ordinance and all of them have been settled out of court. The people that filed these claims, these complaints, they were not looking for money. They were simply looking for justice and for people to accept the fact that what they did was wrong and they shouldn't have done it.

As many people have mentioned before, such as the good Representative from Raymond, Representative Bruno, this bill is not going to end discrimination against homosexuals here in Maine. What it will do is it will say to everyone here in the state and throughout this country that we do not condone discrimination based upon your sexual orientation. Please, ladies and gentlemen, when the bell starts ringing do what is in your heart. Please, I urge you to vote "Ought to Pass" on LD 1116 and put us on record as opposing discrimination here in Maine.

The SPEAKER: The Chair recognizes the Representative from Bremen, Representative Pieh.

Representative PIEH: Madam Speaker, Ladies and Gentlemen of the House. I used to go to school in Birmingham, Alabama. I went to the school where Governor Wallace stood in the doorway and he said, "Over my dead body will this school be integrated." Most of you don't have the gray hair I have and may not have even been around at that time. I was and I do remember that. I was in fourth grade with his son. I remember the Sunday that we were walking to breakfast and we learned that the church had been bombed and a little girl had died. My father then landed a job in a country day school, a private segregated school, to be the head master. His first action was to bring someone in of Asian descent, which was unheard of. The bomb threats started for our family and my parents made a tough decision. They took a job in Minnesota. I am really proud tonight and wish my dad could be here. I can support this bill "Ought to Pass" and make a step toward ending that fear for another group of people. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative McAlevey.

Representative McALEVEY: Madam Speaker, Ladies and Gentlemen of the House. I find myself in an interesting position tonight and probably share those same concerns and feelings that many of you are also feeling. Three years ago, before I came to this body, I was solicited by then the Representative from District 12 and he informed me that he was going to run for the Senate and asked me to run for the House. My first instinct was to say, no, I don't want to be one of those darn politicians. He said that is basically the reason why we are asking you. Tonight I am faced with two decisions. I live in a conservative district. I have had a lot of good people who have strong feelings about this call me, pray for me and write to me. I am faced with a decision. Do I make a political decision and do what I think the folks back home think they want or want? Do I make a decision of conscience? I have met a lot of people today, this week, so have you who are citizen lobbyists. Both sides are very fervent in their positions. I supported the seatbelt bill and then backed out of it because the majority of my people at home told me, don't tell me I have to wear a seatbelt. I backed out and changed my position on that. Tonight I also have the chance to also back out. I can't because I am going to vote my conscience. I urge you to support this bill.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Cameron.

Representative CAMERON: Madam Speaker, Ladies and Gentlemen of the House. Most of you who know me know I have some fairly strong opinions on things and don't usually have trouble speaking my mind. For some weeks now, I have dreaded this night. I, like my seat mate in the 115th, voted against this measure. I, like you, heard Representative O'Brien, struggle with this decision. I envy those of you that it is a black and white decision regardless of which side you are on. It is not a black and white issue for me. I am happy to say, or unfortunate to say, that as a child I didn't experience what it was like to be French. I didn't experience what it was like to be Catholic. I grew up in a French Catholic community. I do know what it is like to hurt. Not many of you have mentioned it, but living in the community that I did I grew up on a dairy farm. For the most part I hear in this body people very supportive of our agricultural community across the state. I can tell you as a child growing up in a community that was not agricultural oriented. I was always the last kid to play ball. I was always the last kid picked to go to the party. It hurt. It hurt a lot. While I can't totally feel some of the things that I have heard here tonight. For some of the things that I have heard people say, I am sure it was gut wrenching to talk about it, to dredge up old memories and old hurts. I do know what it is to hurt.

I do know what it is to hurt when I hear people say things about my children. I have to tell you that it is my children that helped me with the wisdom that it takes to vote tonight. My children look at me and say, "Dad, what is the issue? Why is it an issue?" I can't answer. I will tell you that while I am not proud of what I did the last time this issue came up and I can also tell you that as I have sat here this evening, I have gotten many phone calls from my constituents. They are not going to be happy. That is okay. I will probably walk out of here tonight still not understanding why it is so difficult to do the right thing. This is the right thing and I will support it and I know it won't end discrimination. I know it won't end the hurt that children and adults impart upon one another, but if it helps only one citizen in our great state, Representative Davidson said it very well, I am proud to be part of an evening that will change the course of the history of our state.

I walked in here tonight not knowing what I was going to do. I honestly didn't know. I honestly dreaded sitting through this evening. I have heard some of the most heartfelt testimony tonight from friends and colleagues who are not really friends because I don't know them very well. It has been one of the most moving and beneficial experiences in my five years here. I thank you all for that. I encourage you to vote for this present motion.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Kasprzak.

Representative KASPRZAK: Madam Speaker, Ladies and Gentlemen of the House. I would ask you to defeat the pending motion, "Ought to Pass" on LD 1116. I have yet to understand the need for this legislation. Are not people who practice homosexual behavior teachers, lawyers, doctors and even legislators? How do we know that people practice homosexual behavior? Only because they told us so. Are people who practice homosexual behavior living in boxes on the street because no one will give them a home? Are people who practice homosexual behavior without jobs because no one will give them one?

Passing this bill will not end discrimination. I can guarantee it. The portion of law that we are intending to change already includes the prevention of discrimination on account of religion, but as has been pointed out by members here tonight that people are still discriminated against because of their religion. There is still discrimination on account of religion and I assure you because of my own religious orientation that there is, with these statutes in place, discrimination. What makes us think that this change in law will end any kind of discrimination? We can go on telling stories all night long about homosexual behavior and how those people have been discriminated against. People could in the same manner share stories about their religious orientation and how they have been discriminated against even within this very body.

I could go on to tell a very sappy story about my first encounter with such things in this building. I am sure you know it goes on. I am sure many of you know who has been a part of it all. I ask, again, is there a need for this legislation? Will it end discrimination? I think we know that it won't. So, why are we passing a new law adding more statutes to our Maine State Law? Thank you.

The SPEAKER: The Chair recognizes the Representative from Brooklin, Representative Volenik.

Representative VOLENIK: Madam Speaker, Men and Women of the House. Sometimes in this body when we adjourn we do so in lasting memory of someone who has died. I just want all of you to know that tonight when I cast my vote I will be casting it in loving memory of my brother, Tom, who was gay and died of AIDS two years ago. Thank you.

The SPEAKER: The Chair recognizes the Representative from Greenville, Representative Jones.

Representative JONES: Madam Speaker, Ladies and Gentlemen of the House. This has been a very difficult issue for me. I have very much wrestled with it. I want to share with you briefly why I am going to support this. For ten days now I have received E-Mail, letters, phone calls and people in the corridors, but I had to reflect back on my stepson, who I consider my son, David. David, as you know has several disabilities. There was discrimination as David was growing up as a young child. Thankfully there have been major strides to change that. Tonight, I agree with many that this is not going to stop discrimination, but it is a start. It is a wonderful start. Also, I have with my constituents a gentleman from Shirley Mills, which is just outside of Greenville, had me down to his house Sunday afternoon. He said, "Sharon, I need to share with you a story. It happened 60 years ago when I was a young man of 18 years old." Representative Chick reminded me that I certainly should have the courage to stand up and relate that story. He was part of the CC group in Greenville. There was a young man who was part of that group that was different. He didn't know why. There was another gentleman that continually taunted this man that this man indicated that he was indeed gay. He was beaten. He was removed from the military. I promised Paul and my son David that there was not going to be another 60 years that anybody has to be discriminated against in the State of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Baker.

Representative BAKER: Madam Speaker, Men and Women of the House. There is little that I can add to the eloquent testimony that I have heard in favor of this bill that we are to vote on tonight. I only want to say that I believe that this is the single most important vote I will cast in the 118th Legislature. I am deeply honored for the opportunity to vote in favor of this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative True.

Representative TRUE: Madam Speaker, Ladies and Gentlemen of the House. I did not intend to speak. I do not have anything written down. I have a few things to say. I am going to vote against this this evening for the following reasons. I have been very fortunate in my life to be born in a family that at an early age learned to love one another and to love the people that we come in contact with. That in itself, in my opinion, was a lesson, certainly, that you do not discriminate. The greatest teacher that I ever had was my mother. She and my dad created that family atmosphere that certainly engendered in all of us that feeling. It isn't that I don't believe what this says. I say this with certainly not a degree braggadocio. It is my hope that I have lived what this is trying to prevent, if that is the way that you feel about it in your heart. I say to each one of you what others have said that this is the law. The only way that it is going to disappear is going to be the will of the people. Perhaps you will understand even better.

Many years ago in traveling to a foreign place to recruit students to come here to this lovely state of which I love, I was critical publicly of the way people of a different color were discriminated against in the schools. I was politely or not so politely asked to stay out of the schools for three years, of which, knowing that was the law, I did not do. However, it did not prevent me from being heard outside the school because the law didn't say anything about that. I am pleased to be able to say that I helped approximately 400 of those young people in the years that I served them. I wonder how many of you really paid attention to our colleagues in the front row who represent the Penobscot Nation. I thought that what he had to say and you

remember it was very brief, but I wonder how many in this room really knows what he said. It does not take an orator of many words to make a point.

I have on my desk a letter. I will not read it to you, but it is a note asking me to vote for LD 1116. I hope that this young lady who is here understands why I am voting the way that I am. I hope that I have not disappointed her because I love her dearly. I don't worry about the people in my district because I hope that what I have tried to do in my life will speak for itself. I hope they will understand why I am voting the way that I will. In listening, there probably won't be many of us, but so be it. I did want you to know that I am not against people practicing, so that you discriminate as it relates to anyone. As strange as it might seem, I felt in growing up when I was one of those people that wasn't chosen, I am sure it was because I was so small. My mother said that if I wanted something bad enough and worked hard enough and understood that I could reach the goals that I wanted to and I have.

In my capacity in the jobs that I have had, I have hired people in the groups that we have discussed this afternoon. I have also had them as students. I have had them in my classes in high school and in college. I feel strongly, not knowing and not studying perhaps as knowing why they were perhaps what someone might term as different. I can't remember too many people making this type of determination. I know the world has changed and I have had the privileges of going all over the world and seeing many types of people and races of people. Having studied history, I have felt sorry that perhaps we didn't enter into our relationships in Europe sooner because perhaps it would have prevented the Holocaust. I ask each and every one you whether you vote yea or nay that I will give you a little proverb again from my mother. Practice what you preach. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Rowe.

Representative ROWE: Madam Speaker, Men and Women of the House. I know it is late. I, like many of you, felt compelled to stand and speak on this bill. Every evening when I go home late and I have gotten home late for the last five or six days, my daughter is asleep and I stop in her bedroom and she always wakes up and asks me what I did in Augusta today. The same thing will happen tonight. Tonight I will tell her very proudly that I helped pass a bill that would prevent discrimination based on sexual orientation in the State of Maine. I know what she will say. She will say, "Dad I love you." Then she will go back to sleep. I don't know what my daughters sexual orientation will be and I don't care. I do know that I will go to bed tonight knowing that I have done something terribly important for her and the other children of this state. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Muse.

Representative MUSE: Madam Speaker, Men and Women of the House. I have heard some people stand tonight and say that this bill will not stop the harassment. It will not stop the cruelty and it will not stop the injustices that are occurring here in the State of Maine. I agree with them. It will not. What passing this bill will do is it will make a foundation. A foundation to begin to teach from and that is what is needed. When laws were passing to end slavery, it didn't make it better the next day. When women were given the right to vote, men didn't wake up the next day and say, come on dear, I will drive you to the polls. These are freedoms that we, today, simply take for granted. It takes time to understand and embrace these freedoms. It can't begin until we take that first step and begin the journey. My friend, Representative Davidson, has told us that this is an historic event and it is. I am very, very pleased that not only all of my constituents but everywhere I went in the City of South Portland the vast majority of people that I spoke to supported, very strongly supported this bill.

Very briefly I would like to quote to you from our ninth President, William Harrison, who in 1840 said, "In America a glorious fire has been lighted upon the alter of liberty. Keep it burning and let the sparks that continually go up from it fall on other alters and light up in distant lands the fires of freedom." I would urge you to support the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Cross.

Representative CROSS: Madam Speaker, Ladies and Gentlemen of the House. It would appear from those of you that have spoken that this would be quite overwhelming, if you will, or those who are in favor of the present motion. I wasn't even going to get up, but the reason I did is my district, which is overwhelmingly given the information to vote no. I wanted you to know that that is not the sole reason that I will vote no. My family was in the grocery business from way back and I was in business with them. I never in all the time that I worked in the store and with the store business, which was 27 years, did I ever notice any discrimination in hiring. There was no discrimination on the person who in rural Maine. The farmer came in. He brought his lunch. He didn't go home to dinner like I did. If my mother knew that somebody didn't bring a lunch, she was on the school board, that child came to my house and ate dinner with me and we enjoyed each others time. I just want you to understand that I followed the tradition of nondiscrimination in my business, my bringing up and all the time that I have been here. As you well know, I talk to you all and I don't discriminate on whether you are a Democrat or a Republican. At the same time, I do not discriminate. It isn't in my being. Consequently with that kind of an upbringing as well as the surge of information that I have had from my constituents back home, I will be voting no against the Majority "Ought to Pass" Report.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Majority "Ought to Pass" Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 157

YEA - Bagley, Baker CL, Baker JL, Berry RL, Bigl, Bolduc, Bouffard, Brennan, Brooks, Bruno, Bull, Cameron, Carleton, Chartrand, Chick, Cianchette, Colwell, Cowger, Davidson, Dunlap, Dutremble, Etnier, Farnsworth, Fisher, Frechette, Fuller, Gagne, Gagnon, Gamache, Gieringer, Goodwin, Green, Hatch, Jabar, Jones KW, Jones SL, Kane, Kerr, Kontos, LaVerdiere, Lemaire, Lemke, Lindahl, Mailhot, Marvin, Mayo, McAlevey, McKee, Mitchell JE, Morgan, Muse, O'Brien, O'Neil, Ott, Paul, Peavey, Perkins, Perry, Pieh, Povich, Powers, Quint, Rines, Rowe, Samson, Savage, Saxl JW, Saxl MV, Shannon, Shiah, Skoglund, Stanley, Stevens, Tessier, Thompson, Tobin, Townsend, Tripp, Usher, Volenik, Watson, Wheeler GJ, Wright, Madam Speaker.

NAY - Ahearne, Belanger DJ, Berry DP, Bragdon, Buck, Bumps, Bunker, Campbell, Chizmar, Clark, Clukey, Cross, Desmond, Dexter, Donnelly, Driscoll, Foster, Gerry, Gooley, Honey, Jones SA, Joy, Joyce, Joyner, Kasprzak, Kneeland, Labrecque, Lane, Layton, Lemont, Lovett, MacDougall, Mack, Madore, McElroy, Murphy, Nass, Nickerson, O'Neal, Pendleton, Pinkham RG, Pinkham WD, Plowman, Richard, Sanborn, Sirois, Snowe-Mello, Spear, Stedman, Taylor, Treadwell, True, Tuttle, Underwood, Vedral, Vigue, Waterhouse, Wheeler EM, Winglass, Winn, Winsor.

ABSENT - Barth, Belanger IG, Bodwell, Fisk, Meres, Poulin.

Yes, 84; No, 61; Absent, 6; Excused, 0.

84 having voted in the affirmative and 61 voted in the negative, with 6 being absent, the Majority **"Ought to Pass"** Report was accepted.

The Bill was read once.

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

Representative WATERHOUSE of Bridgton presented House Amendment "A" (H-397), which was read by the Clerk.

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

Representative WATERHOUSE: Madam Speaker, Ladies and Gentlemen of the House. I think we all are aware that there has been talk that if this issue passed and was signed into law that there would be a citizens initiative. Along with that citizens initiative there was one organization that had expressed the opinion that it would no longer be in a neutral position on this issue unless there were some amendments put to this piece of legislation because it was so broad and sweeping and that they would support that citizens initiative. There are a number of states that have passed the gay rights legislation and none of them are as broad as this. Four or five of the ones that are on the amendment, Senator Kennedy's legislation before the Senate, had five of these amendments. This is my attempt to compromise to address the concerns of those various groups so that we will not have to face a divisive citizens initiative. This will address their concerns. I feel that it is reasonable measures. I hope that you will support adoption of this amendment. Thank you.

Representative THOMPSON of Naples moved that House Amendment "A" (H-397) be indefinitely postponed.

Representative WATERHOUSE of Bridgton requested a roll call on the motion indefinitely postpone House Amendment "A" (H-397).

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

The SPEAKER: The Chair recognizes the Representative from Kossuth Township, Representative Bunker.

Representative BUNKER: Madam Speaker, Men and Women of the House. I am sure that some of you saw my light during the previous vote. Please don't take that light in error. I, as a Representative, represent my district and I made only one promise and that was to represent my district. I did so on a previous vote. I would highly recommend that everybody in this chamber follow my light on this vote. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is the motion to Indefinitely Postpone House Amendment "A" (H-397). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 158

YEA - Bagley, Baker CL, Baker JL, Berry RL, Bigl, Bolduc, Bouffard, Brennan, Brooks, Bruno, Buck, Bull, Bunker, Cameron, Carleton, Chartrand, Chick, Cianchette, Colwell, Cowger, Davidson, Desmond, Dunlap, Dutremble, Etnier, Farnsworth, Fisher, Frechette, Fuller, Gagne, Gagnon, Gamache, Gieringer, Goodwin, Green, Hatch, Jabar, Jones KW, Jones SL, Jones SA, Joyner, Kane, Kerr, Kontos, LaVerdiere, Lemaire, Lemke, Lindahl, Mailhot, Marvin, Mayo, McAlevey, McKee, Mitchell JE, Morgan, Murphy, Muse, O'Brien, O'Neal, O'Neil, Ott, Paul, Peavey, Perkins, Perry, Pieh, Povich, Powers, Quint, Richard, Rines, Rowe, Samson, Savage, Saxl JW, Saxl MV, Shannon, Shiah, Skoglund, Stanley, Stedman, Stevens, Tessier, Thompson, Townsend, Tripp, Usher, Volenik, Watson, Wheeler GJ, Wright, Madam Speaker.

NAY - Ahearne, Belanger DJ, Berry DP, Bragdon, Bumps, Campbell, Chizmar, Clark, Clukey, Cross, Dexter, Donnelly, Driscoll, Foster, Gerry, Gooley, Honey, Joy, Joyce, Kasprzak, Kneeland, Labrecque, Lane, Layton, Lemont, Lovett, MacDougall, Mack, Madore, McElroy, Nass, Nickerson, Pendleton, Pinkham RG, Pinkham WD, Plowman, Sanborn, Sirois, Snowe-Mello, Spear, Taylor, Tobin, Treadwell, True, Tuttle, Underwood, Vedral, Vigue, Waterhouse, Wheeler EM, Winglass, Winn, Winsor.

ABSENT - Barth, Belanger IG, Bodwell, Fisk, Meres, Poulin.

Yes, 92; No, 53; Absent, 6; Excused, 0.

92 having voted in the affirmative and 53 voted in the negative, with 6 being absent, House Amendment "A" (H-397) was indefinitely postponed.

Representative PERKINS of Penobscot presented House Amendment "B" (H-401), which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Perkins.

Representative PERKINS: Madam Speaker, Men and Women of the House. After the tremendous, tremendous debate, I just need to say that I have so much respect for people in this body after tonight's debate. I had no idea that I would have so much respect for the people here. I really appreciate this evening. I know it has gone on. I will be as brief as I can, but there are things that are near and dear to my heart too as well as the things that were said in the debate.

This amendment would exempt employers with five or fewer employees from the part of the bill that we just passed to do with employment. Actually, this would amend the Maine Human Rights Act. It seems kind of mean and spleeny after the eloquent debate and words that we heard in here. Believe me, I feel strongly about this. There has been a direction in our history to lose sight of the fact that very small businesses should be treated differently in the federal and state Human Rights Act. Housing is treated differently in small situations, if you live in one of the units. I repeat, it is already recognized that in intimate situations in housing, you can discriminate at the federal level for any reason in a small rental situation if you live in one of the units. I think that is excellent and wonderful.

I would like to have the same in Maine in employment. We are talking about mom-and-pop type businesses. If you just take a second and look at what is the basic rational for government telling people what to do in their lives. We don't allow it in a lot of our situations. We don't allow it with whom we associate or go to dinner. I maintain that in an intimate small business, mom-and-pop type business, which gets nothing from government except deed protections and hassles, compared to the big companies that get four or five kinds of tax breaks. I think private small business should be exempt and that is what this bill is all about.

Representative THOMPSON of Naples moved that House Amendment "B" (H-401) be indefinitely postponed.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative THOMPSON: Madam Speaker, Men and Women of the House. With all due respect to my good friend from Penobscot, I mean that sincerely, I ask that you join with me. We have made quite a statement here tonight and I wish to ask you to stay with me and Indefinitely Postpone this amendment. We have a great victory here tonight. Let's keep that victory.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Cowger.

Representative COWGER: Madam Speaker, Colleagues of the House. I rise in response to my friend from Penobscot. He has regularly pointed out to this body that we need small business representation in this House. I stand before you as a small business owner. I have three employees. I urge you to vote for the pending motion.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Saxl.

Representative SAXL: Madam Speaker, Men and Women of the House. I just want to make sure that everyone understands what is in this amendment and that this amendment begins to unravel the Human Rights Act as it now stands. In fact, what you are saying is that small employers would be allowed to discriminate on the basis of race, sex, religion, age, national origin and disability. I can tell you that I am opposed to any amendment which would touch the Human Rights Act which has served us so well for these past 25 years. Thank you Madam Speaker.

The Chair ordered a division on the motion to indefinitely postpone House Amendment "B" (H-401).

A vote of the House was taken. 98 voted in favor of the same and 40 against, House Amendment "B" (H-401) was indefinitely postponed.

Representative PERKINS of Penobscot presented House Amendment "C" (H-402), which was read by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Perkins.

Representative PERKINS: Madam Speaker, Colleagues of the House. A few days ago I wrote a letter to my papers back home and I said I will likely vote for this bill and I am not completely comfortable with the way we are doing things. It seems like we keep adding to the list. I know, as I heard in the last debate and in my heart, that gays are discriminated against. There is no question. I just have a feeling like once and for all we ought to say you can't discriminate for any reason in housing, lending and in employment except for specific reasons related to lending. It says something like a bonafide concern related to whether you are going to get repaid. In housing it has to do with real concerns to do with the rental of the dwelling and not to do with anything else. I don't know why we keep adding and adding and adding with all this divisive debate on and on and on. It just seems to me we ought to just face up to what we are saying. We shouldn't discriminate for any reason except real bonafide reasons related to these four categories. That is what this is about. Thank you.

Representative THOMPSON of Naples moved that House Amendment "C" (H-402) be indefinitely postponed.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative THOMPSON: Madam Speaker, Ladies and Gentlemen of the House. House Amendment "C" has an interesting concept and I am sure would deserve some consideration. However, I don't feel this is the time to discuss this issue. I would ask you to join with me in Indefinitely Postponing House Amendment "C."

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

Representative PLOWMAN: Madam Speaker, Men and Women of the House. With all the different kinds of discrimination that has been discussed here tonight that are not covered under the Maine Human Rights Act and the full knowledge that this is going to pass and cover one more group, I would dare say it is discrimination to say we will cover this group and not the others, such as things that have been debated here and in other Legislatures. There is discrimination against people who are overweight and people who have a political orientation. If we are going to be declaring it for some and the Constitution isn't good enough for you, then maybe you should declare it for all. I urge you to defeat the pending motion.

The Chair ordered a division on the motion to indefinitely postpone House Amendment "C" (H-402).

A vote of the House was taken. 90 voted in favor of the same and 50 against, House Amendment "C" (H-402) was indefinitely postponed.

The Bill was passed to be engrossed in concurrence.

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

BILL HELD

Bill "An Act to Restrict Circulators of Initiated Petitions from Being within 250 Feet of Voting Places" (S.P. 102) (L.D. 381)

- In Senate, Majority **"Ought to Pass"** as amended Report of the Committee on **Legal and Veterans Affairs** read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-181).

- In House, Minority **"Ought Not to Pass"** Report of the Committee on **Legal and Veterans Affairs** read and accepted in non-concurrence.

HELD at the Request of Representative PENDLETON of Scarborough.

Representative PENDLETON of Scarborough moved that the House reconsider its action whereby the Minority **"Ought Not to Pass"** Report was accepted.

On further motion of the same Representative, tabled pending reconsideration and specially assigned for Friday, May 9, 1997.

The following item was taken up out of order by unanimous consent:

REPORTS OF COMMITTEES

Divided Report

Majority Report of the Committee on **Inland Fisheries and Wildlife** reporting **"Ought Not to Pass"** on Bill "An Act Relating to the Designation of Species As Endangered or Threatened" (H.P. 430) (L.D. 580)

Signed:

Senators: KILKELLY of Lincoln
RUHLIN of Penobscot
HALL of Piscataquis

Representatives: PAUL of Sanford
CLARK of Millinocket
CHICK of Lebanon
DUNLAP of Old Town
UNDERWOOD of Oxford
TRUE of Fryeburg
GOODWIN of Pembroke
CROSS of Dover-Foxcroft
PERKINS of Penobscot

Minority Report of the same Committee reporting **"Ought to Pass"** on same Bill.

Signed:

Representative: USHER of Westbrook

Was read.

On motion of Representative PAUL of Sanford, tabled pending acceptance of either Report and specially assigned for Friday, May 9, 1997.

On motion of Representative PAUL of Sanford, the House adjourned at 8:30 p.m., until 9:00 a.m., Friday, May 9, 1997.