

# MAINE STATE LEGISLATURE

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**Senate Legislative Record**  
**One Hundred and Eighteenth Legislature**  
**State of Maine**

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**December 6, 1996 to May 19, 1997**

**Pages 1 - 980**

The Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-210)** Report **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-210) **READ**.

House Amendment "A" (H-257) to Committee Amendment "A" (H-210) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-210) As Amended by House Amendment "A" (H-257) thereto, **ADOPTED**, in concurrence.

The Bill as Amended, **TOMORROW ASSIGNED FOR SECOND READING**.

The Chair laid before the Senate the following Tabled and Later (5/7/97) Assigned matter:

Bill "An Act to Transfer a Certain Parcel of Land from the Department of Conservation to the Department of Agriculture, Food and Rural Resources" H.P. 823 L.D. 1128 (C "A" H-220)

Tabled - May 7, 1997, by Senator **PINGREE** of Knox.

Pending - **FURTHER CONSIDERATION**

(In Senate, May 1, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-220)**, in concurrence.)

(In House, May 6, 1997, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-220) AS AMENDED BY HOUSE AMENDMENT "A" (H-375)** thereto, in **NON-CONCURRENCE**.)

On motion by Senator **KILKELLY** of Lincoln, the Senate **RECEDED** and **CONCURRED**.

Senate at Ease

Senate called to order by the President.

Off Record Remarks

Senator **CAREY** of Kennebec was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **PINGREE** of Knox was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Senator **AMERO** of Cumberland was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

On motion by Senator **PINGREE** of Knox, **RECESSED** until the sound of the bell.

After Recess

Senate called to order by the President.

Off Record Remarks

Senator **PINGREE** of Knox was granted unanimous consent to address the Senate off the Record.

Off Record Remarks

Off Record Remarks

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

**ENACTORS**

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

An Act to Prevent Discrimination S.P. 338 L.D. 1116

**THE PRESIDENT:** The Chair recognizes the Senator from Waldo, Senator Longley.

Senator **LONGLEY:** Thank you Mr. President, colleagues in the Senate. Supreme Court Justice Thurgood Marshall once said, "In recognizing the humanity of our fellow human beings, we pay ourselves the highest tribute." Today, everybody, we are paying ourselves a very high tribute as we enact civil rights. We show our ability as Senators and as a Legislature to rise above hurtful stereotypes and we show our courage to take occasionally unpopular stands. With these equal rights come equal responsibilities and we have a responsibility, when we leave here today, with enactment. As I walk out today I want you to know that I, for one, will be praying that we can carry home the message we heard here this week of peace and justice for all, of hope and compassion and tolerance and love.

Today we make history. Today, May 9, 1997, on the calendar of many, the second day of ER in the year 5757 on the Hebrew calendar, we are making history and may we all embrace this moment as we enact, in honor, what many of our mothers and

fathers and grandparents and founders have taught us, to honor the equal rights of all. And, if this isn't enough, I would just like to remind us all that in doing our jobs well this week and this year, and as we leave this chamber today, please be reminded that we make life much, much easier for the many who follow. And, in thanks to all who preceded us and did the work that they needed to do, we're doing the work that we need to do and trust me, our enactment today means a whole lot to many and it will make life much easier. We all deserve a lot of credit and tribute and thank you very much for listening and honoring the day and embracing the moment. Thank you.

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

**Senator ABROMSON:** Thank you Mr. President. Mr. President, in the 1940's Martin Nymular, a courtesan clergyman wrote, "In Germany the Nazi's came for the communists and I didn't speak up because I wasn't a communist. Then they came for the Jews and I did not speak up because I was not a Jew. Then they came for the Trade Unionists and I did not speak up because I wasn't a Trade Unionist. Then they came for the Catholics and I was a Protestant, so I didn't speak up. Then they came for me, by that time there was no one to speak up for anyone."

Mr. President, today we end a long legislative journey that began 20 years ago in the other Body, when Representative Jerry Talbot, an African American from Portland, introduced the bill we are about to enact. This journey continued when two years later the same bill was reintroduced in the other Body by Representative Harland Baker and two years after that by Senator Gerard Conley Sr., but by then Senators Mary Najarian and Tom Andrews, followed by Representative Gerard Conley Jr., twice, and then by Senator Gerard Conley Jr. That journey will end today when you, Mr. President, sign this historic legislation and you Madam Secretary present it to the Governor for his signature.

I am honored to have been allowed to participate in this journey and to have watched and listened as my colleagues on both ends of this hall, as they stood up and they spoke up not choosing to be silent. They not only spoke up but they did so with eloquence, conviction, honesty and courage. Mr. President, I urge enactment of L.D. 1116 and ask for a roll call.

On motion by Senator **ABROMSON** of Cumberland, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Bennett.

**Senator BENNETT:** Thank you Mr. President, fellow members of the Senate. I sat silent the other day during the debate on this because I felt that this is truly an issue that has a lot of difficult and complex components, and I've given this matter a great deal of thought, actually, over the last several years. I certainly agree with the high-minded ideals that have been expressed on this issue, and for many reasons that I've expressed elsewhere and continue to express to those interested, I have decided against voting for this measure. I certainly respect and appreciate the views of those of you who have decided differently, but I was driven to stand today to merely state for the record that I do agree with the sentiments

and the ideals that the Senator from Waldo, Senator Longley, has stated and I understand the concerns that the Senator from Cumberland, Senator Abromson, has raised and I share those concerns. I felt it necessary just to let you know that those of us who are opposing this particular enactment, when we do so, we do not do so against peace and against justice and against friendship and against those ideals that have made our country great, we just disagree about aspects of this legislation. I felt it important because of the comments that I communicate that to all who are listening. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Franklin, Senator Benoit.

**Senator BENOIT:** Thank you Mr. President, may it please the Senate. Two days ago, on this bill, I had a chance to advance my constituents' agenda. I did it to the best of my ability and so they've had their day in court, if you will. Senator Amero, the Senator from Cumberland, made a comment about the high, good manner of the debate, and I appreciate her comment. It was a debate of manners, a debate of the issue on both sides with, as she indicated, some professionalism and I agree with that. I'm pleased that that is the way we approached this bill in this chamber.

I want to congratulate the sponsor of the bill, Senator Abromson from Cumberland, on the outcome. This measure will become law. I will honor the law, of course, because we are a society of laws instead of, as the expression goes, "a society of men," and I trust, as well, that my constituents will honor the existence of this statute. So, we've had our day. I think it's been well done and we'll now get on with other matters at hand. Thank you Mr. President.

The President requested the Sergeant-at-Arms to escort the Senator from Waldo, Senator **LONGLEY** to the Rostrum where she assumed the duties as President Pro Tem.

The President took a seat on the Floor of the Senate.

The Senate called to Order by the President Pro Tem.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

#### ROLL CALL

**YEAS:** Senators: ABROMSON, AMERO, BUTLAND, CATHCART, DAGGETT, FERGUSON, GOLDTHWAIT, HARRIMAN, KILKELLY, LAFOUNTAIN, LAWRENCE, MACKINNON, MILLS, MITCHELL, MURRAY, NUTTING, O'GARA, PARADIS, PENDLETON, PINGREE, RAND, RUHLIN, SMALL, TREAT, THE PRESIDENT PRO TEM - SUSAN W. LONGLEY

**NAYS:** Senators: BENNETT, BENOIT, HALL, LIBBY, MICHAUD

**ABSENT:** Senators: CAREY, CASSIDY, CLEVELAND, JENKINS