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Legislative Record
House of Representatives
One Hundred and Nineteenth Legislature
State of Maine

Volume III

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Appendix
House Legislative Sentiments
Index

sitting in this room. Why would we want to pay anyone else to be the advocates when that's our job?

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

ROLL CALL NO. 543

YEA - Ahearne, Bagley, Baker, Berry RL, Bolduc, Bouffard, Brennan, Brooks, Bryant, Bull, Carr, Chick, Chizmar, Clark, Colwell, Cote, Cowger, Davidson, Desmond, Dudley, Dugay, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Gagnon, Gerry, Green, Hatch, Honey, Jabar, Jacobs, Kane, LaVerdiere, Lemoine, Madore, Mailhot, Martin, Matthews, Mayo, McAlevey, McDonough, McGlocklin, McKee, Mitchell, Muse, Norbert, O'Brien LL, O'Neal, O'Neil, Perkins, Pieh, Povich, Powers, Quint, Richard, Richardson E, Richardson J, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Shiah, Sirois, Skoglund, Stanley, Stevens, Sullivan, Tessier, Thompson, Townsend, Tracy, Tripp, Tuttle, Twomey, Usher, Volenik, Watson, Wheeler GJ, Williams, Mr. Speaker.

NAY - Andrews, Belanger, Berry DP, Bowles, Bragdon, Bruno, Buck, Bumps, Cameron, Campbell, Cianchette, Clough, Collins, Cross, Daigle, Davis, Duncan, Foster, Gillis, Glynn, Gooley, Heidrich, Jodrey, Jones, Joy, Kasprzak, Kneeland, Labrecque, Lemont, Lindahl, Lovett, MacDougall, Mack, Marvin, McKenney, McNeil, Mendros, Murphy T, Nass, Nutting, O'Brien JA, Peavey, Pinkham, Rosen, Savage C, Schneider, Sherman, Shields, Shorey, Snowe-Mello, Stanwood, Stedman, Tobin D, Tobin J, Trahan, Treadwell, True, Waterhouse, Weston, Wheeler EM, Winsor.

ABSENT - Dunlap, Goodwin, Murphy E, Perry, Plowman, Rines.

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

84 having voted in the affirmative and 61 voted in the negative, with 6 being absent, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-1044)** 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 by Committee Amendment "A" (H-1044)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

The Speaker resumed the Chair.

The House was called to order by the Speaker.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE DIVIDED REPORT - Report "A" (7) Ought to Pass as Amended by Committee Amendment "A" (S-624) - Report "B" (5) Ought Not to Pass - Report "C" (1) Ought to Pass as Amended by Committee Amendment "B" (S-625) - Committee on JUDICIARY on Bill "An Act to Ensure Civil Rights and Prevent Discrimination"

(S.P. 840) (L.D. 2239)

Which was **TABLED** by Representative THOMPSON of Naples pending his motion to **ACCEPT** his motion to **ACCEPT Report "A" Ought to Pass as Amended**.

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

Representative THOMPSON: Mr. Speaker, Men and Women of the House. In May 1997, this House and the other body passed what I felt at the time was very historic legislation. I was honored at that time being House chair of the Judiciary Committee to lead the debate at that time on the anti-discrimination bill. As all of you know in a follow-up referendum on a people's veto vote in February 1998, that vote was overturned. We are back here tonight to discuss a new bill, a bill, which is different from the one, which we passed in 1997 both substantively and in the process that it has taken. It is a bill to send to the people of Maine a referendum to vote on a new proposal for a bill to prohibit discrimination in employment, housing, credit and public accommodation on the basis of sexual orientation.

The first threshold issue, which we must lay on the table, is whether or not there is discrimination in the State of Maine based on sexual orientation. For those of you who were here in the 118th Legislature you heard us speak of the testimony that came before us from citizens of the State of Maine who poured out their hearts and their souls to the committee who told time after time and person after person of being victims of discrimination right here in the State of Maine. There can be no doubt that discrimination based on sexual orientation takes place in the State of Maine. Having said that, the question then becomes what do we do about it? Do we sit back and say under the Constitution they are not a protected class so we will do nothing? Do we sit back and say that we have tried that before and it was overridden in 1998 so we will do nothing? Shall we say that the people that I know who are homosexuals have good jobs so we will do nothing? Do we say that I have never seen anybody discriminated against so we will do nothing?

I say to you that I am here to do something about it. I am here to do something about it because it is the right thing to do. It is the right thing to do because none of the citizens of Maine should be subjected to discrimination as people have been subjected to time and again. We have before us a proposal that is different in several respects from the bill, which was passed by this body three years ago. It has clarified some issues, which were used in the debate against that proposal. It has clarified the bill to show that there are no special rights being given here. It does not condone sexual behavior. It does not condone sexual attraction or conduct between an adult and a minor. It doesn't set any job quotas or anything like that. It doesn't require benefits to be given to domestic partners. It also exempts religious organizations from the bill. The purpose of that exemption is to eliminate the conflict between upholding the rights of some as opposed to the separation of church and state issues. The intention is to eliminate that argument and to say that exemption is in there so that church organizations can be exempt from this bill. It is a different bill. To some they would say that they are not going to vote for this because it has exemptions and therefore, it is not a perfect bill. To them I would say that the voting rights act of 1964 or the civil rights act of 1964 wasn't a perfect bill either, but it passed and it helped. If this is passed, it will help. It will help to end discrimination in the State of Maine.

This is not a proposal that is just being supported by advocates for the gay and lesbian community. I am going to take a couple minutes of your time to tell you about the people who are supporting this bill that provided written testimony to the Judiciary Committee. People who many of you respect and whose council you often seek on legislative matters. They are the Maine Women's Lobby, Maine State Nurses Association, Family Planning Association of Maine, Planned Parenthood, the American Cancer Society, the Maine Children's Alliance, the Maine Association of Independent Neighborhoods, the Maine Chapter of the National Organization for Women, a resolve by the City Council of the City of Bangor, the Maine Psychological Association, Sheriff Mark Dion of Cumberland County, Maine Trial Lawyers Association, the Holocaust Human Rights Center of Maine, the Maine Council of Churches, the Maine Civil Liberties Union, the Maine State Chamber of Commerce, the Maine Human Rights Commission, the Maine Medical Association, the Religious Society of Friends, the Maine HIV Advisory Committee and others. A cross section of people from the State of Maine who all believe that it is not right to discriminate who believe that the bill before you is a solution to that discrimination and who all agree that what we are doing today, a vote to send this matter out to referendum, a vote to send it to the people that you represent, a vote to have that referendum held at a time when more people from the State of Maine will turn out than in any other year, which is a presidential election year, to get a true reading from the people of Maine as to how they want to vote on this issue.

I know that many of you, perhaps some that haven't voted on this issue before think about the political risk involved perhaps in voting for this coming from conservative districts or having heard from some constituents. I would also tell you to look around at those of us who have been there and have done that and we are still here. Don't let this be the issue where you consider the political risk and use it as a reason to vote against a bill that you would otherwise vote for. This is a bill to stand up and be counted for. A chance to join in the chorus of people who are saying it is the right thing to do. Now is the right time to do it and do it we will. In my opinion, 10 years from now, we are going to look back on this and it is going to have been in effect for 10 years and we are going to wonder what all the hullabaloo is about. It is not going to change society, as we know it. It is not going to change life, as we know it. It might just make us in the State of Maine a better place to live for everyone in the State of Maine. I ask for your support on this report.

The SPEAKER: The Chair recognizes the Representative from Southwest Harbor, Representative Stanwood.

Representative **STANWOOD**: Mr. Speaker, Men and Women of the House. I don't feel the need to discriminate against anyone for any reason. Discrimination is hurtful. It serves no useful purpose. It only creates animosity and anger and fosters hate. The Maine Constitution, Article 1, Section 1, reads as follows, "All people are born equally free and independent and have certain natural, inherent and unalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property and of pursuing and obtaining safety and happiness." I find it to be despicable that we are here having this debate again. It is just unnecessary except discrimination occurs and it is wrong. If you believe in the Bible or in a higher being, then we should be practicing the golden rule. Do unto others, as you would have them do unto you. I don't think anyone in this chamber would

want to be discriminated against for any reason or for any purpose. I also would remind you of the Law of Moses or the Ten Commandments. "Love thy neighbor as thyself." After all, we are Gods children and are made in his likeness.

This, if approved, will go out to referendum in November. It simply prohibits discrimination in employment, housing, public accommodations and credit based on sexual orientation. People should be employed based on their job skills and other credentials, not because they are gay or so-called straight. They, too, should be fired if necessary based on job performance, work ethic, lost time, etc., not because of sexual preference. People should get housing, whether they be public accommodations or rentals based on their ability to pay or other qualifications, not for any other reason. We all need housing, you know, protection from the elements.

No one should be denied credit because someone thinks they may be of a different sexual orientation. If a gay person happens to be the lending officer and he or she thought that you were probably heterosexual, you would not be happy because he denied your loan based on his perception or bias of your sexuality.

If you practice or condone discrimination, you don't know what that may affect. You may have gay or bi-sexual neighbors whom you love dearly. Their children may be gay. Your doctor, dentist, lawyer, repairman or mechanic may be gay. They provide a service to you. Don't allow yourself to do a disservice to them.

You may have family members who are gay or bisexual. They could be your children, grandchildren and even those yet unborn. I don't believe that you want this group of people discriminated against. I don't want anyone in this country, especially this state to be discriminated against. Let's send the message, Maine won't discriminate.

I don't feel that I have the right or was given the authority to decide who is in and who is out, relative to their sexual behavior or preference. I'll leave that up to God. In the meantime, I'll try to be fair and equal in all my transactions with mankind, as we all are going to be judged on the last day.

This is not a perfect bill. It is a compromise worked out over this past year. It was generated because several legislators had submitted bills relative to equal rights. A single bill was drafted. LD 2239 is before us today, having passed yesterday in the other body. I urge you to pass this bill by voting with your heart and mind, allowing this question of equal rights, not special rights, to go to the voters in November. Thank you ladies and gentlemen for your time.

Representative **BULL** of Freeport **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended**.

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 Freeport, Representative Bull.

Representative **BULL**: Mr. Speaker, Men and Women of the House. I am very proud tonight to rise before you in support of the pending motion. As a member of the Judiciary Committee, this has been an issue, which has been a high priority for me. I break this down to two major categories of reasons to support this. The first reason I see is logic that we have had two statewide votes on the issue of civil rights for gays and lesbians. The first was in the fall of 1995. Question one, it said that there would not be any state or municipal ordinances providing protections to gays and lesbians. For many people that was a

rallying cry in the battle over civil rights for gays and lesbians. Many people fought that very, very hard successfully because they saw it as an attempt to deny basic human rights to them. That was won by the proponents of the civil rights for gays and lesbians. Of course, in February 1998, we had the actions of this body overturned in the people's veto. If nothing else, you can see that hopefully this referendum this fall will be the tiebreaker. Once and for all the citizens of Maine can decide in a statewide vote whether or not gays and lesbians should be provided the same civil rights as other members of our society.

Some people argue that the people have spoken in February 1998. I question that argument when you look at the voter turnout as being only 30 percent and roughly half of the people that came out to vote on that winter day when there was only one issue on the ballot. Basically what we are saying is only 16 percent of the people of the State of Maine voted to deny equal rights to gays and lesbians. I do not see that as the will of the people. We need a vote and we will get a more definitive answer and this November will offer that when we have a likely turnout of closer to 70 percent. For me, the more important issues are what is in my heart.

For me, this is painfully the right thing to do. It is appropriate today that we are debating this bill for it is the anniversary of the assassination of Doctor Martin Luther King, Jr. Martin Luther King, Jr. dreamed of a day when our society would not categorize people and would judge all people equally. Unfortunately that dream is still unfulfilled and we are still working for and striving for the day when all people are judged upon the content of their character. This bill is just one more step towards achieving that dream and that goal.

As the good chairman of the Judiciary Committee stated, discrimination is happening here in Maine. There is no question in my mind that discrimination is happening against gays and lesbians here in Maine. People are being discriminated against in terms of housing, employment and in terms of credit for actual or perceived homosexuality. This is fundamentally wrong. This bill will not entirely end discrimination and hatred against gays and lesbians, but it will send a strong and powerful message that we, the State of Maine, do not condone discrimination against gays and lesbians. We respect all people despite their differences in that they are part of the greater society and the greater fabric of this state. We acknowledge that there are differences and we will not condone discrimination. We will not allow discrimination to be legal against gays and lesbians. We will send a strong, powerful message to young men and women who so often come to terms struggling with questions of their sexuality will see through this action that, no, they are not monsters. They are not perverse. They are simply different.

When you take time to vote on this issue I ask you to think to yourself if you have a relative, a son or daughter, granddaughter or grandson, a niece or a nephew, a close neighbor who happened to be gay, how would you want them to be treated by society? How would you want them to be perceived by society? I urge you, ladies and gentlemen, to please let us support the Majority Ought to Pass Report. Send this issue out to the voters once more and send a loud and clear signal that, no, discrimination is wrong and we do not condone it or tolerate it here in Maine. Thank you ladies and gentlemen.

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

Representative WATERHOUSE: Mr. Speaker, Ladies and Gentlemen of the House. I would suggest to the colleague of

mine on the Judiciary Committee, the Representative from Freeport, that he send the beginning of his speech to the US Census Bureau and tell them to stop categorizing people. If he takes a look at the census form that people have to fill out now, they certainly do that. I am speaking against the passage of this bill from several points. When we first debated this bill, I think it was in the 117th for me, I have always taken a pragmatic approach with this piece of legislation. To answer a couple of the speakers earlier, I do have friends who are gay. I do have family members that are gay. In fact, one of my family members who is gay is a CEO of a company. He has a very good job, thank you very much. When I debated this bill in the 117th, I said all the evidence I ever saw in discrimination for jobs, housing and credit were anecdotal. I based that on what I have seen in my 57 years that I have lived so far. I have never ever heard from anybody that, oh by the way, Fred or Mary lost their job last week and I would ask why did that happen? They never said that it was because they found out they were gay. Fred or Mary lost their house or apartment. By the way, they lost it because they were gay. Fred and Mary couldn't get credit or a loan and by the way, it was because they were gay. I don't know where everybody else lives and what they have heard in their personal experience, but I guess I haven't been around. I have been all over the World and been in a number of states. I never heard that. Does it happen? Possibly. Does it happen to some people we know? Could be. I made the argument back then and I make it now. It does not rise to the level for this piece of legislation.

My good friend, I do call him that because I consider him a friend, the Chair of the Judiciary Committee. When we had the debate in the 117th, he got up and said when he was younger he had picked on gays and he was ashamed of that. I can tell you right now, ladies and gentlemen, I have never picked on gays and I never will. If I was to hire somebody to work in my business as a carpenter, Waterhouse Carpentry, the preeminent qualifications would be that they are a good carpenter. They are dependable and trustworthy. I think most people in business, if not all people that I know unless they don't want to make a good living in their business, are going to respond that way. The very argument that is made is defeated when you look at the people who are backing this legislation. We have all the business communities. I would dare say that the business communities who are practicing discrimination at this level, they wouldn't be supporting this. We had a bill up here. We passed it. Some people gathered a bunch of signatures for a people's veto, which is a pretty tough thing to do. The wisdom at that time was we hope there is a large turnout because if there is a large turnout, it would be in favor of passing a gay rights law. There was a larger than expected turnout for that type of election and this bill got overturned by the people. We saw an effort to change the people's veto time from the side that didn't like that result and that got passed. Now we are asking to send this out again to the people because we didn't like that result. I would be willing to say that if the law had not been overturned by the people's veto, we wouldn't be here, obviously, doing this again. We want to send it out at a better time so more people will vote. Nobody was keeping people home. This issue has been out for at least, as far as I know, at least 20 years that this struggle has been going on. It certainly was well advertised in the press, TV and everything else. People didn't have to stay home, they could have got out and voted. As far as a certain percentage of people voting for this or against this, take a look at our presidential

elections in the last 10 years or whatever and look at the percentage of vote that put presidents in office. It is certainly way below 50 percent.

Do I think people should be discriminated against for any reason? Absolutely not. I wouldn't tolerate it. We did have a bill before us in the Judiciary Committee not too long ago from a group of people who wanted to be included in the Civil Rights Act. I think everybody remembers who they were. They were motorcyclists. The committee unanimously turned that down. They came in front of us and gave anecdotal personal stories and I have no reason to believe that they weren't true stories. They were anecdotal stories about being refused accommodations for housing and even going into restaurants and having a meal. We rejected that. We didn't think they made a good argument for that. My whole contention on this piece of legislation from the get go since I have been up here is the case, for me, has not been made. Is there people who pick on people because they are different? Sure. Some of them are pretty violent and that is why we have laws to protect people against people like that. The good Representative, the Majority Leader, in the corner, had a bill not too long ago to increase and enhance the penalties on stalking. I was a cosponsor on that bill. I believe in punishing people when they do wrong.

This piece of legislation, as far as I am concerned, has never been required. As I look around in the gay community, in my area and every area I have ever seen, in the national call and the gay community it is, "We are everywhere." They are everywhere. We have legislators who are gay. We have doctors who are gay. I have a friend across the street that works in the Northern Cumberland Memorial Hospital. He is a lab technician. He is gay. Show me a segment of society that is shut off from the gay community. You can't do it. As much as it may be emotional and as much as you may heard stories from people who come up and say that I was discriminated against. In society at large the case has never been made to me that this is required. That is the number one reason that I wouldn't vote to support this.

The second reason is the people have dealt with this already. You didn't like the turnout, you figured not enough people turned out to vote the way you wanted them to vote, so now we are going to send it out there again. I don't think that is the proper approach and I hope you will vote against the pending motion. Mr. Speaker, I move this bill and all accompanying papers be indefinitely postponed.

Representative WATERHOUSE of Bridgton moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

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

Representative COWGER: Mr. Speaker, Fellow Members of the House. Once again, we stand on the threshold of a very important piece of legislation. One that this body has strongly supported before and one, which I personally hope we strongly support again.

As I reminded many of us two years ago, we take a pledge every day in this body. We pledge allegiance to the principles upon which our country is based when we take the Pledge of Allegiance prior to each day's session. We pledge to uphold one of the basic beliefs that makes us truly American, that of liberty and justice for all. LD 2239 is explicit in granting basic civil rights to all Maine citizens regardless of a real or perceived sexual orientation. There are no special rights granted to any group and

this is specifically spelled out in the bill. If you believe in civil rights for all individuals, then I ask you to join me in support of this legislation.

But I wanted to touch specifically on an area of personal interest, which is that of tourism. As an innkeeper, I would be responsible for the implementation of this law. I have heard concerns that this law would be difficult to enforce since it is difficult to identify someone's sexual orientation. The easy answer to this issue is, it doesn't matter. As someone who welcomes guests to my Bed and Breakfast, I can't discriminate against anyone regardless of their orientation. Just like I can't discriminate against anyone for the reasons enumerated in the Maine Human Rights Act. This bill protects everyone and does not single out a special group for unique treatment. Enforcement is simple, just treat everyone with equal respect.

Maine is the last state in New England to adopt equal protection for everyone based on sexual orientation. With a biennial budget that does not contain any increase for tourism funding and with gasoline prices approaching \$2 a gallon with summer right around the corner, not passing this legislation will surely have an impact on our tourism industry, the second largest economic base in the state. Do we want to be known as the only state in New England where discrimination is still legal? I don't think so.

The Executive Director of the Maine Tourism Association said it best when he said, "Any form of discrimination has a very detrimental effect on our tourism industry and our image as a friendly destination." For the sake of the business economy in our state, I ask you to join me in supporting this significant piece of legislation.

Would I like to see a cleaner law without what appears to be extensive exemptions and the requirement for a statewide referendum? Sure I would, but our country is based on the fine art of political compromise. Concessions had to be made on both sides to develop a bill that most Maine citizens would readily support. I applaud the efforts of both sides who participated in delicate negotiations to create the legislation now before us.

Maine people indeed spoke, though softly, when the civil rights legislation passed by the 118th Legislature was repealed in a statewide referendum. That is the reason why, first, the exemption language and other changes to the legislation had to be negotiated, and second, why the bill must be sent out to the voters before adoption.

Yes, I do think there could be a cleaner and more comprehensive piece of legislation, but this LD is a finely crafted document that deserves our support. Thank you Mr. Speaker.

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

Representative PERKINS: Mr. Speaker, Men and Women of the House. I supported this similar legislation in the 117th and the 118th. I am going to vote for it again tonight, but this bill is poorly written in a lot of ways, as other people have said. The church exemption is almost unconscionable in my opinion, but I am still going to vote in favor of the bill because we can't discriminate against people. We know that in our hearts. We can stand here and talk from our heads until the cows come home, but we know it is not right.

The church exemption is poor in one major way. It discriminates in a way, the very bill, the anti-discrimination bill discriminates against, for example, the small mom-and-pop stores that might have strong religious feelings as the big church

or the people in the church. That really bothers me. I understand why it came about, but it bothers me. Is it discrimination? People wanted examples. Four years ago we had a teacher here from down east. She told me she knows she was fired because these people found out she was a lesbian. I had no reason to doubt her. In the very town I lived in, there was no formal movement to oust anybody from school, but I will tell you there were a lot of rumors about a person in the school and about that person's sexual orientation. There was a lot of talk about not wanting to have kids exposed to that person. We know that goes on. Should we send it out again to referendum? That bothered me for a while. I have to agree that the last time it went out there were so few people voting that it wasn't right. These types of things ought to always be at the general election. This one should be.

The question, how many times should we keep sending it back out to the people? I think the answer is until it takes. Thank you.

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

Representative **DAVIDSON**: Mr. Speaker, Men and Women of the House. I want to thank you for allowing me just a few moments to talk to you in what I had always actually hoped and what I am not going to promise, but I do hope will be my last floor speech here.

The great moments of our time make us uncomfortable. This moment right here is exactly why we were all elected. I encourage you tonight to embrace that discomfort as difficult as that may be. We are good people here. We don't hear it a lot. No matter where you are from, no matter what party you are from and no matter what side of the aisle, north, south, east or west, you care about people. You wouldn't be here if you didn't. What is the issue? Unfortunately, many men and many women don't save their judgment for God. They exercise it on Earth day to day. The beauty of America and the beauty of the State of Maine is the vehemence that we pursue our disagreements and the extent to which we are allowed to pursue those disagreements. This body is not the place to change long deep help beliefs in our society. This body is the place to discuss and to change the repercussions of those beliefs and the repercussions of those beliefs among those constituents.

Basic civil rights in the 1960s weren't asked for because people of color looked at themselves in the mirror and said they are a lesser man. People of faith who ask for protection didn't achieve protections of law because they looked at themselves in the mirror and said I am a lesser woman because of that faith. Our citizens who are physically handicapped and looked for the physical access to the plan in the landscape of America didn't do so because they looked at themselves in the mirror and said that I am not good enough to go there. Women weren't denied the right to vote for years because they looked at themselves in the mirror and said that I can't contribute to the political process.

Ladies and gentlemen, Mr. Speaker, it is because those limitations were placed on them. They were placed on millions of Americans, not by them. This case is no different. Last year I mentioned a group of Senators in the US Senate in the 1960s who later had to look their children in the eyes and explain why they voted against the Voting Rights Act and the Civil Rights Act. The answer was simple for many of them. Like those of us who serve here tonight, they disagreed, but more than anything else, they were uncomfortable. They weren't ready and their constituents, they felt, weren't ready for that night and that vote.

We are at a huge disadvantage here today because we are being asked to do two very difficult things. We are being asked to sit in judgment on today's law and how it will be applied while opening a case that allows history to sit in judgment on us. I will relish this day when I am with my grandkids that I can reflect back on the votes of my day and assure you of one thing. You will not reflect back on the decisions you made on harness racing, lobster traps or even my passion, proper sewer district regulation. You will reflect back on the votes that had the opportunity to change the law of human lives for the people of our wonderful state. The staples of life, housing, financial security and employment should never be subject to interpretation or deliberation beyond the talents and the abilities possessed by those seeking them. Embrace this moment tonight and enjoy this moment tonight. You will never have another one like it. I thank you. Thank you Mr. Speaker.

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

Representative **PLOWMAN**: Mr. Speaker, Men and Women of the House. In 1993, the first year that I was in the Legislature, the Judiciary Committee took this bill up. In 1993, I said that nothing that we could pass here was going to change the way people feel in society. It is going to take people getting to know one another, each other's issues and to understand each other before this can change. That is the way it has worked for every other kind of discrimination that has come before us. People do not willingly accept an order from the government to suspend discrimination. It must happen first within themselves. What you pass here tonight will not stop discrimination. For the people who don't want to be told, it won't change their hearts.

In 1993, the Attorney General's Office documented 58 complaints filed by gays and lesbians. In the years following, that grew. In the time that we have discussed this, quite thoroughly, which is since 1998, the number of complaints have dropped. Last year 36 were filed. What happens? Here, nothing. It was not the law. It was the discussion. It was people learning and starting to talk about the issue and understanding one another. It wasn't the law that brought people to understanding people better. It wasn't an order from the government. It was the discussion that followed each and every vote in this House.

I will tell you that the NCLU dropped its support of this bill once the compromise was brought about because it brought discrimination back into the bill. I will tell you that it does bother me that we are trying to pick the timing that this will be voted on. This bill was put in in December of the year we were elected, 1998. It saw the light of day the week before we adjourned in 1999. For reasons known only to the sponsor and members of the Council, this sponsor, unlike the rest of us, was allowed to keep in his pocket a bill for six months because he didn't like the timing of the next election because partial-birth abortion was going to be there. I imagine he wished he had let it go then, because he would have liked the turnout and he would have liked the results.

For people who like to talk process, the bill has already been processed to be special. I object to a member on that as a member of this body who had two days to turn in bills or three days. That is okay. That is discrimination, but it is not something that is against the law here. It is only against the rules. I will tell you that the daughter of Martin Luther King came here and said that this was not an issue of equal to the civil rights that her own father had marched and fought for. You can

pass this tonight and it will go out to the people and it will cause controversy again. It may or may not pass. You will have a great turnout and you have done everything that you said that you didn't want to do. You timed it special. You put discrimination back in it. You will force people to see a law, but never make them in your hearts understand why there is a law. People don't understand that when you are in your church you can have one belief and when they are in their mom-and-pop store they can't, even if they do, which is going a ways.

From 1993 until now, the discussion has worked. We have seen a huge decrease in the number of complaints filed. I would rather see it happen within people than without. I am going to ask you to please vote to Indefinitely Postpone the bill. Thank you.

Representative SAXL of Portland **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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 Portland, Representative Saxl.

Representative **SAXL**: Mr. Speaker, Men and Women of the House. As occasionally happens on this floor, the words of your colleagues can be sometimes rather inspiring. I remember two years ago I stood up about five minutes after my friend, the Representative from Brunswick, spoke because I was inspired by his words and I am so again tonight. I am inspired by so many of the words that I have heard. I really hear people expressing what is the very best about them, their character and about what we do in this institution. I thank the Representative from Freeport for talking about Martin Luther King. I sat here this morning and I pulled off every speech that I could find from Martin Luther King and I read them. I shared them with my colleagues behind me and I enjoyed them. One of the things that he said that stuck with me and that I want to share tonight is the ultimate measure of a person is not where a person stands in moments of comfort and convenience, but where a person stands at times of challenge and controversy.

The Representative from Hampden is very right. This bill has been before this body many times and in many different ways. As some of you may not know, some of you who are newer to this chamber, it is debated in the evening because of the nature of the first debates, because of the graphic nature of the first debates, the lowness of the first debates. Through this process I think we have all evolved as a chamber. I think the Representative from Hampden is right. We do have to change our hearts, each and every one of us. Until each and every one of us can change our hearts and until those 36 people who have been the victims of crimes based on hate due to their sexual orientation are no more. We have a moral and an ethical responsibility in this body to stand up to them. We have a responsibility to step up to the plate tonight to make sure that nobody in this state is denied access to housing, accommodations and finances because of their sexual orientation. Should we repeal it based on color or age or religion or ethnicity? I think not. I think the State of Maine is a better place today for those protections in the Human Rights Act.

I refuse to accept the premise that we, in this body cannot have an impact on the lives of people in the State of Maine. I refuse to accept that we cannot influence people's behavior and their decisions. I refuse to believe that we should not be responsible as leaders in the State of Maine to try to say what is

right and what is wrong. Two years ago I recounted something that is very personal to me. It seems important to do it again tonight because of the Representative Waterhouse's comments about whether hate exists in the State of Maine. I live in the west end of Portland and there are people of all ethnicities and of all sexual orientations and of all ages and religions. Let me tell you, almost always, it is the most wonderful and enriching place to live in the world. I love my community. I love it for its diversity, but sometimes it is not. Hate crimes do occur there. They occur based on sexual orientation based on race and based on lots of different things.

When I was a kid living in Bangor I had two very close friends. One of them I played hockey with since the age of five. Another one I rode bikes around my neighborhood with and played on the senior little league baseball team. One night when I was a senior in high school they went out and they beat a man because of his sexual orientation. They not only beat that man, but they threw him over the railing on a bridge. They not only threw him over the railing on a bridge, but they killed him. Charlie Howard. Remember that name. It is not a name you think back on and say that that is the way Maine should be. Hate exists in Maine. I bear witness tonight to say that that is wrong. We have an obligation in this body to rise above the worst in this state and to fight for what brings us together for our common humanity. We have an obligation to look, as Doctor King said, at the content of a person's character when we make judgments. I hope that you will defeat this motion to Indefinitely Postpone and make this one of the proudest nights of your career in this institution. Send this back to the people of the State of Maine that go door to door with me and with so many other folks and make sure that this piece of legislation passes, the work that Jerry Conley started so long ago, that Jerry Talbert started so long ago and that Jerry Conley, Sr. started so long ago, become law in this chamber. Bear witness with me tonight to make life in Maine the way it should be. Thank you.

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

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. I feel as though I have to respond to the good Representative from Portland, Representative Saxl. I, of course, realize that hate exists. It exists everywhere, not just in Maine and that is why we have laws to protect people from people who exercise that hate violently. That is why we have a criminal code. As far as his friend being thrown off the bridge, we have laws to punish people for doing that, no matter who you are, whether you are gay or anything. I think that is comparing apples with oranges. As anybody who knows who has been up here since the 116th when I was on the Criminal Justice Committee and people who dealt with me when it comes to the criminal code. I am very strict in that area. As I mentioned earlier, the good Representative had a stalking bill. I cosponsored that to enhance the penalties on that. We are not looking at the same thing when we are talking about this bill and what the good Representative was just talking about. Anybody who wants to increase penalties on criminal conduct, come and see me. As far as his friend being thrown off the bridge, if I had my way, the people who were responsible for that would have gotten the death penalty if that was appropriate.

The good Representative, if he remembers, when he first came up here and I think it was halfway through the session in the 117th, he approached me for a bill dealing with hate crimes. We had a conversation. He talked about being assaulted. I

explained to him that I would be more than happy to support his bill if it dealt with premeditation. Somebody who got together and said let's go beat somebody up, premeditated assault. When I was in the Criminal Justice Committee in the 117th we did a lot of things on enhancing the penalties. The good Representative, Representative McAlevee, had a bill to enhance the penalties for gross sexual assault for somebody under 16 so forth and so on. We are not talking about the same thing here. Nobody supports anybody using violence no matter what their cause. That is not a really good argument to make here on the floor. I dare say there isn't one Representative standing here today that supports people getting away with that type of activity. Thank you.

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

Representative QUINT: Mr. Speaker, Esteemed Colleagues of the House. I stand tonight and respectfully ask for your support of LD 2239, "An Act to Ensure Civil Rights and Prevent Discrimination" and its accompanying amendment and to vote against the pending motion to Indefinitely Postpone. I struggled long and hard over what to say today, even under the best circumstances, it is not easy for me to say publicly to tell people I am 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. LD 2239 directly affects me as a private citizen as well as the voters in my district. I am going to share with you a bit about myself before I explain my involvement in the amended LD being debated tonight.

I was born in Houlton up in Aroostook County. I attended Maine schools and lived and worked in Maine my entire life. As a child, several weekends every month, I spent time at my grandparent's dairy farm in Hodgdon doing the chores, milking the cows, feeding the pigs and playing in the hay barn. As a teenager I picked potatoes so I could help my parents buy my school clothes, went hunting and fishing with my dad in the Haynesville woods and shot my first pheasant at the age of 12. I participated in sports, was a average student and packed groceries at the local IGA after school and on weekends so I could save money to go to college. I moved to Portland to attend the University of Southern Maine. Fifteen years later I decided to run for the Maine Legislature and was elected to be the Representative of House District 33.

I briefly described my life because it is typical of many who grew up here in Maine, but unlike most of my childhood friends, legislative colleagues and a majority of the people of Maine who were born and raised here, I find myself actively advocating for equal protection under the Maine Human Rights Act and a small part on behalf of myself, but also for all the gay/lesbian, bisexual or transgender citizens of Maine. We, myself included, are only asking not to be discriminated against in accommodations and credit. I stand before you today to say that discrimination against gay men, lesbians, bisexual or transgender 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. Many of my constituents and friends have shared with me personal experiences of being discriminated against and denied housing and employment opportunities simply based on their sexual orientation. They live in the constant fear of reprisal and concerns for their job and housing.

I will try to briefly share my involvement in LD 2239 as amended. Most of you will recall that LD 1116 was passed by both the House and Senate in the 118th Legislature. Most of you will recall that the Chief Executive signed the legislation and most will recall that on February 10, 1998, approximately 15 percent of eligible voters in the State of Maine, voted in favor of a people's veto, which nullified the actions of the Legislature and the Governor. The First Regular Session of this Legislature, Senator Abromson from Portland, introduced LD 2239 and the Judiciary Committee held it over to be considered in this session. During the interim, the good Senator from Portland contacted the Roman Catholic Diocese Director in the Office of Public Affairs, Mark Muddy. Senator Abromson asked for a meeting to discuss the possibilities of the Diocese changing the neutral stance it took on LD 1116 to support for LD 2239. The Diocese embraced the idea and invited Senator Abromson, the lobbyist from the Maine Lesbian and Gay Political Alliance, Attorney Susan Farnsworth, Father Henschell, a former Chancellor of the Diocese, an outspoken and public opponent of LD 1116, Lewiston Attorney Michael Poulin and myself, an openly gay Catholic legislator, for lunch at the Chancery.

Initially the meeting was extremely tense. There was a great uncertainty of whether common ground could be reached. Both sides learned a lot and gained an understanding of one another and the first lunch of very candid discussions. During seven to eight often long meetings over four to five months resulting in the announcement on January 4, 2000, that the Roman Catholic Diocese, MLGPA and the bill's sponsor had agreed upon language for the revised LD 2239. Following that announcement, other groups and organizations from the Christian Coalition to the Maine Civil Liberties Union offered suggestions. All were considered and some were incorporated into the bill before you now.

This bill, in one form or another, has been introduced to the Maine Legislature virtually every two years since 1977. It will not go away until, or unless, discrimination on the basis of sexual orientation goes away. Let us take another and hopefully final step towards that goal. I urge you in joining me to support LD 2239 and vote against the motion to Indefinitely Postpone this bill.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Williams.

Representative WILLIAMS: Mr. Speaker, Ladies and Gentlemen of the House. I am pleased to be able to rise to speak on this issue and consider myself privileged to have been afforded the opportunity to be a cosponsor. I think from what we have heard thus far, one area where there seems to be some agreement is that this is a tough issue. I might parenthetically add at this point that I am impressed and inspired at the level at which this debate is occurring. I, like many of you, have struggled greatly with this piece of legislation before us. The Representative from Hampden, Representative Plowman, posed a very interesting question. I will paraphrase, but it was something to the effect of why is it that we have to ask our citizenry to believe one thing in their church and another thing at their local mom-and-pop store? It is a very interesting question. I don't think there is an easy answer except to say that we live in a chaotic and crazy world sometimes. It is very difficult, often, to stay focused. To do that we do a variety of techniques to help us make sense of the world around us. For some, it is religion. For others, as we have heard this evening, it is the teachings or the writings of a particular philosopher or school of thought. For

businesses and organizations, they use what is known as a strategic plan or a mission statement. For us as legislators, our mission statement, if you will, is our Constitution.

We had earlier heard from the good Representative from Southwest Harbor. One sentence from the Constitution sort of outlining why we are having this discussion this evening. For me to better understand this issue, I also turned to the Constitution. It is not a document that I would ordinarily turn to. In this context for this purpose, I didn't. I read the section on natural rights, but I also read very shortly after the section in our version that is boldfaced, Section 6, "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 don't know how that can be interpreted any other way.

Ladies and gentlemen, I urge you to stand up for a segment of our society that has been discriminated against for years and have the courage to do the right thing. Thank you.

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

Representative **NORBERT**: Mr. Speaker, Ladies and Gentlemen of the House. What I know is that the longer I move through life and it is sometimes a difficult road, as you well know, there is acrimony in politics and tragedy sometimes in private life. What becomes more important to me, and I think to you, are those small acts of kindness and decency that make us feel connected, cared for, respected and loved. We Americans want fairness. We want a fair shake. We expect it from others and we just want an opportunity. We also want to be free to live the lives we have imagined.

I wish you all could have been there at the public hearing. The moving stories that we heard on this bill, the cruel tormenting of young school children, the years of terrorizing by a neighbor of a woman and her partner, a grandmother's pride in her grandson's coming out. These stories show the need for these protections and they demonstrate, as Frost wrote, that at a fundamental level, "We love the things we love for what they are." Our brothers and sisters, just like us, yet not just like us. Again, they ask for our help. You know them and you don't. They are your relatives, your neighbors, people you come into contact with, and regrettably those who don't dare to tell you what they are all about, but who are counting on us tonight.

I am proud to be a cosponsor of this bill. I am proud of the brave supporters who testified. I am proud of the wonderful coalition that was forged by the Diocese, other religious groups, the MLGPA and other advocates who put aside past differences and worked to find common ground for civil rights. I salute them. I urge us to gain strength and encouragement from their work and ability to find common ground and to say yes again to civil rights protections for all Maine citizens. Let's affirm the dignity and worth of every Maine citizen.

The SPEAKER: The Chair recognizes the Representative from Gray, Representative Foster.

Representative **FOSTER**: Mr. Speaker, Ladies and Gentlemen of the House. I have been one of those individuals who has rented apartments. I have rented apartments for 30 years. I have rented to people with Mexican descent, Irish descent and Italian descent, to the best of my knowledge, and probably to lots of others. I probably rented apartments to gay men and to gay women. I never bothered to ask that because most of my tenants have been very excellent people. I have had

people set fire to my apartments. I have had them grow marijuana in my apartments. I have had their dogs defecate in my apartments and left for me to clean up. I have had people leave and leave me with the bill. I have lots of things happen to me. I can tell you that I have never had a bad experience with gay women or gay men to my knowledge and perhaps I never realized that. I don't know. Evidentially, I have been under the illusion for these past 30 years that the laws of discrimination were already in the Constitution of this country and already in the Constitution of this state. To me, it is very difficult now for the state to come along and tell me again what I perhaps already know and perhaps what I had already assumed. That bothers me just a little bit. Thank you.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Davis.

Representative **DAVIS**: Mr. Speaker, Men and Women of the House. First I would like to praise Representative Quint and Senator Abromson. They have at least tried to solve a very contentious issue. I think they deserve credit for that. Something troubles me about this bill. When it first came out I was relieved. I am a Roman Catholic and I said that it was solved. I have read this bill perhaps 30 or 40 times. I am not going to vote for it. My father and mother were born into the Catholic Church and both sets of grandparents were born into the Catholic Church. I am deeply disturbed by my church that exempts itself from the law. That is why I am going to vote against it. I am also a former civil rights worker and a former peace corp. volunteer. I feel I have those American values and served my country overseas and so on. I am not for discriminating against anybody. I believe in equality. In this bill in one area it says we are not going to grant affirmative action, but then it goes on and grants affirmative action. You business people are going to have to watch your step when you hire, tenure, promotions, transfer, compensate, conditions of employment, recruiting and so on. I am for equality. I believe in the United States Constitution and I believe in natural rights. I think this bill is flawed with my church being in it because it exempts itself. That is a major flaw as I see it. Thank you Mr. Speaker.

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

Representative **O'BRIEN**: Mr. Speaker, Men and Women of the House. I rise tonight to talk about this bill because what it is speaking about is behavior, the behavior of some people towards others. Without a change in the law the behavior will not change. I am fortunate that in living a long time that I have been in a lot of circumstances whereby people would say something that would be very hurtful to someone else. Living down south I was told that blacks are treated just as well as the whites. The law did not protect the blacks and so, in fact, the behavior of the whites was tolerated. Good white people would find it difficult to stand up and argue about those laws. I am not telling you anything that you don't know. It is true. When I was growing up many years ago, if someone acted out sexually that was bad in the community, they were put away. Not everybody knows that. Stevens School was there because of girls who were bad and there was no one to stand up for them. They went there so that their behavior would not be repeated. They stayed there until they were 18 and they learned a trade. When they came out, if they worked well and did not create a problem, they became part of regular society. I didn't even know that until I ran into someone who told me that it happened to her. Again, it was

someone's behavior that other people did not like. They put her away. We know many stories about youngsters that were seen as different and the families put them away. They put them in Pineland. They put them in Bangor. They put them at AMHI because they were different and it was okay under the law to do that. People were taken advantage of.

When children called names to other children, they are taking advantage of that other child. That is exactly what they are doing and it is okay until somebody stands up to them. It is okay until some adult educates them as to why that is wrong. We are talking about behavior, the behavior of some to other that causes them to not feel equal. This will not change. Yes, we are good people. Yes, there are a lot of good people. Some people think it is okay to name call, take advantage of other people and in sly ways make other people feel bad or to not give them something that they should be having, i.e., don't rent to them. You can find some reason not to employ them. You really, really can. We are talking about behavior. When a youngster is seen as sexually different in school, believe me, they don't come out and say that I am really a girl, but I really don't like boys. You don't say that. You are very quiet. If you are a boy, you sure as heck don't say that you like other boys, unless you don't want to go home the same way at night that you went to school, as in your condition, as well as you are not probably feeling quite so good. It is okay. It is okay with a lot of people to make fun of other people that are different. It is true. If somebody is gay or lesbian, they are different. They really are different. God help us, I didn't make people and I don't think the rest of you did either. Let's not make people stay in the closets. In families often times if a youngster comes out as a young adult, the family and the parents go in the closet because they don't want to talk about it because that person is different. It is not a good different like suddenly they are blonde and bright and won a million dollars. It is the other different. It is the bad different. What this is talking about is behavior without a law to say to people it is wrong for some of your behavior. We will continue to have that behavior. We do have a chance here. We have an unusual chance.

Years ago we were able to help out people of color. Let us now help out people who are possibly the same color as what we are. Let us tonight send this out to referendum. Thank you.

The SPEAKER: The Chair recognizes the Representative from Farmingdale, Representative Watson.

Representative **WATSON**: Mr. Speaker, Men and Women of the House. I wasn't sure whether I was going to rise tonight and some of you that have to turn around to see my face, I have a smile on it and not to denigrate the discussions that I have heard previously. This is a very serious matter. I want you to know how honored I am to be here this evening to be part of this debate and the hopeful passage of this bill out to referendum. I will share with you why I am smiling this evening. I think that as I look around the room at my colleagues and as a lot of you know I have served here for six years and have the experience that you have heard mentioned earlier of those that have served on Judiciary. I was there for six years and heard the same testimonies that the good Representative Norbert had referred to earlier. In all of the remarks that were made this evening, I couldn't help but sit back here and think about the message of hopefulness that those remarks conveyed. We are here, yes, once again and in all of these 20 years this is an issue that has risen to this occasion. I am hopeful this evening that I am speaking because I am hopeful that when it does go out to referendum that it is not debated ever again in the House of

Representatives or in the Senate here in the State of Maine. I am just feeling this evening as though we have all been here and we have all done this. We all know basically where we stand. Even with the compromise that was so thoughtfully worked out and I want to applaud all of those who were involved in the negotiations to come out with a question to put before the people once and for all that has no confusion added to the issue. Some of those questions have been answered and that it will be clear to everyone that goes in to vote next November exactly what they are voting on. I think that we, in this chamber, as Representative Waterhouse had alluded to earlier, know what the issue is and where we stand on it. I, for one, am going to be voting against the Indefinite Postponement of this bill and all its papers. I would love to see a vast majority of my colleagues here in this chamber vote in support of LD 2239. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rome, Representative Tracy.

Representative **TRACY**: Mr. Speaker, Ladies and Gentlemen of the House. I can remember precisely 14 years ago when I was a freshman in this great body that the same issue was there then that is here now. Back 14 years ago the bill was more comprehensive than it is now. As a freshman sitting in the illustrious rat's nest here listening to the debate on the same issue, but was more contentious back then, as you can imagine. The debate is very civil this evening and I would like to thank my colleagues for that. As I listen to the debate, I knew exactly which way I was going to be voting on that piece of legislation at the time. I was one of the very few freshman who did vote for the civil rights bill back then. After the vote was taken, we didn't have enough votes in the House, if I recall right, to actually pass it here. I had a couple of colleagues out back in the rat's nest afterwards, each of them grabbed one side of my arm and the other grabbed my other arm and said that unfortunately, you have just committed political suicide. Low and behold, I did not commit political suicide. If it was political suicide back then, I am about to commit political suicide again. I am going to ask my colleagues here to vote from their hearts and put all of the adversity aside and vote against the impending motion, the Indefinite Postponement of this bill and accompanying papers and send it out and let it fly or die for the last time. Thank you.

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

Representative **CROSS**: Mr. Speaker, Ladies and Gentlemen of the House. I wasn't going to get up and speak tonight, but thought there was one aspect of all the conversations that have gone on here tonight that hadn't been told. As most of you know, I have been here eight years. I am basically one of the old school, straight laced, my mother thought so. The old morals and all that other stuff have been beat into my head. I believed them. I am a Christian. I go to church. It seemed to me that the conversations that I have heard tonight, those that spoke, I felt were very sincere in what they talked about and how they talked about it. You wonder if I have had any experience. At one time even in Piscataquis County, which is now pretty poor, I ran 78 apartments. I have had them come and go. My main concern was to make sure they paid before they left. That was a difficult thing at times. What I wanted to say tonight is back in the last time we voted on this, two years ago, I voted against giving Mr. Quint and his people, if you will, anymore rights than I felt that I had. That was my theory. That was my talk and I still feel that way, but maybe I have opened my eyes a little bit wider and seen a little bit of the other side of the

coin. For everybody's information, I will be voting against the Indefinite Postponement and I want this to go back home so that all of those people, even though I am not going to see them again that much, that told me, what are you going to do? Which way are you going to vote? I want them to vote and then I can go tell them how did you vote?

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

Representative BRENNAN: Mr. Speaker, Men and Women of the House. I didn't know how I was going to vote on this bill until about 15 minutes ago. If I did what the good Representative from Rome said and go with my heart, I would vote against this bill. I think this bill has significant flaws. I think they are two fold. The first one, to carve out an exemption for religious organizations, I think is wrong. I don't think we should do that. I don't think we should ever carve out exemptions on civil rights for one particular group or one particular perspective. Secondly, I think it is wrong to send this to referendum. I don't think we should ever have people's civil rights determined through referendum. God forbid, this fail in November and simply walk away from this and say that the people have spoken and consequently, you don't get civil rights. That is wrong. Those are two very significant flaws that I see in this bill. Again, if I voted with my heart, I would vote against this. My head says that this is the only alternative and the only way to go. I have looked at every other political scenario that I can think of that would be more practical and that would be better than this and I can't think of anything. I am going to put my heart aside and I am going to vote with my head for this proposal. I am also going to vote for this because of my deep respect for the Representative from Portland, Representative Quint, who worked so hard for this. Fifteen minutes ago when I listened to his speech, I decided that I could put my heart aside and go with my head. Thank you.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative TWOMEY: Mr. Speaker, Men and Women of the House. I was not here before and I would like to go on record as a freshman in support of this legislation and against this pending motion. I rise to celebrate diversity. I rise to celebrate love. We have so much hatred in this world. We are all guilty at one time or another of giggling, name-calling and I am guilty. I will never forget the time I went to Boston and I saw two men kiss. I giggled. I have grown. I am so glad that I now know that we need to celebrate love because there is too much hatred. Thank you.

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

Representative MCDUGALL: Mr. Speaker, Ladies and Gentlemen of the House. Good evening. The homosexual/bisexual lifestyle has suggested them prolifically championed in our public schools, primetime television, movies, plays and music. It has permeated our culture. Many gays have publicly announced their sexual orientation in all kinds of contexts. These are people who very often hold all kinds of levels of responsibility in our society. One Representative mentioned earlier a friend that is a CEO of a company, for example. There are a couple where I work that I know of who are doing exceedingly well professionally. I suggests that mitigates against the notion that those who identify themselves by the sexual orientation are jobless, homeless or without credit. Last session, in the 118th, I encountered a person who was

lobbying for the legislation that we passed in the 118th. She introduced herself, she was dressed very well, and proceeded to give me a list of great accolades of herself. I mean that sincerely. She had credentials. She was very well schooled at a host of accomplishments in her life. They were very impressive. She ended it when she said, I am gay. She then proceeded to share that those who are gay are in our school systems. They very often teach our children and that there is nothing to worry about. That does not sound to me like a class of people or a group of people who are being discriminated in a mass way or in some fashion that would dictate the passage of this legislation.

The homosexual lifestyle or the bisexual lifestyle or all sexual practices are talked about and taught as alternative lifestyles in our school systems. I know that because of my own children who attended public schools. It is out in the open. It isn't something that is closed or under a rock or hidden. One Representative earlier in the debate referred to the Constitution, Section 6A, discrimination against persons is prohibited. I would suggest in our schools and elsewhere in our public discussions that we reiterate Section 6A. It is a very viable vehicle to prevent discrimination against any citizen in the State of Maine. Having said that, I do want to continue and I will end with a question through the chair.

Years ago, my wife and I had a job change and some things happened in a very quick period of time that necessitated moving. I had four or five children at the time. It was so long ago that I can't remember if my fifth had been born or not. We rent to seek to rent an apartment. It was a three-story building and the apartment available was the top floor. Of course, if you can imagine, my kids and my wife and I going up the stairs and the pitter patter of a whole lot of feet, we looked at the apartment and negotiated the price and so forth and so on. Of course, we went away and we thought about it. My wife and I both discussed later that neither one of us felt welcome at all. In fact, nothing was said to that degree, but you could read the body language. You could feel that feeling of oh, I hope they don't want this apartment with all those kids. That didn't mean they hated kids or they hated my kids. It didn't mean that they didn't like children. They were owners of property trying to think of the second floor people and all that noise going on top of them and how were they going to deal with that, perhaps. I share that story because how I felt or how my wife felt didn't necessarily reflect the reality of where that landlord was or wasn't.

I would like to close, if I may, posing a question through the chair. In the legislation, in the amendment, I would like to know from anyone who can answer, how is discrimination proven under the bill, if this bill should pass regarding employment or housing? If it is proven that there has been discrimination, what happens to the person who has been discriminated? Thank you for listening.

The SPEAKER: The Representative from North Berwick, Representative MacDougall 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: Mr. Speaker, Men and Women of the House. The discrimination that would be added by this bill is proven like every other allegation in the Maine Human Rights Act. That is by coming forward with the burden of proof on you to show that you have been discriminated against solely because of your sexual orientation. It can be any type of evidence that is admissible under the rules of evidence. It could be statements

made to you at the time an act takes place. It could be writings. It could be memos that include something. It could be statements made by the person who discriminated against you to other people. All of those are possible types of evidence. Each case is going to be judged by its merits. A allegation is not enough to prove a case. You have to go forward and prove your case that you were discriminated against because of your sexual orientation, whether it be heterosexual or homosexual. If a heterosexual person is refused housing because they are a heterosexual, they have a claim under this bill.

While I have the floor, I wanted to add a couple of other comments. In short, I have heard a lot of outstanding commentary tonight. I have heard concerns. I have heard statements that have moved me. The one point I want to emphasize more than anything is that discrimination by some against anyone diminishes each one of us. I personally want to lead the fight against discrimination. I want us to educate the citizens of Maine that this is the right thing to do. I want it to end, but it is not going to end if we sit by and watch. It is only going to end if we take action. This is your chance. The chances don't come along that often. I hope you will vote with me now to once and for all defeat the Indefinite Postponement and vote to pass this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Ellsworth, Representative Povich.

Representative **POVICH**: Mr. Speaker, Men and Women of the House. I am very pleased and thrilled to be representing Ellsworth and four towns in Hancock and Penobscot County and the very first Legislature in the new millennium. I am doubly pleased and thrilled to support LD 2239, "An Act to Ensure Civil Rights and Prevent Discrimination" as the most important vote that I could cast and the most important vote in the new millennium. Maine is a wonderful state. I left Maine after high school for about 15 years. I studied in Michigan. After I concluded my studies, I wanted to travel some more. I traveled to California and I worked there for six years. At the end of the 70s, I embarked upon the trip of a lifetime. I bicycled around the world. I wouldn't do that again. Throughout my travels I compared my experiences to my experiences growing up in Ellsworth as a Jewish boy. I have lived a wonderful life in Maine. I was most happy to return to Maine after I had done this adventure. I had endured no prejudice. My family was embraced. My grandparents were accepted and admired. They had endured terrible hardship in imperialistic Russia. They loved Maine. They liked winter. They had a lot of that in Russia. They raised a family. They grew a business and laid a wonderful foundation. Throughout their lifetimes, their friends were very kind and very gentle. Would I ever deny the same rights to any of my friends? Never. Never could I deny any of my friends their civil rights. I urge you to vote against the motion. Thank you very much.

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

Representative **COLWELL**: Mr. Speaker, Men and Women of the House. I do have to confess, I really did intend to rise much earlier on this issue. I felt it was important to get on the record. I was surrounded by such eloquence, I truly mean that, I have been mesmerized by the high quality of this debate and I thank each and every one of my colleagues for that. For many on the other side of the issue, I rise to support passing equal rights for all citizens in the State of Maine and to oppose the pending motion to Indefinitely Postpone. For many on the other

side of this issue, the battle cry goes up that this is about granting equal rights to gay and lesbian citizens that that is one of an issue of family values. To this Maine boy, it is an issue of family values. That rings true to me, but in my family, in the State of Maine, we were raised to believe it was never okay to discriminate against anyone. It was never okay. It was not acceptable to treat anyone as a second-class citizen. My family values taught me to believe that in America you gave everyone the same rights as you had. You treated everyone equally and with dignity and with respect. Although my family has been in Maine for over two centuries, in 1962, I was living in a state that did discriminate legally, the State of Texas. I went to an all white junior high school. I lived in an all white neighborhood. It was the way things were done. We passed a law that made that illegal. Equal rights were not negotiable.

I have to tell you a brief story. My father fought this battle for years and years. He fought it in Texas. He fought it growing up in Eastport where the very proud Passamaquoddy Nation has their reservation on Pleasant Point. He fought it from the time he was a kid until he died. There was a time in Texas he worked for the welfare department. There was an old black woman who had Hanson's Disease. Hanson's Disease, as you may know, is what used to be known as leprosy. No one would take this black woman to Carville, Louisiana, because at that time it was just another prejudice. We didn't know much about the disease. We thought it was communicable. My father loaded up the family station wagon with this wonderful woman and decided to make the trip across east Texas and take her to the institution in Carville. He stopped at a little roadside joint, the Dew Drop Inn, at lunchtime to get a hamburger, knowing my dad he probably had one beer. He took the black woman in with him to get some lunch. In east Texas it is still pretty much like that today, but back then it was really segregationist territory. The woman didn't want to go in. She said, "Mr. Ralph, they are not going to serve me in there." He said, "It is alright." He took her in and they came over and told him that she couldn't eat in here. If you want, you can eat here and she can eat out back in the kitchen. They did that. My father paid the bill and the guy at the cash register asked where they were heading. He said that he was taking this woman over to Carville, Louisiana. The guy's eyes got big. He asked why they were going to Carville. My father explained she had a medical condition and they have an institution there and they are going to treat her. They left. I think the fella behind the counter learned a big lesson about discrimination that day.

I urge all my colleagues to end discrimination in the State of Maine. This one is just not negotiable. I pray and hope it is not negotiable to this body. Thank you Mr. Speaker.

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

Representative **COTE**: Mr. Speaker, Members of the House. I promised some of my fellow colleagues that I wouldn't get up today and speak on this issue. After speaking to quite a few of them and getting suggestions from a few of them, I started thinking. How did I manage to get myself involved in this? One, I had two family members that were discriminated against because of their sexual orientation. I forgot about it because I wanted to forget. This all brought back memories and the hurt that they went through. Until this day, I remember how my grandmother went through being called a squaw, discrimination. I started thinking about myself during school years and being called fatso, Harry Canary, professor and geek. That is

discrimination, because I wasn't like them. I was ~~somebody~~ different. I was always taught by my grandparents to not discriminate. As I grew up, what did I do, I started discriminating until I started thinking back. I thought, wait a minute, I got two cousins who were there and were very hurt. I was there. By the way, I was just going through that with my son this past two years. He was being discriminated against because of his size because he is bigger than the other kids. They call him all kinds of names, giant, gorilla, hairy and big foot. I started to think this afternoon, wait a minute, we have all been discriminated against one way or another. It is time to put a stop to it.

I lived in Florida for three years. I was discriminated against because I was a Mainer. I was called maniac, a yankee, an idiot from the northern states. I took that abuse for three years. I couldn't take it any more so I moved back to Maine with my family. Here my son has all the discrimination. I started to teach them as the years went by. Discrimination is bad. He kept asking me, "Why daddy?" I told him that they were people just like you and me. The only thing different is they have a different lifestyle. That is not the way to discriminate against people from work. That is just like if you get hired to go to a job. They won't hire you because you are too fat or you are too heavy. That is just like them. I teach my son to not discriminate against anyone. Treat them like you would want to be treated. It took me long and hard to decide to get up and speak on this bill because I didn't know which way to go. I will be honest. I will say I didn't know which way to go on this bill until now. I urge my fellow colleagues to go along with my light and oppose the indefinite Postponement. Go with the other amendment. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinitely Postpone the Bill and Accompanying Papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 544

YEA - Ahearne, Belanger, Berry DP, Bowles, Bragdon, Buck, Bumps, Campbell, Carr, Clark, Clough, Davis, Desmond, Duncan, Foster, Gerry, Gillis, Glynn, Gooley, Heidrich, Honey, Jodrey, Joy, Kasprzak, Kneeland, Labrecque, Lovett, MacDougall, Mack, Madore, McAlevey, McKenney, Mendros, Nass, Nutting, Pinkham, Plowman, Richardson E, Rosen, Sanborn, Savage C, Schneider, Sherman, Shields, Shorey, Sirois, Snowe-Mello, Stanley, Stedman, Tobin D, Tobin J, Trahan, Treadwell, True, Waterhouse, Weston, Wheeler EM.

NAY - Bagley, Baker, Berry RL, Bolduc, Bouffard, Brennan, Brooks, Bruno, Bryant, Bull, Cameron, Chick, Chizmar, Cianchette, Collins, Colwell, Cote, Cowger, Cross, Daigle, Davidson, Dudley, Dugay, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Gagnon, Goodwin, Green, Hatch, Jabar, Jacobs, Jones, Kane, LaVerdiere, Lemoine, Lemont, Lindahl, Mailhot, Martin, Marvin, Mayo, McDonough, McGlocklin, McKee, McNeil, Mitchell, Murphy T, Muse, Norbert, O'Brien JA, O'Brien LL, O'Neil, Peavey, Perkins, Pieh, Povich, Powers, Quint, Richard, Richardson J, Samson, Savage W, Saxl JW, Saxl MV, Shiah, Skoglund, Stanwood, Stevens, Sullivan, Tessier, Thompson, Townsend, Tracy, Tripp, Tuttle, Twomey, Usher, Volenik, Watson, Wheeler GJ, Williams, Winsor, Mr. Speaker.

ABSENT - Andrews, Dunlap, Matthews, Murphy E, O'Neal, Perry, Rines.

Yes, 57; No, 87; Absent, 7; Excused, 0.

57 having voted in the affirmative and 87 voted in the negative, with 7 being absent, and accordingly the motion to

INDEFINITELY POSTPONE the Bill and all accompanying papers **FAILED**.

The SPEAKER: A roll call having been previously ordered. The pending question before the House is Acceptance of Report "A" Ought to Pass as Amended. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 545

YEA - Bagley, Baker, Berry RL, Bolduc, Bouffard, Brennan, Brooks, Bruno, Bryant, Bull, Cameron, Cianchette, Colwell, Cote, Cowger, Cross, Daigle, Davidson, Dudley, Dugay, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Gagnon, Goodwin, Green, Hatch, Jabar, Jacobs, Jones, Kane, LaVerdiere, Lemoine, Lemont, Lindahl, Mailhot, Marvin, Mayo, McDonough, McGlocklin, McKee, Mitchell, Murphy T, Muse, Nass, Norbert, O'Brien JA, O'Brien LL, O'Neil, Peavey, Perkins, Pieh, Povich, Powers, Quint, Richard, Richardson J, Samson, Savage W, Saxl JW, Saxl MV, Shiah, Skoglund, Stanwood, Stevens, Sullivan, Tessier, Thompson, Townsend, Tracy, Tripp, Tuttle, Twomey, Usher, Volenik, Watson, Wheeler GJ, Williams, Mr. Speaker.

NAY - Ahearne, Belanger, Berry DP, Bowles, Bragdon, Buck, Bumps, Campbell, Carr, Chick, Chizmar, Clark, Clough, Collins, Davis, Desmond, Duncan, Foster, Gerry, Gillis, Glynn, Gooley, Heidrich, Honey, Jodrey, Joy, Kasprzak, Kneeland, Labrecque, Lovett, MacDougall, Mack, Madore, Martin, McAlevey, McKenney, McNeil, Mendros, Nutting, Pinkham, Plowman, Richardson E, Rosen, Sanborn, Savage C, Schneider, Sherman, Shields, Shorey, Sirois, Snowe-Mello, Stanley, Stedman, Tobin D, Tobin J, Trahan, Treadwell, True, Waterhouse, Weston, Wheeler EM, Winsor.

ABSENT - Andrews, Dunlap, Matthews, Murphy E, O'Neal, Perry, Rines.

Yes, 82; No, 62; Absent, 7; Excused, 0.

82 having voted in the affirmative and 62 voted in the negative, with 7 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-624)** was **READ** by the Clerk.

Representative PERKINS of Penobscot **PRESENTED House Amendment "A" (H-1046)** to **Committee Amendment "A" (S-624)**, which was **READ** by the Clerk.

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

Representative PERKINS: Mr. Speaker, Colleagues of the House. This should look familiar to those of you who were here in the last Legislature. I presented this before. I believe in it and that is why I am doing it again. I am fully in favor of what we just did, but I think this would even be better. I think after hearing the debate tonight, a lot of the testimony here tonight, even points out even more strongly how important this idea is. If you have it in front of you, what this says is instead of adding new groups to the Maine Human Rights Act, this says, once and for all, you can't discriminate for any reason in these categories here in employment, except on account of a reasonable concern related to an occupational qualification. You cannot discriminate in housing, except on account of a reasonable concern related to health, safety or payment of rent. Access to public accommodations, except on account of a reasonable concern related to health, safety or payment for the goods or services rendered. The fourth category, in the extension of credit except on account of a reasonable concern related to repayment.

I have heard tonight one speaker said that when we look back 10 years from now, we will be very proud of ourselves. We will, but I will just about guarantee you that if we look back 10 years, this will not be the end of it. This will not be the last group that comes to us to be added to the list. You can take your own guess of what it might be, but we make jokes now about overweight people. We heard terms tonight like, geek, idiot and maniac. Apparently the bikers were concerned because they wear earrings, tattoos and leather jackets. I am not making light of the concern for the group that we are going to add tonight. Don't get me wrong. It is a serious situation and we should not discriminate for any reason. I would just like to stress that if we are going to put this to rest, then let's put it to rest. Thank you.

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

Representative THOMPSON: Mr. Speaker, Men and Women of the House. I would like to thank the members of the House for their previous action and ask you to join with me as I oppose this amendment. I have great respect for the Representative from Penobscot and have had some interesting discussions with him about this issue and many other issues. I would never want to say anything that would, in any way, show that I don't respect his opinions. I feel that we are here for one purpose tonight. That purpose has been accomplished. Let us go on with this. Mr. Speaker, I move that we Indefinitely Postpone House Amendment "A."

Representative THOMPSON of Naples moved that House Amendment "A" (H-1046) to Committee Amendment "A" (S-624) be INDEFINITELY POSTPONED.

Representative MENDROS of Lewiston REQUESTED a roll call on the motion to INDEFINITELY POSTPONE House Amendment "A" (H-1046) to Committee Amendment "A" (S-624).

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 Lewiston, Representative Mendros.

Representative MENDROS: Mr. Speaker, Men and Women of the House. I had a couple of amendments that I was going to add. Representative Perkins amendment is clearly superior to mine. It is tapped into the same intent. I ask that if what we are trying to doing tonight is put an end to discrimination in the State of Maine in these four areas that we have looked at, housing, public accommodations, credit and employment. That is what this is amendment does in all areas. Why is it okay for somebody to walk up to me and say, "Mendros, you are too fat. You are fired." Maybe to not rent to my seatmate, Representative MacDougall, because you wear glasses. That is perfectly legal and perfectly acceptable. If we truly care about discrimination, if that is really what we care about, then we need to vote for this amendment and end discrimination. You can either do the job or you can't. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-1046) to Committee Amendment "A" (S-624). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 546

YEA - Bagley, Baker, Berry RL, Bolduc, Bouffard, Bragdon, Brennan, Brooks, Bruno, Bryant, Bull, Cameron, Chizmar, Colwell, Cote, Cowger, Daigle, Davidson, Desmond, Dudley, Dugay, Duplessie, Etnier, Fisher, Frechette, Fuller, Gagne, Gagnon, Goodwin, Green, Hatch, Jabar, Jacobs, Jones, Kane,

LaVerdiere, Lemoine, Lemont, Lindahl, Mailhot, Marvin, Mayo, McDonough, McGlocklin, McKee, Mitchell, Murphy T, Muse, Norbert, O'Brien JA, O'Brien LL, O'Neil, Peavey, Pieh, Povich, Powers, Quint, Richard, Richardson J, Samson, Sanborn, Savage W, Saxl JW, Saxl MV, Shiah, Sirois, Stevens, Sullivan, Tessier, Thompson, Townsend, Tripp, Tuttle, Twomey, Usher, Volenik, Watson, Wheeler GJ, Williams, Winsor, Mr. Speaker.

NAY - Ahearn, Belanger, Berry DP, Bowles, Buck, Bumps, Campbell, Carr, Chick, Cianchette, Clark, Clough, Collins, Cross, Davis, Duncan, Foster, Gerry, Gillis, Glynn, Gooley, Heidrich, Honey, Jodrey, Joy, Kasprzak, Kneeland, Labrecque, Lovett, MacDougall, Mack, Madore, Martin, McAlevey, McKenney, McNeil, Mendros, Nass, Nutting, Perkins, Pinkham, Plowman, Richardson E, Rosen, Savage C, Schneider, Sherman, Shields, Shorey, Skoglund, Snowe-Mello, Stanley, Stanwood, Stedman, Tobin D, Tobin J, Tracy, Trahan, Treadwell, True, Waterhouse, Weston, Wheeler EM.

ABSENT - Andrews, Dunlap, Matthews, Murphy E, O'Neal, Perry, Rines.

Yes, 81; No, 63; Absent, 7; Excused, 0.

81 having voted in the affirmative and 63 voted in the negative, with 7 being absent, and accordingly House Amendment "A" (H-1046) to Committee Amendment "A" (S-624) was INDEFINITELY POSTPONED

Representative MENDROS of Lewiston PRESENTED House Amendment "B" (H-1052) to Committee Amendment "A" (S-624), which was READ by the Clerk.

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

Representative MENDROS: Mr. Speaker, Ladies and Gentlemen of the House. I will try to keep this as short as possible. What this amendment does is it adds political affiliation to the classes we protect. I can tell you a little story about the City of Lewiston. The City of Lewiston at the turn of the century, you could not get a job working at the mill if you weren't a registered Republican. The mill owners were Republicans. They would not hire you if you were registered as a Democrat. Because of that, the past 100 years there has been a backlash in the City of Lewiston. People from that point have hated the Republican Party and registered as Democrats. It goes on. Political affiliation, people can be fired because of it. I know of somebody who was fired from their particular employment because their employer didn't agree with their political affiliation. That is inappropriate. Again, if we care about discrimination, are we sending a message that it is okay to do that? We are still facing that in Lewiston, those of us who are Republicans, a deep-seated hatred towards our party for what our party did to the working people of Lewiston and rightfully so. It was inappropriate to have that kind of attitude to not hire them. It was wrong. It is still wrong. That is why I propose this amendment. Mr. Speaker, to get this over with quick, I would request a division.

The same Representative REQUESTED a division on his motion to ADOPT the House Amendment "B" (H-1052) to Committee Amendment "A" (S-624).

Representative THOMPSON of Naples REQUESTED a roll call on the motion to ADOPT the House Amendment "B" (H-1052) to Committee Amendment "A" (S-624).

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 Naples, Representative Thompson.

Representative **THOMPSON**: Mr. Speaker, Men and Women of the House. I want to agree with the good Representative from Lewiston, Representative Mendros, that his amendment isn't nearly as good as Representative Perkins' amendment.

Representative **CAMERON** of Rumford moved that **House Amendment "B" (H-1052) to Committee Amendment "A" (S-624)** be **INDEFINITELY POSTPONED**.

Representative **MENDROS** of Lewiston **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "B" (H-1052) to Committee Amendment "A" (S-624)**.

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 Lewiston, Representative Mendros.

Representative **MENDROS**: Mr. Speaker, Ladies and Gentlemen of the House. This wasn't the amendment. I have another one, which I am not going to present.

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

Representative **MCALVEY**: Mr. Speaker, May I pose a question through the Chair?

The **SPEAKER**: The Representative may pose his question.

Representative **MCALVEY**: Mr. Speaker, Men and Women of the House. Would a lost political election be the ultimate in political discrimination?

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "B" (H-1052) to Committee Amendment "A" (S-624). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 547

YEA - Ahearne, Bagley, Baker, Belanger, Berry DP, Berry RL, Bolduc, Bouffard, Bowles, Bragdon, Brennan, Brooks, Bruno, Bryant, Buck, Bull, Bumps, Cameron, Campbell, Carr, Chick, Chizmar, Cianchette, Clark, Clough, Collins, Colwell, Cote, Cowger, Cross, Daigle, Davidson, Davis, Desmond, Dudley, Dugay, Duncan, Duplessie, Etnier, Fisher, Foster, Frechette, Fuller, Gagne, Gagnon, Gerry, Gillis, Glynn, Goodwin, Gooley, Green, Heidrich, Honey, Jabar, Jacobs, Jodrey, Jones,

Kane, Kasprzak, Kneeland, Labrecque, LaVerdiere, Lemoine, Lemont, Lindahl, Lovett, Madore, Mailhot, Martin, Marvin, Mayo, McAlevey, McDonough, McGlocklin, McKee, McKenney, McNeil, Mitchell, Murphy T, Muse, Nass, Norbert, Nutting, O'Brien JA, O'Brien LL, O'Neil, Peavey, Perkins, Pieh, Povich, Powers, Quint, Richard, Richardson J, Rosen, Samson, Sanborn, Savage C, Savage W, Saxl JW, Saxl MV, Schneider, Sherman, Shiah, Shields, Shorey, Sirois, Skoglund, Snowe-Mello, Stanley, Stevens, Sullivan, Tessier, Thompson, Tobin D, Townsend, Tracy, Trahan, Tripp, True, Tuttle, Twomey, Usher, Volenik, Waterhouse, Watson, Weston, Wheeler EM, Wheeler GJ, Williams, Winsor, Mr. Speaker.

NAY - Joy, MacDougall, Mack, Mendros, Pinkham, Plowman, Richardson E, Stedman, Tobin J, Treadwell.

ABSENT - Andrews, Dunlap, Hatch, Matthews, Murphy E, O'Neal, Perry, Rines, Stanwood.

Yes, 132; No, 10; Absent, 9; Excused, 0.

132 having voted in the affirmative and 10 voted in the negative, with 9 being absent, and accordingly **House Amendment "B" (H-1052) to Committee Amendment "A" (S-624)** was **INDEFINITELY POSTPONED**.

Subsequently, **Committee Amendment "A" (S-624)** was **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 by Committee Amendment "A" (S-624)** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative **BERRY** of Livermore, the House adjourned at 9:06 p.m., until 9:00 a.m., Wednesday, April 5, 2000 in honor and lasting tribute to Paige Barton.