

MAINE STATE LEGISLATURE

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

VOLUME II

FIRST REGULAR SESSION

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

An Act to Amend the Laws Regarding Workers' Compensation Pilot Projects (H.P. 1017) (L.D. 1432) (C. "A" H-362)

An Act to Create Wet-weather Water Quality Standards (H.P. 1023) (L.D. 1438) (C. "A" H-366)

An Act to Clarify the Operations of the Maine Board of Bar Examiners (H.P. 1062) (L.D. 1497)

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

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

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

On motion of Representative AHEARNE of Madawaska was set aside.

The same Representative requested a roll call on passage to be enacted.

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

Representative TREAT: Mr. Speaker, Men and Women of the House: It seems like I have to stand up every five minutes today. We seem to be having a lot of bills from the Judiciary Committee. I did want to just explain to you what this bill is, so you know what we are voting on. This is a unanimous Committee Report coming from the Judiciary Committee. It is a bill that protects access to reproductive health clinics along with hospitals and other facilities. In its amended form no longer is it specifically related to reproductive health clinics.

It is a bill that is supported by several members of the pro-life coalition as well as the pro-choice coalition. It was negotiated with the assistance of the Attorney General's Office. It is really a win, win situation. It is something that where we had people coming to us in agreement on both sides of what is a very divisive issue and getting unanimous support from this committee. I think it is a really positive step forward in opposition to any potential violence that might occur and in support of free speech and access to constitutional rights. I hope that you will vote in support of the unanimous Committee Report.

The SPEAKER PRO TEM: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of more than one-fifth of members present and voting. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and more than one-fifth of the members present and voting having expressed a desire for a roll call, a roll call was ordered.

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

Representative WATERHOUSE: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER PRO TEM: The Representative may pose his question.

Representative WATERHOUSE: Thank you Mr. Speaker. Can anyone on the Judiciary Committee clarify what they mean by noise in this bill?

The SPEAKER PRO TEM: The Representative from Bridgton, Representative Waterhouse has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Gardiner, Representative Treat.

Representative TREAT: Mr. Speaker, Men and Women of the House: Noise could be any kind of noise. It is defined in a whole series of decisions that have come down from the courts in other states as well as in existing laws that we have here in the State of Maine that involve disorderly conduct. Any kind of very loud noises, they would have to be noises that are heard inside buildings. No one could be out of compliance with this law unless they were previously warned by a police officer that they were causing problems and they allowed very loud noises and at which time they deliberately went ahead with making noises after having been warned. I left my file up in my office, but I would be happy to read from various court decisions if the body is interested in that, which go into great detail on this. Do you wish me to go get it.

The SPEAKER PRO TEM: A roll call has been ordered. The pending question before the House is Enactment. All those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 153

YEA - Adams, Ault, Bailey, Barth, Benedikt, Berry, Brennan, Bunker, Carleton, Chartrand, Chase, Chizmar, Cloutier, Daggett, Damren, Davidson, Desmond, Dore, Driscoll, Etnier, Fisher, Fitzpatrick, Gamache, Gates, Gerry, Gooley, Gould, Green, Greenlaw, Hartnett, Heeschen, Hichborn, Jacques, Johnson, Jones, K.; Jones, S.; Joseph, Kerr, Kilkelly, Kneeland, Kontos, Labrecque, LaFountain, Lemaire, Lemke, Libby JL; Lindahl, Luther, Madore, Martin, Marvin, Mayo, McAlevey, Meres, Mitchell EH; Mitchell JE; Morrison, Nadeau, Nass, Nickerson, O'Gara, O'Neal, Ott, Peavey, Pendleton, Perkins, Plowman, Poirier, Poulin, Povich, Reed, G.; Richardson, Ricker, Rosebush, Rowe, Samson, Savage, Saxl, J.; Saxl, M.; Shiah, Spear, Stevens, Stone, Taylor, Thompson, Townsend, Treat, Tripp, True, Truman, Tufts, Tyler, Underwood, Volenik, Watson, Whitcomb, Winglass, Winn.

NAY - Ahearne, Aikman, Bigl, Birney, Bouffard, Buck, Campbell, Chick, Clark, Clukey, Cross, Dexter, DiPietro, Dunn, Farnum, Gieringer, Heino, Joy, Joyce, Joyner, Keane, Lane, Layton, Lemont, Libby JD; Look, Lovett, Lumbra, Marshall, McElroy, Murphy, Paul, Pinkham, Pouliot, Reed, W.; Rice, Robichaud, Simoneau, Stedman, Strout, Tuttle, Vigue, Waterhouse, Wheeler, Winsor.

ABSENT - Cameron, Donnelly, Guerrette, Hatch, Rotondi, Sirois, Yackobitz, The Speaker.

Yes, 98; No, 45; Absent, 8; Excused, 0.

98 having voted in the affirmative and 45 voted in the negative, with 8 being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Amend the Real Estate Laws Concerning Validation of Defects (H.P. 1059) (L.D. 1488)

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

On motion of Representative MITCHELL of Vassalboro was set aside.

On further motion of the same Representative, tabled pending passage to be enacted and later today assigned.