

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eleventh
Legislature***

OF THE

STATE OF MAINE

Volume II

FIRST REGULAR SESSION

May 16, 1983 to June 24, 1983

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On motion by Senator Carpenter of Aroostook, the Senate voted to remove from the Table:

BILL, "An Act to Establish Standards of Accessibility for Handicapped Persons in Public Housing and Places of Public Accommodations" (H. P. 1261) (L. D. 1671), Tabled earlier in today's session on motion by Senator Carpenter of Aroostook, pending Passage to be Engrossed.

On motion by Senator Carpenter of Aroostook, Retabled for 1 Legislative Day.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Dow.

Senator DOW: Mr. President, is the Senate in possession of L. D. 1675?

The PRESIDENT: The Chair would answer in the affirmative BILL, "An Act to Provide Occupational Safeguards for Operators of Video Display Terminals" (H. P. 657) (L. D. 831) having been held at the request of the Senator.

The Senator has the floor.

Senator DOW: Mr. President, I move Reconsideration whereby L. D. 1675 Failed of Passage to be Engrossed.

The PRESIDENT: The Senator from Kennebec, Senator Dow moves that the Senate Reconsider its action whereby the Senate Accepted the Minority Ought Not to Pass Report.

The Chair recognizes the Senator from Androscoggin, Senator Charette.

Senator CHARETTE: Thank you, Mr. President, just some sixteen and a half hours ago we debated this issue quite at length, and I don't intend to repeat myself; however, I do have new information this morning and some of our esteemed Senators after last night's session, went out and tried their skills on video games and boy we do have some winners in this Body, and I know of one ace, especially.

Just a point of clarification in what I'm saying is that, even those operators that operate VDT's all day long enjoy, also, the same video games on their T. V. at home. So if this is so treacherous, as everybody seems to think it is, for eye impairment or vision, or whatever, I don't know why then we've got to allow that to continue in the homes. So where are we going next?

I would hope that the Bureau of Labor can, by its own self do its own survey and promulgate their own rules. So I would hope that the Senate Body this morning vote against the pending motion, and I would ask that the vote be taken by Yeas and Nays.

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen a Roll Call is ordered.

The Chair recognizes the Senator from York, Senator Dutremble.

Senator DUTREMBLE: Mr. President and Members of the Senate, I think the good Senator from Androscoggin has hit it right on the nail. He said that the Department of Labor should collect data and promulgate the rules. That's exactly what this Bill does, exactly what this Bill does and that's what we want to do. We want the Department of Labor to collect data and statistics and promulgate any rules, if necessary if they're not necessary the Department of Labor doesn't have to do anything.

If there is concern this morning by different Members of the Senate and if there is concern by all the lobbyists out in the hallways this morning that this will affect business in the future, it is all for naught, because if there is no problem, they have nothing to worry about.

I think that just knowing that the Department of Labor wants this Bill and the Bureau

of Personnel wants this Bill, suggests something to me. The fact that we did receive a letter from the Department of Human Services saying that there was a problem with some people, suggests something to me. I would hope that it would suggest something to you and that you would go along with the Reconsideration motion this morning. Thank you.

The PRESIDENT: The pending question before the Senate is the motion by the Senator from Kennebec, Senator Dow that the Senate Reconsider its action whereby it Accepted the Minority Ought Not to Pass Report of the Committee.

A Yes vote will be in favor of Reconsideration.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Baldacci, Brown, Bustin, Carpenter, Dow, Dutremble, Erwin, Hayes, Kany, Minkowsky, Perkins, Pray, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.
NAY—Charette, Clark, Collins, Danton, Diamond, Emerson, Gill, McBreairty, Sewall, Shute, Teague, Trafton.

ABSENT—Hichens, Najarian, Pearson, Redmond.

A Roll Call was had.

17 Senators having voted in the affirmative and 12 Senators in the negative, with 4 Senators being absent, the motion to Reconsider, Prevailed.

The Majority Ought to Pass, in New Draft under New Title Report of the Committee was Accepted, in concurrence.

The Bill, in New Draft under New Title Read Once and Tomorrow Assigned for Second Reading.

(Off Record Remarks)

On motion by Senator Carpenter of Aroostook, the Senate voted to remove from the Table:

BILL, "An Act to Assure Public Awareness of Nuclear Civil Protection Plans for Maine" (H. P. 1266) (L. D. 1677), Tabled earlier in today's session on motion by Senator Carpenter of Aroostook, pending Passage to be Engrossed.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Danton.

Senator DANTON: For the Committee on Bills in their Second Reading, I offer Senate Amendment "A" (S-152) to L. D. 1677 and move its Adoption.

The PRESIDENT: The Senator from York, Senator Danton offers Senate Amendment "A" and moves its Adoption.

Senate Amendment "A" (S-152) was Read and Adopted.

The Bill Passed to be Engrossed, as amended, in non-concurrence.

Sent down for concurrence.

On motion by Senator Pray of Penobscot, the Senate voted to remove from the Table:

BILL, "An Act to Create a Student Seat on the Board of Trustees of the University of Maine" (H. P. 24) (L. D. 29)

Tabled — May 18, 1983 by Senator PRAY of Penobscot

Pending — Enactment

(In House May 13, 1983 Failed of Passage to be Enacted)

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Collins.

Senator COLLINS: I request a Roll Call.

The PRESIDENT: A Roll Call has been requested. Under the Constitution, in order for the Chair to order a Roll Call it requires the affirmative vote of at least one-fifth of those Senators present and voting.

Will all those Senators in favor of ordering a Roll Call, please rise and remain standing until counted.

Obviously more than one-fifth having arisen

a Roll Call is ordered.

The Chair recognizes the Senator from Penobscot, Senator Hayes.

Senator HAYES: Members of the Maine State Senate, I want to explain to you why this Bill has been held and unassigned. The reason is that we have been awaiting an Attorney General's opinion on whether or not the additional student seat on the Board of Trustees would require a simple majority, or a two-thirds. We have now received an opinion from the Attorney General's Office that requires simple majority and this is the reason for the holding Bill.

The PRESIDENT: The Chair would state on the Enactment of this Bill that under Section 8, Part 1 of Article 5 of the Constitution, a two-thirds vote of those present and voting is necessary.

The Chair recognizes the Senator from Penobscot, Senator Hayes.

(Senate At Ease)

The Senate called to Order by the President.

The PRESIDENT: The Chair will clarify that it will take the majority vote to pass this Bill.

The pending question before the Senate is the Enactment of L. D. 29.

A Yes vote will be in favor of Enactment.

A No vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEA—Baldacci, Brown, Bustin, Carpenter, Charette, Clark, Danton, Diamond, Dow, Dutremble, Erwin, Hayes, Kany, McBreairty, Pearson, Pray, Trafton, Twitchell, Usher, Violette, Wood, The President Gerard P. Conley.
NAY—Collins, Emerson, Gill, Minkowsky, Perkins, Sewall, Shute, Teague.

ABSENT—Hichens, Najarian, Redmond.

A Roll Call was had.

22 Senators having voted in the affirmative and 8 Senators in the negative, with 3 Senators being absent, the Bill was Passed to be Enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

(Off Record Remarks)

Senator Carpenter of Aroostook was granted unanimous consent to address the Senate, Off the Record.

(Off Record Remarks)

On motion by Senator Pray of Penobscot, Adjourned until 9 o'clock tomorrow morning.