

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Twelfth
Legislature***

OF THE

STATE OF MAINE

Volume I

FIRST REGULAR SESSION

December 5, 1984 - June 20, 1985

STATE OF MAINE
One Hundred and Twelfth Legislature
First Regular Session
JOURNAL OF THE SENATE
In Senate Chamber
Monday
May 13, 1985
Senate called to Order by the President.

Prayer by The Honorable Larry M. Brown of Washington.

Senator BROWN: Our Father in Heaven, hallowed be Thy Name. As we are assembled, as a representative Body of the people, help us to lead in those areas where leadership is needed. Help us to follow where following is an appropriate act. Give us humbleness as we approach our tasks this day, ever mindful of the poor and the needy among us. Be with us as we discern. Help us to know what is the right and the wrong act. Help us always to desire the right.

Guide us in our deliberations this day. We pray in Jesus' Name. Amen.

Reading of the Journal of Friday, May 10, 1985.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-concurrent Matter

Resolve, Establishing an Alcohol Awareness Study for Servers of Alcohol" (S.P. 573) (L.D. 1497)

In Senate, May 9, 1985, referred to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ORDERED PRINTED.

Comes from the House referred to the Committee on LEGAL AFFAIRS and ORDERED PRINTED IN NON-CONCURRENCE.

The Senate RECEDED and CONCURRED.

Non-concurrent Matter

Bill "An Act Relating to Solicitations and Public Office Holding by State Employees" (S.P. 533) (L.D. 1434)

In Senate, May 1, 1985, PASSED TO BE ENGROSSED.

Comes from the House PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "C" (H-125), in NON-CONCURRENCE.

On motion by Senator VIOLETTE of Aroostook, Tabled until Later in Today's session, pending FURTHER CONSIDERATION.

House Papers

Bill "An Act Concerning Unemployment Compensation Contributions by Home Knitting Businesses" (H.P. 1037) (L.D. 1511)

Comes from the House referred to the Committee on LABOR and ORDERED PRINTED.

Which was referred to the Committee on LABOR and ORDERED PRINTED, in concurrence.

COMMUNICATIONS

The Following Communication: (S.P. 576)

112th LEGISLATURE

May 10, 1985

Senator Judy C. Kany
Representative Dan A. Gwadosky
Chairpersons
Committee on State Government
112th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Harold L. Gosselin of Lewiston for reappointment to the State Personnel Board.

Pursuant to Title 5 MRSA Section 591, this nomination will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,
S/ CHARLES P. PRAY

President of the Senate
S/ JOHN L. MARTIN
Speaker of the House

Which was READ and referred to the Joint Standing Committee on STATE GOVERNMENT.

Sent down for concurrence.

The Following Communication: (S.P. 577)
112th LEGISLATURE

May 10, 1985

Senator Judy C. Kany
Representative Dan A. Gwadosky
Chairpersons
Committee on State Government
112th Legislature
Augusta, Maine 04333
Dear Chairs:

Please be advised that Governor Joseph E. Brennan has nominated Tobie Nathanson of Saco for reappointment to the State Personnel Board.

Pursuant to Title 5 MRSA Section 591, this nomination will require review by the Joint Standing Committee on State Government and confirmation by the Senate.

Sincerely,
S/ CHARLES P. PRAY
President of the Senate
S/ JOHN L. MARTIN
Speaker of the House

Which was READ and referred to the Joint Standing Committee on STATE GOVERNMENT.

Sent down for concurrence.

COMMITTEE REPORTS

House

Ought Not To Pass

The following Ought Not to Pass reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Resolve, Providing Support to the Regional Agriculture Committee (H.P. 845) (L.D. 1194)

Bill "An Act to Control Motorcycle Noise" (H.P. 431) (L.D. 611)

Bill "An Act to Reduce the Workers' Compensation Borders on Sheltered Workshops" (H.P. 729) (L.D. 1038)

Bill "An Act to Limit Payment of Attorneys' Fees Under the Workers' Compensation Law" (H.P. 240) (L.D. 281)

Bill "An Act Concerning Average Weekly Wages under the Workers' Compensation Act" (H.P. 667) (L.D. 950)

Bill "An Act to Require that Workers' Compensation Cases be Decided on their Merits" (H.P. 271) (L.D. 341)

Bill "An Act Relating to the Coordination of Benefits under the Workers' Compensation Act" (H.P. 695) (L.D. 990)

Bill "An Act Concerning Lawyers' Fees under the Workers' Compensation Act" (H.P. 60) (L.D. 78)

Bill "An Act to Reform the Current Spendable Earnings Program within the Workers' Compensation Laws" (H.P. 666) (L.D. 949)

Bill "An Act Establishing a Cap on Workers' Compensation Increase" (H.P. 178) (L.D. 212)

Bill "An Act Relating to Maximum Benefits under the Workers' Compensation Act" (H.P. 179) (L.D. 213)

Leave to Withdraw

The following Leave to Withdraw reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Clarify the Determination of Fair Return Allowances for For-profit Hospitals" (H.P. 830) (L.D. 1174)

Bill "An Act to Prevent Criminals from Profiting as an Indirect Result of their Crime" (H.P. 590) (L.D. 860)

Bill "An Act to Prohibit the Dissemination of Obscene Material" (H.P. 725) (L.D. 1034)

Bill "An Act Concerning the Plea of Innocent

by Reason of Insanity" (H.P. 726) (L.D. 1035)

Ought to Pass

The Committee on TAXATION on Bill "An Act Relating to the Affixing of Indicia of Payment of Real Estate Transfer Tax" (H.P. 764) (L.D. 1084)

Reported that the same Ought to Pass. Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

The Bill ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION.

Ought to Pass As Amended

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act to Make Additional Allocations from the Federal Block Grant Fund for the Fiscal Year Ending June 30, 1985" (Emergency) (H.P. 405) (L.D. 558)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-121).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-121).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-121) READ and ADOPTED, in concurrence.

The Bill as Amended ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION.

The Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS on Bill "An Act Making Allocations for the Administrative Expenses of the State Lottery Commission for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (H.P. 743) (L.D. 1053)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-122).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-122).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-122) READ and ADOPTED, in concurrence.

The Bill as Amended ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION.

The Committee on BUSINESS AND COMMERCE on Bill "An Act to Amend the Maine Lemon Law" (H.P. 819) (L.D. 1160)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-124).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-124).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-124) was READ and ADOPTED, in concurrence.

The Bill as Amended ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION.

The Committee on BUSINESS AND COMMERCE on Bill "An Act Permitting Retention of Loss in Excess of Loss Fund by Group Self-insurers" (H.P. 557) (L.D. 829)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-123).

Comes from the House, with the Report

READ and ACCEPTED and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-123)**.

Which Report was **READ and ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-123) **READ and ADOPTED**, in concurrence.

The Bill as Amended **ASSIGNED FOR SECOND READING LATER IN TODAY'S SESSION**.

Senate

Ought Not To Pass

The following **Ought Not To Pass** reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act Concerning the Price which State Agency Retail Stores may Charge for Liquor" (S.P. 305) (L.D. 794)

Bill "An Act to Establish an Increase in the Allowable Profit Margin for State Agency Liquor Stores" (S.P. 306) (L.D. 795)

Leave to Withdraw

The following **Leave to Withdraw** reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Provide Assistance to Needy Families Facing Foreclosure" (S.P. 299) (L.D. 788)

Bill "An Act to Recognize Transportation as a Basic Necessity in the Department of Human Services" (S.P. 300) (L.D. 789)

Bill "An Act Relating to the Availability of Psychological and Psychiatric Services" (S.P. 523) (L.D. 1407)

Bill "An Act Concerning Retail Pricing Methods" (S.P. 514) (L.D. 1388)

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House

Bill "An Act to Make Allocations for the Administrative Expenses of the Bureau of Alcoholic Beverages, the Department of Finance and Administration and the State Liquor Commission for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (H.P. 374) (L.D. 515)

Bill "An Act to Amend the Maine Community Services Act" (H.P. 266) (L.D. 336)

(See later in today's session)

Bill "An Act Concerning Striped Bass" (H.P. 572) (L.D. 843)

Bill "An Act to Require the Reporting of Factors Contributing to the Causation of Cancer" (H.P. 1019) (L.D. 1472)

Bill "An Act Requiring Employee Rest Breaks" (H.P. 1018) (L.D. 1471)

Which were **READ A SECOND TIME and PASSED TO BE ENGROSSED**, in concurrence.

On motion by Senator **DIAMOND** of Cumberland the Senate **RECONSIDERED** its action whereby it **PASSED TO BE ENGROSSED**:

Bill "An Act to Amend the Maine Community Services Act" (H.P. 266) (L.D. 336)

On further motion by same Senator, Tabled 1 Legislative Day, pending **PASSAGE TO BE ENGROSSED**.

Bill "An Act to Provide for the Education of Students Residing in Long-term Drug Treatment Centers" (H.P. 719) (L.D. 1029)

Which was **READ A SECOND TIME**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled until Later in Today's session, pending **PASSAGE TO BE ENGROSSED** in **NON-CONCURRENCE**.

House As Amended

Resolve, Creating the Commission to Study

Emergency Medical Services in Maine (H.P. 341) (L.D. 458) (C "A" H-116)

Bill "An Act to Clarify Sentences Permissible for a Crime Committed by a Parolee" (H.P. 588) (L.D. 858) (C "A" H-117)

Bill "An Act to Amend Certain Aspects of Post-conviction Review" (H.P. 361) (L.D. 481) (C "A" H-118)

Which were **READ A SECOND TIME and PASSED TO BE ENGROSSED**, as Amended, in concurrence.

Senate

Bill "An Act to Repeal the Minimum Size for Scallops" (S.P. 393) (L.D. 1092)

Bill "An Act to Authorize Department of Transportation Bond Issues in the Amount of \$20,000,000 to Match Available Federal Funds for Highway, Bridge and Airport Improvements" (S.P. 512) (L.D. 1374)

Bill "An Act Relating to Prearranged Funerals or Burial Plans" (S.P. 571) (L.D. 1498)

Bill "An Act to Simplify and Clarify the Public Utilities Commission's Authority Over Utility Issuance of Stocks, Bonds and Notes" (S.P. 574) (L.D. 1499)

Which were **READ A SECOND TIME and PASSED TO BE ENGROSSED**. Sent down for concurrence.

Senate As Amended

Bill "An Act to Increase the Number of Superior Court Justices and District Court Judges" (S.P. 197) (L.D. 523) (C "A" S-81)

Bill "An Act Relating to Theft Offenses" (S.P. 326) (L.D. 815) (C "A" S-82)

Bill "An Act to Amend the Statutes on Sex Offenses" (S.P. 283) (L.D. 772) (C "A" S-83)

Bill "An Act to Amend the Law Pertaining to Postgraduate Education in the Field of Medicine" (H.P. 369) (L.D. 1003) (C "A" S-84)

Which were **READ A SECOND TIME and PASSED TO BE ENGROSSED**, as Amended. Sent down for concurrence.

Bill "An Act to Amend the Law Concerning the Student Incentive Scholarship Program Under the Education Law" (S.P. 68) (L.D. 119) (C "A" S-85)

Which was **READ A SECOND TIME**.

On motion by Senator **VIOLETTE** of Aroostook, Tabled until Later in Today's session, pending **PASSAGE TO BE ENGROSSED**.

ENACTORS

The Committee on **Engrossed Bills** reported as Truly and Strictly Engrossed the following:

An Act to Clarify the Law Regarding Peer Review Immunity Under the Maine Health Security Act (S.P. 397) (L.D. 1107)

An Act Regarding Official Refusal or Neglect of Duty (H.P. 195) (L.D. 229) (C "A" H-114)

An Act to Prohibit Marriage Between Certain Blood Relatives (H.P. 603) (L.D. 873)

An Act Concerning Private School Activity Buses (H.P. 626) (L.D. 895) (H "A" H-109)

An Act Requiring Impartial Summaries of Charter Amendments (H.P. 842) (L.D. 1192)

An Act Limiting the Amount of Insurance Coverage which a Mortgagee can Require a Mortgagee to Carry (H.P. 869) (L.D. 1226) (C "A" H-112)

An Act Relating to the Use of Nonschool Buses for School Activities when Operated by a Motor Carrier (S.P. 404) (L.D. 1114) (C "A" S-72)

Which were **PASSED TO BE ENACTED** and having been signed by the President, were presented by the Secretary to the Governor for his approval.

An Act to Permit Limited Operation of Woods Vehicles on State Highways (H.P. 800) (L.D. 1130)

On motion by Senator **DANTON** of York, placed on the **SPECIAL HIGHWAY APPROPRIATIONS TABLE**, pending **ENACTMENT**.

Emergency

An Act Making Allocations Related to the Alcoholism Prevention, Education, Treatment and Research Fund for the Expenditures of State Government for the Fiscal Years Ending June 30, 1986, and June 30, 1987 (S.P. 391) (L.D. 1090) (C "A" S-71)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with No Senators having voted in the negative, and 24 being two-thirds of the entire elected membership of the Senate was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Reallocate Mortgage Insurance Authority from the Mortgage Insurance Program of the Finance Authority of Maine to the Maine Small Business Loan Program (H.P. 891) (L.D. 1280)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with No Senators having voted in the negative, and 24 being two-thirds of the entire elected membership of the Senate was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Exempt from Home Health Licensure Municipal Entities that Provide Only Non-therapeutic Preventive and Promotional Health Educational Services (H.P. 1006) (L.D. 1453)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with No Senators having voted in the negative, and 25 being more than two-thirds of the entire elected membership of the Senate was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Revise the Salaries of Certain County Officers (H.P. 1011) (L.D. 1455)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with No Senators having voted in the negative, and 25 being more than two-thirds of the entire elected membership of the Senate was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency

An Act to Amend the Social Worker Registration Act with Respect to Employment by Nursing Homes (S.P. 358) (L.D. 979)

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with No Senators having voted in the negative, and 25 being more than two-thirds of the entire elected membership of the Senate was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Senate at Ease

The Senate called to Order by the President.

ORDERS OF THE DAY

The President laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Require the Use of Seat Belts in all Motor Vehicles" (S.P. 383) (L.D. 1050)

Tabled—May 7, 1985, by Senator **VIOLETTE** of Aroostook.

Pending—**PASSAGE TO BE ENGROSSED** (In Senate, May 6, 1985, **READ A SECOND TIME**.)

On motion by Senator **VIOLETTE** of

Aroostook, Tabled until Later in Today's session, pending **PASSAGE TO BE ENGROSSED.**

The President laid before the Senate the Tabled and Specially Assigned matter:

An Act to Provide that Cost-of-Living Plans for Retired Persons under the Maine State Retirement System shall Apply to All Participating Local Districts that do not Provide Social Security Benefits for Employees (H.P. 661) (L.D. 944) (S "A" S-68; C "A" H-89)

Tabled—May 9, 1985, by Senator **CLARK** of Cumberland.

Pending — **ENACTMENT**
(In House, May 6, 1985, **PASSED TO BE ENACTED.**)

(In Senate, May 2, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89) AND SENATE AMENDMENT "A" (S-68).**)

(On motion by Senator **VIOLETTE** of Aroostook, Tabled Unassigned, pending **ENACTMENT.**

The President laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act Regarding the Bureau of Public Lands" (S.P. 575) (L.D. 1515)

Tabled—May 10, 1985, by Senator **CLARK** of Cumberland.

Pending — **FIRST READING**

(In Senate, May 10, 1985, the **OUGHT TO PASS IN NEW DRAFT UNDER NEW TITLE REPORT READ AND ACCEPTED.**)

The Bill **READ ONCE.**

Under suspension of the Rules, the Bill **READ A SECOND TIME**

On motion by Senator **VIOLETTE** of Aroostook, Tabled until Later in Today's session, pending **PASSAGE TO BE ENGROSSED.**

Senator **CARPENTER** of Aroostook was granted unanimous consent to address the Senate Off the Record.

On motion by Senator **VIOLETTE** of Aroostook, the Senate removed from the Tabled and Later Today Assigned matter:

Bill "An Act Regarding the Bureau of Public Lands" (S.P. 575) (L.D. 1515)

Tabled—May 13, 1985, by Senator **VIOLETTE** of Aroostook.

Pending — **PASSAGE TO BE ENGROSSED**
(In Senate, May 13, 1985, **READ A SECOND TIME.**)

On motion by Senator **PEARSON** of Penobscot, Senate Amendment "A" (S-87) was **READ.**

THE PRESIDENT: The Senator has the floor.

Senator **PEARSON:** Mr. President, this clears up an error that was made in the bill dealing with allocation and funds.

Senate Amendment "A" (S-87) was **ADOPTED.**

Which was **PASSED TO BE ENGROSSED, as Amended.**

Sent down for concurrence.

On motion by Senator **VIOLETTE** of Aroostook, the Senate removed from the Tabled and Later Today Assigned matter:

Bill "An Act to Provide for the Education of Students Residing in Long-term Drug Treatment Centers" (H.P. 719) (L.D. 1029)

Tabled—May 13, 1985, by Senator **VIOLETTE** of Aroostook.

Pending — **PASSAGE TO BE ENGROSSED, in NON-CONCURRENCE**

(In Senate May 13, 1985, **READ A SECOND TIME.**)

On motion by Senator **BROWN** of Washington, Senate Amendment "A" (S-86) **READ and ADOPTED.**

Which was **PASSED TO BE ENGROSSED as Amended, in NON-CONCURRENCE.**

Sent down for concurrence.

On motion by Senator **VIOLETTE** of

Aroostook, the Senate removed from the Tabled and Later Today Assigned matter:

Bill "An Act to Require the Use of Seat Belts in All Motor Vehicles" (S.P. 383) (L.D. 1050)

Tabled — May 13, 1985, by Senator **VIOLETTE** of Aroostook.

Pending — **PASSAGE TO BE ENGROSSED**
(In Senate, May 6, 1985, **READ A SECOND TIME.**)

On motion by Senator **DANTON** of York, Senate Amendment "C" (S-76) **READ.**

THE PRESIDENT: The Senator has the floor.

Senator **DANTON:** Mr. President, Members of the Senate. Today, we have an opportunity to take an action that will save one hundred and fifty Maine lives, prevent nearly ten thousand disabling injuries, and save millions of dollars in the next three years. Yet, everyone tells me they can't do it.

Sometimes I wonder what we're doing here at all. Sometimes I wonder why we do come here. People say to me, "the polls are against it." Well, if surveys and polls are all that count, maybe we should all stay home and save the taxpayers money. We could just send in our poll results, let them be counted as our votes. Or else, people say to me, "I don't want to infringe on anyone's liberty." Well, if we don't want to infringe on anyone's liberty, then we maybe we should stay home, as well, because every law we pass infringes on someone's liberties. So, just what are we doing here? Are we not here to take responsible actions to protect the health, the safety, and the welfare of Maine's people? In my years in the Maine Legislature, I cannot recall a single bill that would do more to promote the health, safety and welfare of Maine's citizens, at less cost than this law will do.

Now think for a minute. What if a doctor came to this Body and asked for ten million dollars to distribute a miracle medicine that would save one hundred and fifty Maine lives, and prevent nine thousand diseases in the next three years; and what if the doctor brought proof to us from another State, let's say New York State, that his drug worked, that three months after the New York Legislature voted him money, over seventy lives were saved already? What would the debate in this Body be like then? I think there would be soul searching, how could we pay for this? What taxes could be raised? There would be no question about the desirability of the results, and I have no question about how this Body would act. Now we have the chance to have the same result, to save hundreds of lives and to prevent thousands of injuries.

We have the evidence from New York State, and elsewhere, that the cure works. Is it millions of dollars in new taxes? A risky and difficult immunization program? A new state bureaucracy? No, the price is infinitely small. The price is some slight disapproval, for Legislators, in their survey ratings. The price is some modest inconvenience for the average driver, putting on a seat belt in a car. An inconvenience, like other inconveniences that laws require: like putting on a seat belt in an airplane; or putting on a life jacket, or having it in the boat with you; or bringing your car to be inspected; or stopping at stop signs; or stopping at traffic lights; or driving on the right-hand side of the road. I'm sure sometime, someday, in this Legislature, many years ago, someone thought, perhaps, that was an inconvenience.

Just think. What if someone in this Legislature didn't think it was a good idea that we should do all of those things? Why, we would have mass murder on our roads. Now, I ask you. How does slight disapproval and modest inconvenience weigh in the balance in saving one hundred and fifty lives in three years?

In my life, I have had the sad experience of going to wakes and funerals of people who would not have died, had they been wearing

a seat belt. I know that many of you, in this room today, have had the same experience. There is nothing harder or more painful, and more frustrating to face and accept in life than the tragedy of unnecessary and untimely death. How many times have I wished I could do something to spare these families and these friends their awful pain. Today we have the chance to do something.

I want to tell you a little personal story. A few years ago, a former Senator, Senator Greeley, who was also Chairman of Transportation Committee. We had a Bill here to allow usage of mopeds. That Bill was in this Committee all winter long. One day, I went up to the Senator, and I said to him "Senator, how come that Bill hasn't come out of your committee yet"? He said: "Well, Senator, I'm not sure if they are safe for our highways". At that time there was a gas crunch on and I thought it would be a good idea for people to ride mopeds. So, I, and others I'm sure, encouraged the Senator to get the mopeds out.

After we got the mopeds out, it wasn't but a short time later, we repealed the Helmet Law Bill. It wasn't but a short time after that, my brother-in-law decided to get a moped. He didn't have it a month, and he fell off his moped without a helmet, and he killed himself. So, I want you to know that I understand that pain when you get a phone call from a member of your family, telling you that a member of your family is in the hospital, and it is very, very serious.

Today, we have the opportunity in this Legislature, to spare one hundred and fifty Maine families from this pain and suffering in the next three years. No one will thank us for it. We can't identify the one hundred and fifty families today, nor will we ever be able to. In fact, many people will probably grumble and mutter, but that is part of our job. That's why we're here. That's why they elected us. They felt we were leaders in our community. They felt we could take a position here, and then go home and justify our position.

You know, in the last few weeks, we've spent a lot of time debating issues like: what the mascot of Maine should be; and what the date for adjournment should be. Those are not the issues that motivated us to run for office, and to make the personal sacrifice to be here everyday. No, the reason we are here, is to do what we can to promote the health, the safety and the welfare of the Maine people. There will not be another Bill this Session, that will do more for these ends than L.D. 1050, the Seat Belt Law. That will not cost anything. In fact, besides saving lives, it will save millions of dollars in health care costs, in insurances, and in taxes.

There are compromises, today, for you to consider. From Senator Violette of Aroostook, Senator Erwin of Oxford County, and myself. My Amendment, Amendment "C", would give the Seat Belt Law a three year trial run. I am telling you today, that in the three year trial run period, the Seat Belt Law will save one hundred and fifty lives, prevent nine thousand injuries, and save millions of dollars. Maybe I'm wrong. Maybe it will do less. Maybe only one hundred lives will be saved. Maybe only five thousand injuries will be prevented. The sunset provision will give the Legislature the chance to evaluate the results, and act accordingly.

Today, I urge you to take a chance on saving one hundred and fifty Maine lives. Throw away the polls. Burn those surveys that you have. Ignore some of the grumbling. Explain why you voted the way you did. Let us do what we were elected to do, and that is to show Leadership in promoting the health, safety, and welfare of the Maine people. I would hope you would support Amendment "C", and L.D. 1050.

In closing, I want to tell you, I have lobbied, or worked hard for many, many Bills. On L.D. 1050, many of you in Chamber know, that unless you've brought up the discussion, I have

never discussed it with you. Today, I'm asking you, and I'm begging you, give it a chance. If it doesn't work, it has a sunset provision. Let's do what is right for the citizens of Maine. Let's save their lives. Polls and surveys really are not what we here in the Maine Senate should be concerned with. We should be concerned about doing what we feel is right.

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

Senator **WEBSTER:** Mr. President, Ladies and Gentlemen of the Senate. This issue is not new. It has been here a long time. A lot of Legislatures have debated this issue, and I think we're all pretty familiar with what this will do. I have a couple of concerns about mandatory seat belts, in general. I feel, as many of you feel and have heard, that it does take rights away from the citizenry. I guess, I am going to speak about the Amendment. First of all, obviously the Amendment will just pass the Law the way it is, the way it was proposed with sunset.

Arguments can be made, that we are going to save lives, if we pass this Bill. I could argue today, that we could save lives by banning smoking, and banning drinking, and let's pass a law that says everyone has to have an annual physical, because if we have an annual physical, we might save some lives, because people will catch disease early. Let's pass a law in this State, perhaps we could pass a Law to make it illegal to be obese, because that leads to high blood pressure. That is another argument for mandating something else in this Legislature.

I think the people, in general, I dare to find any candidate, or any Legislator, Senate, House, who went out and talked to any more people than I did. I think the people were pretty clear. Not with their surveys, not with their phone calls, but with the people you talk to on the street. I don't think it's a Democrat, a Republican, a Liberal, Conservative issue, I think the people in general, the people who work for a living, the average guy that gets up every day and goes to work is tired of government! They are tired of government telling him what to do, when to do it, and how to do it! I think people, in general, want less government! This is not the direction this Legislature should be going. Furthermore, it is not the direction any Legislature should be going. We've passed bills, we've taken away rights, we're doing it continually.

Some people could argue the right to drive is not guaranteed, it is a privilege. I feel very strongly that we are sending a wrong message to the people. Later we will be discussing other amendments. I am going to vote against any proposal to take away peoples rights. I think after awhile, the Legislature has got to realize, when they talk to somebody, and the people tell them one thing, they should come here and do the same.

The people I have talked to don't want this measure. I would hope those of you who represent your Districts, and believe you are doing the job—I think the one thing I have found about being in the Legislature, in the House, and now here in the Senate, is the people believe that they are doing what is right.

Senator Danton should be commended for doing what he believes is right. I don't happen to agree with him on this issue. But I believe that each of us should look at where we come from, and who we're representing. I would dare question that there are a few of us here who have constituents, who really want this measure.

I think it is just another part of government interference in our lives that we do not need. I feel very strongly that we should defeat this measure, so I am going to ask for a Roll Call on this Amendment. Thank you.

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

Senator **CHALMERS:** Thank you, Mr. President. Ladies and Gentlemen of the Senate. Let me just say that I too, sent out a survey, and let me report to you that fifty-seven percent of the people responding to my survey, said they wanted mandatory seat belts.

There are people who come up to me on the street who say, "No, they do not want to be bothered"; and "No, they do not want the Government telling them what to do". There are also people out there who recognize that a little bit of government will help.

Let me quote from an article that appeared this mornings *Portland Press Herald*, a copy of which is on all of your desks. An article by Alan Dursowitz, a Professor from Harvard University Law School. He, too, quoted the New York Report "already, twenty-seven percent fewer deaths in New York, because of the mandatory seat belt bill." He, also, projects that if all of the States follow suit with New York, and hopefully Maine, it will save four thousand lives in the United States, this year alone.

He reports that in New York, before the Mandatory Seat Belt Law, only sixteen percent were using seat belts. Now it has risen to sixty-nine percent. Let me also, continue quoting - "however a humane society should try its darrest to prevent unintentional deaths caused by carelessness and laziness of people who want to live but need a financial reminder that seat belts save lives. Let us temper our abstract philosophies with pragmatic life giving realities. People often need the help of gently paternal laws to get them to where they want to go. It's no victory for liberty when a child or a parent who wanted to live is killed because of unavoidable forgetfulness. My questions to the libertarians are 'Do you really want your epitaph to read - he died exercising his fundamental right not to wear a seat belt?'" Thank you, Mr. President.

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and Gentlemen of the Senate. It is a hard act to follow, to follow the good Senator from York, Senator Danton. He asked before he spoke, as we were discussing this issue, that I simply listen, knowing that I was opposed to the idea. I did, and I must say that he did a tremendous job and also brought out some issues in a very emotional way, which I think is very helpful to this debate.

I think it's one that we are all glad he made. I know it is not an easy issue, and as any issue of this importance, there are two sides. Two basic sides. The other side of what the good Senator from York, Senator Danton, talked about might be this: There are two basic reasons why one might oppose this Bill, albeit the facts Senator Danton gave, one being philosophical.

I would preference my remarks on that by saying, I co-sponsored the Child Restraint Seat Bill, I am glad that I did, for obvious reasons, because children of four years old and under can't make that judgment for themselves. They can't decide when they should or should not put on the seat belt. Also, I co-sponsored the Helmet Bill for motorcyclists, and also the Bill that requires fifteen year olds, and under to wear helmets, if they are going to be on motorcycles, because that too we're talking about people who really cannot make that kind of a decision on their own, maybe because of their age.

I also served on the Windham Rescue Unit for four years, as an E.M.T. I concur with the

good Senator from York, Senator Danton, that going to an accident where someone should have been wearing a seat belt and they weren't that is not a pretty sight. You can go to those things repeatedly, you wonder why people don't wear them. I have asked myself that question many times.

Having said this, I would say to you there has to be a line. We in our own minds have to draw a line where we say government will enter and will not. We each have the right to do that, to make that decision. Especially the thirty-five of us sitting here in this Body. Whatever we decide as a group, the majority, dictates what those people out there in the State will have to follow. It seems to me the decision we make has to be done very carefully. We must keep a distinct line between where government does enter, and where it does not. Once that line becomes blurred, then we fall into another whole category of government entering peoples lives.

I would say to you, this is an issue where an adult can make that decision, and we should give them that right to do that. To me, it is very clear.

The second area I bring out, is there are those people who really believe, as much as the other side that a seat belt is harmful to them. I can tell you from experience, I think they are in the minority. If I am going to ride down the street, I'll have a seat belt on, I'll take the odds. There are those folks who think, and who have had experiences, and believe it with all their hearts, that they should not wear a seat belt.

There was an accident in Windham a short time ago where one boy was killed and three were saved. It just so happened, in this minority case, the three that were saved were thrown from the vehicle. Now, that is a minority case. I know it, and so do you. You can't convince that boy's parents. My point is that if someone stringently believes that they should not wear a seat belt, because they believe their lives are better protected without it, then we have to consider that, as well.

If we pass this law, we are saying to everybody, you are going to go with the majority and it's going to save most lives, and you are going to have to wear it.

I think we have to consider those two points. One - philosophical, how far does the government go entering our lives with its rules and regulations? Two - what about those folks who say: "Well, I don't think it is right or in my best interest to wear a seat belt." It seems to me those two factors, in my mind at least, would suggest that we might not want to mandate seat belts. Thank you very much, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Matthews.

Senator **MATTHEWS:** Mr. President, Members of the Senate. I guess we've all been waiting for this Bill to come before us in the Senate. I know I have in order to take a shot at the passage of this Bill, I am in strong support of mandatory seat belts. I supported mandatory seat belts as a member of the House of Representatives. I have won two elections, thank the good Lord above, and the folks which I represent in my area. My first comment is my good friend and colleague, the Senator from Franklin, has made a good speech about government, but he'll find that people on either side of the politician fence, and from all ideologies, I think have embraced mandatory seat belts as a way to protect and save lives.

A comment made by Senator Diamond about the governmental intrusion and stepping over the boundary brings something to mind that I would mention. I have been given the Chairmanship of the Inland Fisheries and Wildlife Committee. I thought about that in light of this Bill. It is funny, as a hunter, ever since I can remember if I wanted to take that rifle off of the mantel and with my Dad go deer hunting, I had to, by law, wear an orange cap, or an

orange vest, or something that could be seen from all sides. Anyone who has done some hunting knows there are many hunters who wish they did not have to wear fluorescent orange. I guess the reason that the State or the Department decided that would be the law is because that it will save many, many lives deer hunting. It has saved many, many lives. The exchange was a little safety for a little bit of inconvenience, or a little bit of having to wear a color that one doesn't like.

Each year, nearly fifty-thousand people across the Country are killed in motor vehicle accidents. That is the equivalent of crashing one fully loaded 727 passenger jet a day. Additionally, close to 1.6 million people suffer some form of disabling injury. In Maine, in 1984, one hundred and seventy-four people died as occupants of motor vehicles, while fourteen thousand, six-hundred suffered some form of disabling injury.

Through the passage of a seat belt law, Maine could expect to save fifty-two lives and reduce injuries by over three thousand. In the first three months of New York's seat belt law, there were twenty-seven percent fewer deaths. Compliance went from ten percent to sixty percent, as has been mentioned. There are thirty-five countries that have some form of law requiring safety restraints. Australia was the first country to enact such a law in 1972. Other countries with seat belt laws include: Great Britain, Canada, Belgium, Denmark, Sweden, Greece and Spain. In the last nine months, eight States have enacted seat belt proposals. An additional thirty-six States are considering this Legislation. This year, seat belt laws are supported by your Republican President, Mr. Reagan courageously and I applaud him, and our Democratic Governor, Joseph Brennan, and I applaud our Governor for making a courageous stand.

How effective are seat belt laws? Usage rates range from five to forty percent before the laws went into effect. After enactment of the Legislation, utilization at least doubled and in some cases increased three times or more. How did these laws affect the rates of deaths in countries that passed seat belt laws? Eight countries have kept careful statistics of fatality reduction. On average, fatalities were reduced by twenty-eight percent; these rates range from a high in Sweden to forty-six percent, to a low of twelve percent in Switzerland.

One way in which we can judge the possible effectiveness of mandatory seat belt laws in the State of Maine is to study the experience of our neighbors to the North, in Canada. Given their geographic proximity and the facts that the two Countries share many similar institutions, customs, attitudes and life we, in Maine, can expect from the passage of seat belt legislation. Overall, utilization rose to an average of sixty-three percent with a reduction of nearly sixteen percent in the death rate.

The final question to ask ourselves is, what can we expect in the State of Maine? As I noted earlier, in 1984, one hundred and seventy-four Maine citizens died while riding in motor vehicles, and an additional fifteen thousand were injured. Had a law been in effect in 1984, fifty-two people would be alive today. Additionally, over three thousand citizens would have avoided disabling injuries.

As Senator Chalmers, mentioned on the floor, the paper in front of you by Alan Dursowitz, I find very, very interesting reading. I guess this Bill, mandatory seat belts, does come down to basic courage for this Legislature. It may not, in some of our Districts, or Statewide, be the appealing thing politically to do, but anyone who stands on the floor of the Legislature and says: "I will blindly go according to a poll or a survey on every single vote in this Legislature", I would submit to you, is someone who first of all had better get back to reading the history of this Country and the politician system that we live in, and maybe the Constitu-

tion. I believe the government is there to provide the public good and to do the courageous thing at times.

It was politically not in keeping with the Country, at the time, when F.D.R. decided that the United States would go to Europe. He did so against the will, as I recall, of isolationism and apathy in this Country toward a war in another theatre, but he made the courageous and the right decision. So that happens time and time again.

President Reagan has made some things that I applaud him for. Has stood behind a mandatory twenty-one year old drinking age across this Country, which I support, and many of you support. So he has shown courage many times before and I think he has shown the courage again with mandatory seat belts.

The last point that I wanted to mention on the floor in this debate on seat belts is some personal opinion on our child safety restraint seat. It seems to me that if this Legislature rejects mandatory seat belts, an inducement to save lives for Maine people, and in keeping with passing the child safety restraint seat, I think the signal is, we're going to protect the children of our parents in the State of Maine, but we're not going to protect the parents that are also riding in that car and driving that vehicle. We're talking about the issue of child protection, of single parent families, of all the problems, the social problems we have in the State of Maine and in this Country, but yet, this Legislature refuses to embrace the idea that children should have adults and parents, for children to grow up with. I find that appalling!

It takes a little courage, Members of this Senate, to do the right thing at times, but this is surely the right thing. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Bustin.

Senator BUSTIN: Mr. President and Ladies and Gentlemen of the Senate. The good Senator from Cumberland, Senator Diamond has raised some very sensitive issues. It really indeed is an extremely hard decision for anyone to make because we really are taking away some rights of individuals, but you know what, we do that every day here, every single day we take away those rights in one way, shape or form or manner. We do that because we're an organized society. We do that so that we can have a society that does have some kind of continuity. We do that because we care about who we are as people.

It is a difficult issue; it's one that we're all going to have to decide. I have had many calls and letters asking me to please vote for this Bill, so there are many people out there who also want this.

I might remind you that there are people there who have been in accidents who wish that we did have the law so that they would have been reminded to at least have put on their seat belt.

Motor vehicles accidents are the leading cause of death for those between the ages 1 through 24. The fourth leading cause of death of all ages. The leading cause of paraplegia and quadriplegia and the leading cause of all new cases of epilepsy. Additionally, other types of common severe injuries resulting from motor vehicle accidents include chest and abdominal trauma from the steering assembly, facial disfigurement from the windshield, and permanent brain damage from components of the vehicles interior. Less severe injuries including fractures, lacerations, contusions and mild head injuries.

Nationally last year as Senator Matthews from Kennebec has said to you forty-five thousand people died while 1.6 million suffered some form of disabling injury as a result of motor vehicle accidents.

In addition to the medical consequences of motor vehicle accidents there is a heavy economic costs borne by society. In 1983 motor vehicle accidents cost this nation forty-three

billion dollars. Of this amount, nearly four billion was attributed to medical care. This staggering cost placed motor vehicle accidents as this country's second most expensive medically related problem, exceeded only by cancer. Much of the costs is borne by the State through Medicaid and welfare. Individuals with private insurance suffer rate increases.

I have to tell you that I have been appointed to the Council of the Mentally Retarded, I was at a meeting last Monday, one of the advocates for the mentally retarded told me of three new cases of head injury resulting directly from automobile accidents without seat belts. One of those, today is costing us ten thousand dollars a week to send that person to Massachusetts for treatment. The other two cases will cost us upwards of probably one-hundred thousand dollars a year. A previous case that we house in Texas right now is in fact costing us over a hundred thousand dollars a year. Just those three new cases can save the budget three hundred thousand dollars a year had they been wearing seat belts. Think about that when you cast your vote.

Unlike cancer and heart disease there is a mechanism that will remunerate and prevent much of the damage associated with motor vehicle accidents. Seat belts are easy to use and already available in most of the cars on the road.

One of the arguments I had for not wearing seat belts for women is it will mess up their clothes. I'll tell you, it does, it does! You know what, I'd rather have a messy dress or skirt when I get out of the car than I would a messy head that's got blood gushing out of it.

Seat belts have been found to be remarkably effective in all types of accidents. When used appropriately they reduce the probability of death by as much as sixty-percent. Seat belts are standard equipment ninety-nine percent of the cars on the road. Yet in Maine they are used by only eleven percent of all motor vehicle occupants. Many attempts have been made to increase seat belts utilization. Unfortunately, these attempts have had little effect.

Believe me, the children up to four years old have to wear seat belts are our safest citizens in cars. I remember one person thanking me, coming up personally and thanking me for that law because what had happened was that she was in a truck and she had the infant seat in the appropriate position. The infant did not get injured and I can recite you many, many examples of that.

The most frequently mentioned solution to the seat belt problem is education. Many state and national campaigns have been attempted and invariably the results have been disappointing. I, myself, have not worn seat belts until this year. Now I don't even go out of the drive way without them on, because of the education I have gotten simply listening and working with this Bill.

In 1968 when seat belts were first required in all automobiles the National Safety Council mounted a public safety campaign that used the equivalent of 51.8 million dollars worth of media exposure in the form of public service announcements. There was no change in the rates of utilization. The National Safety Council mounted a similar campaign in 1972 and again in 1973. Again, the results were dismal.

The American experience is echoed by the experience in Canada, Great Britain and France. In each of these countries major publicity campaigns either did not increase seat belt use at all or best increased it only slightly and temporarily.

Noting that educational campaigns were ineffective, the Federal Government required that automobile manufacturers introduced the ignition interlock system in 1974. This system prevents drivers from starting the car's engine unless the seat belt is buckled. Unfortunately, it also, prevents the driver from starting the car if a load of groceries or a large dog are plac-

ed on the front passenger seat. Needless to say, many motorists disconnected the mechanism and the government rescinded the requirement in 1977.

Currently, many people are suggesting air bags in place of seat belts. It is true, air bags are effective in head-on collision; however, they are effective only as long as the vehicle doesn't strike the object at an angle. If, however, the vehicle is involved in a head-on off-center collision, if struck from behind or from the side or rolls over, the airbag offers relatively little protection. It pops open on impact, but deflates immediately, thus offering no protection for second or subsequent impacts.

Additionally, air bags do not replace the need to wear at least a lap belt. They simply give an added level of protection. Finally the amount of protection afforded by the air bag-lap belt combination is only slightly greater than what it is presently available through the use of a three point restraint the classic lap-shoulder model in most cars today.

Seat belt laws have been passed in many countries including Great Britain, Canada, Austria, Belgium, Sweden and Switzerland. In each of these countries authorities have found the laws to be effective and enforceable. Utilization has climbed to an average of seventy percent with a reduction of thirty percent in both fatalities and injuries.

The costs of implementing such a law are minimum and these costs are more than adequately offset by the reduction in tax related expenditures in health care.

Seat belts make sense. They do save lives, but only if worn. The issue before you is one of protecting the health and safety of our citizens which is the primary responsibility of any legislator, because this Legislation will save lives, reduce injuries and lower medical and insurance cost, it may well be the most important issue before you this session. I urge you to vote for this amendment.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook Senator Violette.

Senator **VIOLETTE:** Mr. President, Ladies and Gentlemen of the Senate. When I was asked to sponsor this particular piece of legislation, I requested some time to consider whether or not I would, indeed, decide to do so. I happened to go home that weekend, and I took the time to consider the fact that I, like many others, had sent out polls that were before the Legislature this year. To see what their position was without benefit of the information that we here at the State House receive. We are recipients of vast quantities of information and they generally leave to us those decisions to do what we think is in their best interest, and that is the reason, in fact that we are here. Times we must show a little courage and a little leadership. It is very easy not to do something which in the long-term is in the best interest of the people of this State.

The Senator from Kennebec, Senator Matthews has alluded to a very good example. I can remember very well hunters in the northern part of Maine from whence I come from being very opposed having to wear blaze orange. I can remember the debate that went on in the halls of the Legislature as to where that perhaps should be left to the individual. It didn't cost very much money as this Bill doesn't cost any money. It was decided that it was in fact in the best interest of the people of the State of Maine; maybe, it was an infringement upon their right. I don't know if it is considered a great subjugation of one's right to have to require to wear blaze orange in the woods. If it is, then it is, so be it. That was the decision that the Legislature made. I thought about those kinds of things and I had sent out a poll and the poll came back something like fifty-five against and forty-five for. I thought that was rather interesting given the fact that the rhetoric that usually one hears and one sees

back home, and and it lacks some of the information we generally have on an issue.

I, also, took the time to go over and stand at the border, between the State of Maine and the Province of New Brunswick. In the Province of New Brunswick they have mandatory seat belts. One day I went to the border with my brother, and we sat there on the Candian side and we watched. We watched people from Maine going into New Brunswick, who didn't have a seat belt on and the minute they crossed that border they put on that seat belt because there's this nice little sign there after you go through the customs, and it says in French and English you have to wear your seat belt in New Brunswick. They do it, and since they've had it, fewer people have died. I don't know, that sounds pretty simple to me. It seems to have worked over there. The province hasn't disappeared. There hasn't been any great uprising of the general populace. Perhaps they, as well as many of our constituents were opposed to it.

You know, we all are only human, and there are a great many things we do not do unless we're urged to do them. There are a lot of things that we're going to do here this year that are going to cost a lot more money to save two or three people in the long-term. We have a vehicle here by which: we can save people millions of dollars of injuries. It would seem as if there are those who are not concerned about that. Who are more concerned of perhaps the short-term problems of initiating this kind of bill—putting this on the statutes.

It is amazing to hear the level of rhetoric rise to such a level that we here are determined yes, it's in the best interest of young people to wear seat belts and to wear child restraints. They've agreed they work. The Senator from Cumberland, Senator Diamond alluded to this. It is a given they work, but I guess it is better to save the children and let the parents die. How do you justify that argument? Just on the basis that people ought to be intelligent enough to make that decision.

You know, the Legislature is here to sort of lead and provide leadership—not to sit back. I guess, people look to government many times and hope that they will provide some direction.

You know we can all think, me, myself, and I. That's the only thing that is of importance—others who are going to have suffered the dramatic injuries because of not wearing a seat belt—family, children the costs of the State—that irrelevant—me. That's the only concern here.

I think you have to go beyond some of those things. I asked my relatives, I have lots of relatives that live on the other side of the border from me in Van Buren: What did you do before you had a seat belt bill here in the Province of New Brunswick? We didn't wear them. Why do you wear them? Because we're supposed to because they're telling us that it is in our best interests. Why didn't you wear them before? I don't know, we just didn't wear them. It simply amazing when government takes leadership what it can do and what it can achieve.

There are a number of people here that have spoken on the issue of saving lives, saving dollars; they've shown the statistics. They've talked about what's happened in New York, and some of the other states. They've talked about what's happened in other countries.

I think the issue that, also, has to be addressed here is exactly this one: I think the long-term interests of the people of the State of Maine are better served by having a seat belt law. I join in supporting the Senator's Amendment today. Let's have an experiment here in the great State of Maine. Let's see what's going to happen in the next two or three years. If it doesn't work, okay. If it does, let's have an experiment. Let's show a little leadership. I would hope that you would join the Senator from York today in supporting his Amendment. Thank you.

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

Senator **WEBSTER:** Mr. President, Ladies and Gentlemen of the Senate. I feel compelled to respond to a couple of arguments.

The first argument that I would like to respond to was recently given by the Senator from Aroostook, Senator Violette, it is a great concern to me that all of a sudden we, thirty-five people here in the Maine Senate, have decided that regardless of the fact most of the people out there don't want this, we are going to tell them they have to have it. The fact is most people don't want to be told they have to wear a seat belt, but we're going to take leadership today and tell them "even though you don't want this, you're going to get it." That kind of frustrates me to the point where I kind of feel very strongly again that we're here to represent the people in our District, and our duty is to express their wishes, and this isn't doing it.

Arguments have been made that other countries, other states have passed similar laws. I would question their mandates were necessarily be good for us. I'm not sure we can compare some of the countries that were mentioned, they can't even compare to the kind of democratic democracy we have in this country and this State.

It has been mentioned that seat-belts—mandatory child restraints were passed. I know because I was in the other Body when those measures were passed. I think Senator Diamond made a good point when he spoke earlier that mandatory child restraints were good because those four years and younger couldn't make decisions. I would maintain an adult can make a decision of his own in this matter and would question why we ought to force something else down their throats.

I would like to say, I'd like to leave you this little comment and it really concerns me the direction this Legislature seems to be going, and I just wonder how much government do we need? Just think of that!

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Violette.

Senator **VIOLETTE:** Mr. President, Ladies and Gentlemen of the Senate. I simply wish to rise again to respond to the issue that both the Senator from Franklin, Senator Webster and the good Gentlemen from Cumberland, Senator Diamond have raised, and that's an issue of age, that they both support the issue of mandatory restraints for those who are of a younger age.

We are going to be very soon debating another piece of Legislation. I don't know where they both stand upon the issue, maybe it's irrelevant, and that's going to be the drinking age in this State. We have an eighteen-year-old drinking age in this State—excuse me twenty. It was eighteen—probably going to twenty-one this year. The reason for that being is we, the Legislature, are going to determine there are those people out there who can't make that decision. That those people are out on the highways killing other people, and for some reason we're going to have decide to raise that drinking age up another year.

There are all kinds of limits we establish here in government and maybe the gentlemen from Franklin, Senator Webster, who decided to run for the Legislature and represent his constituents in the Maine Legislature might—You know, that's why you're here. You come to the government and maybe you can go back home and disseminate some degree of information out there to help people in order so that they will know a little more about the issue. That's as much your responsibility as it is to listen to people back home. Many times we're compelled here in Augusta to do things the people back home at the immediate time lacking the information that we have are incapable of making a decision on because of the information the Legislature has that they do not have. In

time the reasons for them come forward to the general populace, and they respond certainly very affirmatively.

I can think back to the great debates that were held on the return bottle bill. A lot of my people back home they were telling me they don't want it, and they said it is going to be inconvenient, and on, and on, and we passed the bottle bill. Then we had a referendum following some time where it had been in effect, and the people of the State of Maine voted overwhelming to keep that in place, because they had sort of gotten use to it; they learned to accept it.

You come to Augusta to learn something and to share what you've learned with people back home. That's as much as a responsibility of being a legislator as anything else. I think, there are many things that we do here whereby we establish either artificial dates which people can do any kind of thing. What we're suggesting to people here is that we think it's in the best interests of the people of the State of Maine to wear safety belts.

Unfortunately, media campaigns have not worked. Millions of dollars have been spent to try to get people to wear a seat belt, and they refuse to for whatever reason. It is an obligation of the State to protect the health and welfare of people that are out there—not to sit back and not to live up to the responsibility that when you came here, you said you were going to do—just that.

I would hope today that you would support the good Senator.

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

Senator **SHUTE:** Mr. President, Ladies and Gentlemen of the Senate. I hope every time that I voted on a bill over here, if I happen to be voting with my constituents I won't be accused of lack of courage or lack of leadership because I happen to vote with my constituents.

I wonder how long it is going to be if we pass this mandatory legislation on seat belts how long before we have more mandatory legislation on helmets for snowmobilers, every person in a boat would have to wear a life vest—not only be available, but wear it at all times? I see no end to this mandation. Every house or every private home would have to have a sprinkler system in it because that could save lives.

One of the problems I have with this Bill is not that I doubt it is going to save a few lives, because I think it will, but I don't think we should be mandating everything on our constituents, especially when there is no need of it.

If a person wants to buckle up, they can now, and I don't think the Legislature has to tell them that they have to use a seat belt.

I know there has been a lot of lobbying going on on this Bill. I read in the paper the other day that eighty thousand dollars was sent into the State of Maine from the National Department of Transportation to get this Bill passed. There was eight million dollars nationwide to get the Bill passed. So if it doesn't pass, it isn't because of lack of money, it is because the people don't want the Bill.

At the hearing, I asked one of the lobbyists of the American Automobile Manufacturers Association: "if they supported air bags in automobiles," and she said, (was rather hesitant) "it wasn't conclusive that airbags were of much value in automobiles."

My contention is the reason is the automobile manufacturers have supported this Bill so heavily is if two-thirds of the State don't with population pass this Amendment or this Bill, the air bags will be mandatory in automobiles, and the automobile manufacturers don't want that.

It seems kind of funny to me that we talk about accidents and how to save lives and here we have the automobile manufacturers making automobiles that all go in excess of a hun-

dred miles an hour when the national speed limit is fifty-five. The State of Maine is promoting and selling liquor, another cause of accidents; yet wants to pass a seat belt bill to mandate another program on people.

As I remember this Bill (its been quite awhile since we had it in committee) as I remember the Committee report, it was twelve to one, Ought Not to Pass. The one signer of the Ought to Pass report was the sponsor of the Bill. So that doesn't give much weight to the Bill as far as the committee process is involved.

On the twenty-one-year-old drinking age bill that was discussed a moment ago, I think that bill has something to do with losing five or ten percent of your Federal Highway Funds if it is not passed. I think that's called "Federal Government Blackmail of the States" which I don't agree with.

I hope Ladies and Gentlemen that you will vote with your constituents this time. I don't think you should be afraid to vote with your constituents. I don't think it shows a great amount of courage to vote against them.

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

Senator **ANDREWS:** Thank you, Mr. President. Mr. President, Men and Women of the Senate. We've heard some vigorous debate, obviously today, on a very voluble issue. Mainly the issue of personal rights; the issue that has been so skillfully argued on the Senate floor today. That argument hasn't appealed to me because, quite frankly, my initial reaction to the whole idea of a mandatory seat belt law was to reject it, because of my basis sympathy with that argument. The State should know its limits and this is one of those limits.

What I had to do and I think, by the way, many of the polls that we've taken and many concerns we've heard from our constituents reflex that basic gut reaction, I think we all have it. I certainly do.

What I needed to do, given the fact that I am a member of a deliberate Body, is to put that gut reaction aside for a moment and look at the facts and listen to the arguments on their face value. One of the things I quickly realized when I did that was the contexts in which we are discussing this personal right issue and context of operating a motor vehicle in the State of Maine. We require a number of things of our drivers so that they might earn the privilege to operate a motor vehicle in our State. No one would argue against maintaining that basic principle. We, also, require that if they've earned that privilege that they have a motor vehicle that is going to meet basic requirements, basic minimum standards. I don't think anyone in this Chamber is going to argue against those requirements.

We do those things not because we like to be big brother government, not because of a paternalistic attitude toward the people of this State. We do it as a matter of basic safety; of responsibility. We establish requirements of all kinds on our highways to promote that basic principal. We have a track record in this State on automobiles seat belts, and the lack of requirement to use seat belts. I just finished serving as the co-chair on a Legislative Tasks Force on Head Injuries. I've traveled around the State, all corners of the State. I've met with individuals: gone to hospitals, met with families, and held public hearings on the issue of head injuries. We have a tremendous problem in this State with regard to head injuries in a very severe crises that are faced in the lives of these people who have suffered head injuries or whose family members have suffered head injuries. We're going to be dealing with those in several pieces of legislation, but perhaps the most important thing we can do, the most cost effective and responsible thing we can do dealing with the issue of head injuries and the trauma which happens to families who suffer head injuries is to prevent those injuries from happening in the first place

by extending the basic principle that we now use, with regard to automobiles on the highways, with the use of seat belts.

The argument of letting an individual decide is of course very strong. That is the core of the opposition to this Bill. The Federal District Court decision that was made during the Seventy's on the question of a State's right to impose a mandatory helmet law was tried and there was an interesting decision that was handed down in that case. I would like to read for you, just a bit of the argument in that particular case, because I think there's an application here.

In the *Simons vs. Sergeant* case in Federal District Court, the judge wrote: "While we agree with the Plaintiff, that the acts only realistic purpose is the prevention of head injuries incurred, we cannot agree that the consequences of such injuries are limited to the individuals who sustains the injury. The public has an interest in minimizing the resources directly involved. From the moment of the injury, society picks the person up off the highway, delivers him to a Municipal Hospital, and Municipal doctors, and provides him with unemployment compensation, if after recovery, he cannot replace his lost job, and if the injury causes permanent disability, they assume the responsibility for his and his family's continued subsistence. We have to look at the broad implications for society, we have to look at the broad implications, not only from a matter of public safety, but also from a matter of fiscal responsibility." We hear a lot about fiscal responsibility. This is an opportunity, Ladies and Gentlemen, to exercise it. So I have looked at the arguments, I've talked with families, I have looked at the context of the arguments of individual rights with respect to operating a motor vehicle in the State of Maine. I have decided that I am going to be supporting the Bill before us today.

I think the Amendment we have before us at this moment, is particularly applicable to my deliberations in that it is going to allow everyone in the State of Maine, the opportunity to put that gut reaction on the back burner for a period of time and take a look at some concrete experience, to see whether or not the law works, whether or not it is effective, whether or not it is worthwhile to keep that law here in the State of Maine.

I have heard an argument from some constituents of mine, fairly recently. The only argument against the Bill, I think, came from those, that is the only argument that I thought seriously about, and I still have some concerns about it. If this Legislature and if this Body has a disposition to pass this Bill, I will be offering this Amendment, and that is: what about folks who can't physically get the seat belt on? What if they have some physical problems in actually wearing that seat belt? That is a reasonable argument. If we have the disposition to pass this Bill, particularly with this Amendment before us, then I will propose an Amendment that will deal with that problem in a way similar to a way that the State of New York dealt with that problem. I won't discuss that issue right now, because obviously if we have the feeling of passing this law, then I will be arguing for that Amendment when I make it.

I would simply say, Ladies and Gentlemen, it is a tough decision to make. The gut reaction is strong, it hits to the core of many of us. It think if we can put that argument, and put that gut reaction in the context of not only the safety issue, not only the fiscal responsibility issue, but in the context of motor vehicle laws that we have right now, I think we will decide to pass this Bill and accept this Amendment. Thank you.

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

Senator **GILL:** Mr. President, Members of the Senate. I rise today, having been a member of

the Health Institutional Committee, and now Human Resources Committee for all of my years in the Legislature, nine years now, I guess.

I, too sent out a survey. After listening to Senator Violette, I want you all to know, that apparently my constituents are as well informed, and have the information at hand that we, as Legislators have in hand, because they came back in support of a seat belt bill. I just want to remind you, that through the years, we have been very concerned about expenditures, health care expenditures. So much so that we passed one of the most rigid Hospital Cost Containment Bills in the Country. We legislate prevention and safety programs in the work place. We legislate health promotion programs for State employees. We legislate child safety restraints, and here we have an opportunity to save, what some are saying one hundred and fifty lives.

As I grew up, there was a maxim that said, "if we could do anything to save just one life." I don't know where that's gone awry, but they're talking one hundred and fifty lives, now. These, we must remember, are preventable injuries. If people wear seat belts, they will be prevented from having serious injuries. The medical expenses that all of us bear, whether its through insurance or tax dollars, I believe, is more painful and creates more of a hardship for a lot of families, than does the pain of having to wear a seat belt. So I would ask you to consider that.

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

Senator **DIAMOND:** Mr. President, Ladies and Gentlemen of the Senate. In the words of the well-known local humorist, Henry Belente would say, "Ain't it great!" You know we heard the good Senator from Aroostook, Senator Violette, talk about the Bottle Bill, the Drinking Age Bill, and all of those things. Well, getting back to this Bill, we are on the Amendment which talks about the sunset. Now the Amendment that talks about the sunset of this Bill is what we might want to focus in on for the moment. There is really no need for that Amendment, because you see, if the Bill, this Law, is not a good idea, then obviously the next Legislature, the One Hundred and Thirteenth, will repeal it. That is obvious.

I think that idea of sunset, to get this in the door a little bit, probably is that. I don't condemn it, I just simply say the idea of a three year sunset really does not make too much sense based on this Legislation, knowing full well the One Hundred and Thirteenth can deal with it.

I would point out, let me make the Record clear, that opposition, mine and everybody else who opposes this Bill, does not mean that we are not concerned about people getting injured. That is such a ludicrous statement that I cannot even believe it was made.

Secondly, I would say that we have to remember that if this does pass, that we are going to live with it. I'm going to live with it, as one, and I'm sure you will as another. Now is the time to debate. Now is the time to bring out the points that either we are for it, or against it. I think a lot of points have been made. People have said: "Let's show some Leadership and pass this." Well, of course there is nothing more rhetorical than saying Leadership to pass it, if you want the Bill passed. I mean, my word, I could say: "Show some Leadership and represent the people out there, and don't pass it." So I would remind folks that (a) We're talking about the Amendment, which is a sunset version, which really makes no sense right now, because it can be taken care of later if it's no good; and (b) I would say, because you vote against it, does not mean you're not concerned about the people out there, that is obvious. Further we all know, of course, that Leadership is something we all try to have here, because we vote against

something or for something does not tag us with the lack of or a lot of leadership. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Perkins.

Senator **PERKINS:** Mr. President, Ladies and Gentlemen of the Senate. I was one of those who sent out a survey and I didn't know before today I was wrong. I sent out the survey and the next mistake I made, I read it. I found my survey was totally against this question. I guess a little foresight would have told me not to ask the question in the first place. I did ask the question, and I have tabulated the results. I find myself now either listening to it, or practicing selective censorship on my part, against the people I sent the questionnaires to.

Not choosing to do any of these, and having seen down the road several other things we perhaps might want to be dealing with in a similar manner, including: smoking, or my good friend the Senator from Cumberland might want to do floridation on a State-wide basis, we may want to do some other things, such as peoples' diets and whatever we think is correct at the time, we may soon want to address, I do not choose to go this way. I think, perhaps, this is a matter of personal choice.

I wear seat belts and perhaps I wish more would and I think they will. My people have said to me: "Give me less government instead of more"—Many times, jokingly, although there is some irony to it—"What have you done for me today, I hope you were home so you didn't do too much to me."

These are things I think we in the Senate must wrestle with, although I respect the eloquence of my predecessors, and I respect their dedication to their theory. Personally, if I didn't send out the questionnaire, or didn't intend to listen to it I wouldn't have sent it out. My people have given me an answer which was very definite, I intend to respect it. If I didn't I wouldn't have done so. I think for these reasons we here today, despite all of the talk of Leadership and all of the other things, have an obligation to represent our people. That is one of the tools I use, and I intend to abide by it.

The President requested the Sergeant-at-Arms to escort the Senator from Aroostook, Senator Carpenter to the rostrum to assume the duties of President Pro-Tem.

The Sergeant-at-Arms escorted the Senator from Aroostook, Senator Carpenter to the rostrum, where he served as President Pro-Tem.

The President then retired from the Senate Chamber.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from York, Senator Hichens.

Senator **HICHENS:** Mr. President, Members of the Senate. I listened very carefully to the heart-rendering speech by the good Senator from York, which began the discussion this morning. I heard the figures that he gave, and I have heard the figures that others have given. I would submit to you that figures can be arranged to suit the fancy most of the time.

I would suggest this morning that as important as seat belts may be, I believe, it should be a matter of choice. The same good Senator from York has repeatedly introduced Bills increasing liquor availability. When I challenge him about the fact that we have strict driving laws in the State of Maine, and yet we give people more opportunity to purchase liquor, which doesn't seem to add up.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from York, Senator Danton.

Senator **DANTON:** Mr. President, a point of order, are we discussing liquor or the Seat Belt Bill?

THE PRESIDENT PRO-TEM: The Chair would request the Senator from York, Senator

Hichens, confine his remarks to the Amendment and the Bill presently before us.

Senator **HICHENS:** I am attempting to do that, Sir. I was going to relate that incident to the Seat Belt Bill.

THE PRESIDENT PRO-TEM: The Senator may proceed.

Senator **HICHENS:** Even though more acceptable, this same Senator has stated, people have a choice. I present these same arguments, this morning, regarding seat belts. The seat belts are there in your car, and in my car. It should be a matter of choice as to whether I want to avail myself of their use.

Last month, in the month of March, I think it is more correctly to say, fifteen people died on Maine highways. Twelve of them because of alcohol. It is debatable whether the use of seat belts in those fatalities would have made a difference. We have been told this morning that hospital costs affect the taxpayers. How much are we going to pay for these affected by alcohol? Last week, on Station WCSH, a poll was taken regarding the use of seat belts. Over seventeen hundred people called in and two-thirds of those were against the use of seat belts. Again, I would say, we can take that poll for what it's worth.

After the Governor appealed last week to the people of Maine, to contact their Legislators, and ask them to vote for the seat belt, I did not receive one call from any of my constituents. I think, this morning, that justifies me in my vote against the Amendment and the Bill in general.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from York, Senator Danton.

Senator **DANTON:** Mr. President, Members of the Senate. I think we have an issue here that we can discuss up or down on its merits. We don't have to discuss liquor anymore than we have to discuss prayer in schools that the Senator tries to impose on people, or abortion that the Senator tries to impose on people. Let's discuss this issue. I can remember, Mr. President and Members of the Senate, a few years ago, when I was a Freshman Senator, there was a Bill to put a guardrail down the center of the median strip and the Senator from York, Senator Hichens voted against it. Let's stop and think how many lives we've saved since we've had that guardrail on the median strip. So when we discuss other things, then what the issue is here, I think the Senator is wrong.

I want to discuss something the good Senator from Waldo, Senator Shute brought up. He discussed air bags. Of course the automobile manufacturers are against air bags. They are against air bags because it would cost his and my constituents an additional thousand dollars per car, to install air bags. The only benefit they would have is when you have a front end collision. If you were to roll over or get hit in the rear or get hit on the side, the air bags would do you absolutely no good.

Now, in our automobiles today, think of what is going on, what we're paying for. Compared to what cars were like a few years ago. If you forget your key in the car, buzzers and bells go on. Your transmission locks, your steering wheel locks. All of these things are a cost to our constituents. The seat belts are already in cars. They are there for nothing. That's one reason the Automobile Association has gotten involved in this Bill. Other than that, why shouldn't they be around lobbying. They are in the business to sell automobiles, and they have to keep the price down. The average automobile, today, is eleven thousand dollars. They don't want it going to twelve thousand. You have to finance a car today almost as long as some of us did our homes when we first bought them. Those are some of the issues, Mr. President and Members of the Senate, that I wanted to clear up. Thank you.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from Kennebec, Senator

Matthews.

Senator **MATTHEWS**: Mr. President, I would like to address a question through the Chair, if I may.

THE PRESIDENT PRO-TEM: The Senator may state his question.

Senator **MATTHEWS**: Mr. President, Members of the Senate. I direct my question to those Members of the Transportation Committee that signed the Ought Not Pass Report. Since it has been alluded here, and quite correctly so, that we should keep our questions and debate on the merits of this Bill, and that was raised by those who were opposed to mandatory seat belts, then I would like to ask a question to those Members of the Transportation Committee that voted against this Bill. Do seat belts save lives on Maine Highways and would mandatory seat belts in the State of Maine save lives? Yes or No?

THE PRESIDENT PRO-TEM: The Senator from Kennebec, Senator Matthews, has posed a question to the Chair to any Senator who would care to respond.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from Waldo, Senator Shute.

Senator **SHUTE**: I have already answered that question in my debate.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from Washington, Senator Brown.

Senator **BROWN**: Thank you Mr. President. Men and Women of the Senate. We have spent a lot of time here today debating the issue of seat belts, whether they should be mandated or not. We have had a lot of discussion about surveys, and about the different results of surveys. On one hand the Senator from Hancock, Senator Perkins, has read his, and on the other hand, Senator Danton from York has suggested that we burn them. So I don't know what to think about the surveys at this point. I do know that from a National stand point, this is a survey that is a little more scientific than perhaps some of ours might have been, that sixty-eight percent of the people surveyed, felt that enforces seat belt law would be a good thing.

I had a man call me yesterday afternoon and he said: "I understand you are working on the issue of seat belts in Augusta." Before it went any further I said "That is right and I am a strong supporter of it." He was not and he made that clear in the next few minutes. I was surprised that he would even ask the question to start with since he knew I had campaigned on the issue last time, we would do anything possible to try to mandate the issue of seat belts.

I guess as has been mentioned here this morning earlier, that we could go ahead and devise a survey and ask questions, and get back just about the results we wanted to. If we do not believe. It is interesting how we can go ahead and find information to support our point-of-view. It is so easy to do, you know, first thing you selectively read only those things that support what I think, and first thing you know the other side doesn't have much of a position until they get in here and hear what they are talking about today.

Some of the issues that I just wanted to touch briefly. I received a letter from a physician in Bangor who said: "the argument that laws mandating the use of safety equipment infringe on one's rights just doesn't seem to hold water. Every preventable accident, accidental medical expense, takes money from someone, in the form of insurance costs, or taxes to pay the medical expense of the injured party. Surely that is such an infringement on the rights of citizens by the actions of the careless, as it is to require them to use seat belts or helmets," he has mentioned.

I was thinking too, of the folks who talk of the philosophical basis, that we should not be imposing more laws. That people do not want

that, that they want just the reverse. I was thinking of the area I came from originally, where we had snake handlers. We eventually had to impose laws so people couldn't handle snakes because it was injurious to themselves and their families. I guess the issue finally comes down as to whether or not, and Senator Andrews has addressed that pretty well, about the issue like the wearing of seat belts. He brought up, and I was thinking a moment ago about the different things on the automobile that we have already mandated. For example, the minimum tire tread, headlights that work, windshields in one piece, tail lights, directional signals, muffler in one piece, excessive body rust, seat belts in all, those are all things we mandate presently.

I guess any issue that lends itself to broadening the public good with minimal intrusion, ought to be mandated I have no trouble with that.

We can go ahead and continue talking about the issues of whether we should be mandating things like people can't be overweight, they can't smoke, or that they shouldn't have dental floss. None of those things are really subject to legislation or mandating.

I do know that in the surveys of the different ones, we have people from Aroostook County who find that their constituents support it, we have people from the same counties who find that they don't support it. I do know there is a big coalition that exists within this State. I would like to read off a few of the people who belong to this coalition who do support it, I do know that, and I would be glad to supply this thing to anyone.

Just to read a few of these, I will not read all of the forty-five that exist on this sheet: Saint Mary's General Hospital, Henrietta Goodall Hospital, Office of Dental Health, Cianbro Corporation, Blue Cross-Blue Shield of Maine, Maine Chapter of American Surgeons, Maine Committee on Trauma, Maine Hospital Association, Department of Maternal and Child Health, Department of Health, Bureau of Health, Kennebec Valley Regional Health Center, Maine Dental Association, Department of Public Safety, The Office of Emergency Medical Services, International Paper Company, AFL-CIO, American College of Emergency Physicians, Central Maine Council of America, supports the mandating of seat belts.

We could go ahead and spend a lot of time here today, which we have already, close to an hour and a half, discussing the issue of seat belts, and I suspect we haven't done a lot of changing of minds. Most of the people came in with pretty well a mind set, and they could have based it upon a personal preference, they could have based it upon the fact that we've mandated wearing orange, and it worked pretty well, they could base it on a whole variety of things. The facts are pretty clear that seat belts do save lives. We can do that with a minimal cost and a minimal amount of intrusion. So Mr. President, I would urge, as many other speakers today, that we pass this. Thank you.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from Aroostook, Senator McBreaarty.

Senator **McBREARTY**: Mr. President, I wish permission to pair my vote with the gentlemen from Penobscot, Senator Emerson. If he were here, he would be voting Yea and I would be voting Nay.

THE PRESIDENT PRO-TEM: The Senator from Aroostook, Senator McBreaarty, requests leave of the Senate to pair his vote with the gentlemen from Penobscot, Senator Emerson. If he were here, he would be voting Yea and the Senator from Aroostook, Senator McBreaarty would be voting Nay.

Is it the pleasure of the Senate to grant this leave?

It is a vote.

The pending question before the Senate is

the motion by Senator **DANTON** of York to **ADOPT** Senate Amendment "C".

A Yes vote will be in favor of the Adoption of Senate Amendment "C."

A No vote will be opposed.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

ROLL CALL

YEAS:—Senators, Andrews, Baldacci, Brown, Bustin, Carpenter, Chalmers, Danton, Dutremble, Erwin, Gill, Matthews, Najarian, Usher, Violette

NAYS:—Senators, Berube, Black, Clark, Diamond, Dow, Hichens, Kany, Maybury, Pearson, Perkins, Sewall, Shute, Stover, Tuttle, Twitshell, Webster, The President—Charles P. Pray

ABSENT:—Senators, Gauvreau, Trafton

14 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 2 Senators having Paired their votes and 2 Senators being absent, the motion to **ADOPT** SENATE AMENDMENT "C" (S-76) **FAILED**.

On motion by Senator **ERWIN** of Oxford, Senate Amendment "B" (S-75) **READ**.

THE PRESIDENT PRO-TEM: The Senator has the floor.

Senator **ERWIN**: Mr. President, Ladies and Gentlemen of the Senate. This Amendment will send the Seat Belt Bill out to Referendum. First, I would like to address the issue of cost which are involved in this proposal. The Assistant Secretary of State had said that the first Bill in the Referendum, costs sixty-two thousand dollars. Five more issues may be included at no additional cost. After six however each additional referendum question costs approximately twenty-five hundred dollars. Because there are presently only two bills that I know of being processed for a statewide referendum, the costs included in the seat belt question is minimal.

One of those bills we have on our calendar today, I've heard two arguments. One is the argument that the people do not like referendum questions. Why? Because members of legislature are elected and sent to Augusta to make decisions for the people who elected them. However, we also here have to make so many decisions.

The second argument is that the peoples' voice is most clearly heard through the referendum question because each person in this State clearly indicates his or her position on the issue.

In 1873, Susan B. Anthony said, in the first paragraph of the Declaration of Independence is the assertion that the natural right of all to to the ballot—for how can a consent of the governed be given if the right to vote is denied?

I believe the seat belt issue is an issue which requires this consent. The Bill before us will affect anyone in this State who drives or rides in a vehicle. I believe that mandating the use of seat belts is different from the other issues we normally address. This Bill will personally affect a very high percentage of the people on a daily basis. That percentage may be as high as ninety percent.

I've heard from many people who do not wish to be told that they must wear seat belts. I agree with them; my vote in the committee reflexes this view.

I know that the Federal Government has promised mandatory air bags if states fail to mandate seat belts use. I also know that the mandate will increase the cost of a new car by some six hundred dollars. Purchasing on credit would make interests payments higher and I recognizes the major impact that this could have on individual budgets.

Because this issue is complex, because it involved the majority of our citizens, because it touches their daily lives and involves individual choice, the people should have the right to decide.

I do not wish to legislate individual choice nor do I wish to ignore the very real safety

issue of the possibility of rising automobile prices. My purpose is to give those individuals who would be affected the right to weigh the cost and benefits and to make that decision themselves, not us. Thank you.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator **BALDACC**: Mr. President and Members of the Senate. I was around last week talking with most of you in regards to this particular issue of the referendum provision. I remember discussing with you the concerns that you had in regards to that.

I support wholeheartedly the Senator from Oxford, Senator Erwin's amendment for a referendum provision. I think it is very important because the Senator from Waldo, Senator Shute raised some concerns that I think need to be addressed. It isn't the State Government mandating to the people in the State of Maine. It isn't the State Government telling the people of the State of Maine what to do. It is the Federal Government that's telling us that if we don't mandate seat belts, that they are going to make the auto-makers have air bags. As the Senator from York, Senator Danton pointed out that is going to be financed for five years. Do you want to mandate that on the people in the State of Maine? I think not.

At least I'd think you'd let the people of the State of Maine determine for themselves whether they want to or not, because you're in a position where you're not going to come out ahead at all.

We had other issues that went out to referendum: the bottle bills, moose hunting, the Executive Council, the big box, retaining State Income Tax. These are all issues that the Legislature was having a hard time deciding. This referendum will serve a good purpose; it will provide an educational process. I did not wear a seat belt until I tried the convincer that came up here with the State Police Safety Division, and I'm telling you that at five miles an hour outside on that lawn I thought I was going to go over the State Office Building when I hit that block. It really hit me as to the amount of speed traveling in an automobile.

So me, personally, I'm going to wear a seat belt, but as far as telling the people of the State of Maine what to do and the benefits on one side and the disadvantages on the other, I think it ought to be their decision. I think it is a personal thing. The people in that process of deciding will learn more about it, will learn about the accidents, will learn about the deaths, the monetary damages. I think it is the peoples' opportunity to become more educated, even if the process, if they vote against it at the referendum, there is going to be more and more people that are going to wear seat belts because it makes sense. They do it for children. You do the child safety seats, you tell people when they get on the roads that it is a privilege to drive on the road and with those privileges there are rights and responsibilities. I think people will generally accept that. Maybe it will give them an opportunity to become more educated in that particular area and say: "Well I'll wear one. I'm not going to tell my neighbor to do it, but I'm going to do it myself because I care about myself, I care about my family, and I care about my grandchildren.

You know what Senators, I think of that famous quote that was once said on another particular issue "let the riders decide." Thank you.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND**: Mr. President, Ladies and Gentlemen of the Senate, I request when the vote be taken, it be taken by Yeas and Nays.

THE PRESIDENT PRO-TEM: The Senator from Cumberland, Senator Diamond has requested that when the vote is taken, it be

taken by the Yeas and Nays.

The Senator has the floor.

Senator **DIAMOND**: Just to say, the good Senator from Oxford, Senator Erwin, I think, has brought this issue out as well as it should be. The point needs to be discussed. I think someone has stated before, however, we do have information; we've had the public hearings; we've had most the data given to us. We know how we feel about it individually, and as I said before, "I'm pleased to go with whatever the decision might be."

I would encourage us to defeat this Amendment and let it lie here, and let it go with the thirty-five of us who have to vote. I think the cost is not an issue. The good Senator from Oxford, Senator Erwin has brought that out and made it very clear so no one is going to try to put a hat on that handle. I would say the issue is whether or not we should decide. It is very clear; I think we should. There is no need to wait for further information for months, I think the people have said to us on several occasion this morning that we have to show some leadership and whatever that might be, Yea or Nay, let's do it and deal with it right here. Thank you, Mr. President.

THE PRESIDENT PRO-TEM: 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 Baldacci.

Senator **BALDACC**: Mr. President and Members of the Senate, I think it's very important that we look at prospectives. We're talking about spending thirty-five hundred dollars for a referendum. You have low-level radioactive waste that's already going to be on the ballot which is most of the initial costs in setting up the referendum provision. Additional referendum questions are not that expensive.

We have become more educated ourselves, as the good Senator from Cumberland, Senator Diamond and as the good Senator from Aroostook, Senator Violette pointed out.

I think that in all fairness to the people which we represent why not let the people become more aware of the issue, more concerned about the issue, listen to the physicians, listen to the nurses, listen to the State Police, listen to other sides of the point about libertarians, about decision? Let the people become more aware of that issue. The ones that want to, even if it fails to decide that they'll wear one. That will, in itself, be an educational process which we talk about so much of, as the first step which would be accomplishing in a referendum provision. I think that is the wise route to go with this particular issue. Thank you.

THE PRESIDENT PRO-TEM: The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator **PEARSON**: Mr. President, I'd like to pose a question through the Chair.

THE PRESIDENT PRO-TEM: The Senator may pose his question.

Senator **PEARSON**: I should know the answer to this, but I don't.

Do we know for sure there is a referendum question going out already?

THE PRESIDENT PRO-TEM: The Senator from Penobscot, Senator Pearson, has posed a question through the Chair to any Senator who may care to answer.

The Chair recognizes the Senator from Kennebec, Senator Kany.

Senator **KANY**: Senators, we can assume, that there will be the direct initiative question going out either by itself or with a competing measure, since it is unlikely the Maine Legislature will enact the direct initiative

automatically.

THE PRESIDENT PRO-TEM: The pending question before the Senate is the motion of Senator Erwin of Oxford to Adopt Senate Amendment "B" to L.D. 1050.

A Yes vote will be in favor of the Adoption of Senate Amendment "B"

A No vote will be opposed.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

ROLL CALL

YEAS:—Senators, Andrews, Baldacci, Black, Brown, Bustin, Carpenter, Chalmers, Clark, Danton, Dow, Dutremble, Erwin, Gill, Matthews, Najarian, Pearson, Twitchell, Violette, The President—Charles P. Pray

NAYS:—Senators, Berube, Diamond, Hichens, Kany, Maybury, McBreairty, Perkins, Sewall, Shute, Stover, Tuttle, Usher, Webster

ABSENT:—Senators, Emerson, Gauvreau, Trafton

19 Senators having voted in the affirmative and 13 Senators in the negative, with 3 Senators being absent, the motion to **ADOPT SENATE AMENDMENT "B" (S-75) PREVAILED.**

The President Pro-Tem would ask the Assistant Sergeant-at-Arms to escort the Senator from Penobscot, Senator Pray to the Rostrum where he may assume his duties as President.

The Assistant Sergeant-at-Arms escorted the Senator from Penobscot, Senator Pray to the Rostrum where he resumed his duties as President.

The Assistant Sergeant-at-Arms escorted the Senator from Aroostook, Senator Carpenter to his seat on the floor of the Senate.

THE PRESIDENT: The Chair wishes to thank the Senator from Aroostook, Senator Carpenter for carrying out the duties of the presiding officer. (Applause the Members rising.)

Senator **VIOLETTE** of Aroostook was granted unanimous consent to address the Senate Off the Record.

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

Senator **WEBSTER**: I move this Bill and all its Accompanying Papers be Indefinitely Postponed and ask for a Roll Call.

THE PRESIDENT: The Senator from Franklin, Senator **WEBSTER**, moves that this Bill and all Accompanying Papers be Indefinitely Postponed.

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 of having arisen a Roll Call is ordered.

The pending question before the Senate is the motion by the Senator from Franklin, Senator Webster that this Bill and all the Accompanying Papers be Indefinitely Postponed.

A Yes vote will be in favor of Indefinite Postponement.

A No vote will be opposed.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

ROLL CALL

YEAS:—Senators, Berube, Clark, Diamond, Hichens, Kany, Maybury, McBreairty, Pearson, Perkins, Sewall, Shute, Stover, Tuttle, Webster, The President—Charles P. Pray

NAYS:—Senators, Andrews, Baldacci, Black, Brown, Bustin, Carpenter, Chalmers, Danton, Dow, Dutremble, Erwin, Gill, Matthews, Najarian, Twitchell, Usher, Violette

ABSENT:—Senators, Emerson, Gauvreau, Trafton

15 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 3 Senators being absent, the motion to **INDEFINITELY POSTPONE**, the Bill and Accompanying Papers **FAILED**.

Which was **PASSED TO BE ENGROSSED, as Amended**.

Sent down for concurrence.

There being no objection all matters previously acted upon were sent forthwith.

Off Record Remarks

Senator **PEARSON** of Penobscot was granted unanimous consent to address the Senate On the Record.

Senator **PEARSON**: Mr. President, Men and Women of the Senate, Friday afternoon after I left this session, I went home to do my yearly training as a member of the Selective Service Board for Northern Penobscot County.

While we were there I learned of following information which I thought may be of some interest to you. We believe that we have a hundred and thirty-one people in Maine who are not registered under Selective Service. We believe that a number of those are prisoners who are not required to do so. We think that a number of them may have names like Lynn which could be a female or a male name and have not been sorted out.

We are in 99.99% compliance in the State of Maine. In fact, a hundred and seven percent compliance, but they knocked us back in 99.99% figuring that the general public wouldn't understand that because there have been a number of people move in the State since the last census which caused us to be over a hundred percent.

Before that meeting some weeks ago, three or four weeks ago, when the Appropriations Committee was hearing the requests of the University System, Senator McBreairty and I posed a question to all the presidents, all the university campuses under the University System, if they had anybody that was not in compliance with that and they all said they had nobody that was not in compliance.

Senator **PERKINS** of Hancock was granted unanimous consent to address the Senate Off the Record.

Senator **BERUBE** of Androscoggin was granted unanimous consent to address the Senate Off the Record.

On motion by Senator **CLARK** of Cumberland, **RECESSED** until 5 o'clock.

After Recess

The Senate called to Order by the President.

On motion by Senator **CLARK** of Cumberland, the Senators will be allowed to remove their jackets or coats for the remainder of the One-Hundred Twelfth First Regular Session.

Out of Order and Under Suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS House

Ought Not To Pass

The following **Ought Not to Pass** reports shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Establish a Coyote Snaring Season" (H.P. 330) (L.D. 446)

Bill "An Act to Establish a Coyote Awards Program" (H.P. 657) (L.D. 929)

Bill "An Act to Provide for Identification and Application to Appropriate Accounts of School Reimbursement Funds" (H.P. 896) (L.D. 1291)

Leave to Withdraw

The following **Leave to Withdraw** reports

shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act to Authorize the Exhibition of Piranha Fish" (H.P. 526) (L.D. 746)

Bill "An Act to Provide for a Toll-free Number for Maine Citizens Needing Information" (H.P. 825) (L.D. 1166)

Bill "An Act to Allow the use of Lobster Fund Money to Provide for Lobster Hatcheries" (H.P. 489) (L.D. 692)

Bill "An Act to Provide for Toxicological, Tests in the Event of a Recreational Boating Fatality" (H.P. 21) (L.D. 19)

Bill "An Act to Create a Technological, Business and Industrial Development Council for the University of Maine" (H.P. 561) (L.D. 832)

Bill "An Act to Regulate the Shipment of Lobsters" (H.P. 669) (L.D. 952)

Bill "An Act to Establish Registers for Maine Veterans Exposed to Herbicides and Nuclear Radiation" (H.P. 892) (L.D. 1287)

Bill "An Act to Limit the Transportation of Fire Arms in Motor Vehicles" (H.P. 460) (L.D. 661)

Bill "An Act to Make Maine's Implied Warranty Law Applicable to the Sale of Used Motor Vehicles by Dealers" (H.P. 977) (L.D. 1409)

Ought to Pass

The Committee on **HUMAN RESOURCES** on Resolve, Relating to Improved Delivery of Services to Juvenile Justice Clients (Emergency) (H.P. 932) (L.D. 1338)

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Resolve **READ ONCE**.

The Resolve **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **HUMAN RESOURCES** on Resolve, Relating to the Development of a Plan for the Provision of Court-ordered Evaluations for Juveniles (Emergency) (H.P. 933) (L.D. 1339)

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Resolve **READ ONCE**.

The Resolve **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **HUMAN RESOURCES** on Resolve, Relating to the Development of an Interdepartmental Medicaid Review Committee (Emergency) (H.P. 934) (L.D. 1340)

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Resolve **READ ONCE**.

The Resolve **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **HUMAN RESOURCES** on Resolve, Extending the Life of the Commission to Examine the Availability, Quality and Delivery of Services Provided to Children with Special Needs (Emergency) (H.P. 935) (L.D. 1341)

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Resolve **READ ONCE**.

The Resolve **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **JUDICIARY** on Bill "An Act Amending the Maine Juvenile Code to Provide for Diagnostic Evaluation for Bind-over Purposes" (H.P. 585) (L.D. 855)

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Which Report was **READ** and **ACCEPTED** in concurrence.

The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **JUDICIARY** on Bill "An Act to Amend the Definition of Juvenile Crime in the Maine Juvenile Code" (H.P. 587) (L.D. 857)

Reported that the same **Ought to Pass**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Which was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

The Bill **TOMORROW ASSIGNED FOR SECOND READING**.

Ought to Pass As Amended

The Committee on **LEGAL AFFAIRS** on Bill "An Act to Amend the Laws Relating to Private Investigators" (H.P. 242) (L.D. 283)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-127).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-127).

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill **READ ONCE**.

Committee Amendment "A" (H-127) **READ** and **ADOPTED**, in concurrence.

The Bill as **AMENDED TOMORROW ASSIGNED FOR SECOND READING**.

The Committee on **STATE GOVERNMENT** on Resolve, Authorizing the Exchange by the Department of Defense and Veterans' Services of a Certain Parcel of Land in Belfast Fronting on Congress Street and Being Part of the Belfast Armory Lot for Another Parcel of Land to the Rear of Land Adjacent to the Armory with the City of Belfast (Emergency) (H.P. 799) (L.D. 1129)

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-126).

Comes from the House, with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-126).

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Resolve **READ ONCE**.

Committee Amendment "A" (H-126) **READ** and **ADOPTED**, in concurrence.

The Resolve as **AMENDED TOMORROW ASSIGNED FOR SECOND READING**.

Ought to Pass in New Draft

The Committee in **LEGAL AFFAIRS** on Bill "An Act to Provide Guidance to Municipal Officers in Granting and Denying Liquor Licenses for On-premises Consumption" (H.P. 364) (L.D. 484)

Reported that the same **Ought to Pass in New Draft** under same title (H.P. 1039) (L.D. 1513)

Comes from the House, the Report **READ** and **ACCEPTED** and the Bill in **NEW DRAFT PASSED TO BE ENGROSSED**.

Which Report was **READ** and **ACCEPTED**,

in concurrence.

The Bill in **NEW DRAFT READ ONCE.**
The Bill in **NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.**

Senate at Ease

The Senate called to Order by the President.

The Committee on **TRANSPORTATION** on Bill "An Act to Establish Temporary Handicapped Parking Permits" (H.P. 541) (L.D. 768)

Reported that the same **Ought to Pass in New Draft** under same title (H.P. 1035) (L.D. 1509)

Comes from the House, the Report **READ** and **ACCEPTED** and the Bill in **NEW DRAFT PASSED TO BE ENGROSSED.**

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill in **NEW DRAFT READ ONCE.**

The Bill in **NEW DRAFT TOMORROW ASSIGNED FOR SECOND READING.**

Ought to Pass in New Draft under New Title

The Committee on **ENERGY AND NATURAL RESOURCES** on Bill "An Act to Amend the State's Zoning Laws" (H.P. 875) (L.D. 1232)

Reported the same **Ought to Pass in New Draft under New Title** Bill "An Act Concerning Installation of Service by Utilities" (H.P. 1040) (L.D. 1514)

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill, in **NEW DRAFT under NEW TITLE, PASSED TO BE ENGROSSED.**

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill in **NEW DRAFT under NEW TITLE READ ONCE.**

The Bill in **NEW DRAFT under NEW TITLE TOMORROW ASSIGNED FOR SECOND READING.**

The Committee on **STATE GOVERNMENT** on Bill "An Act Concerning the Disposition of Certain State Property" (H.P. 493) (L.D. 696)

Reported the same **Ought to Pass in New Draft under New Title** Bill "An Act Authorizing State Employees to Purchase State Property Upon Retirement or Leaving Office" (H.P. 1036) (L.D. 1510)

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill, in **NEW DRAFT under NEW TITLE, PASSED TO BE ENGROSSED.**

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill in **NEW DRAFT under NEW TITLE READ ONCE.**

The Bill in **NEW DRAFT under NEW TITLE TOMORROW ASSIGNED FOR SECOND READING.**

The Committee on **TRANSPORTATION** on Resolve, to name the New Vinalhaven Ferry for the Honorable Edwin F. Maddox of Vinalhaven (H.P. 745) (L.D. 1055)

Reported the same **Ought to Pass in New Draft under New Title** Bill "An Act to Grant Authority to the Maine State Ferry Advisory Board to Name Ferries" (H.P. 1034) (L.D. 1508)

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill, in **NEW DRAFT under NEW TITLE, PASSED TO BE ENGROSSED.**

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Bill in **NEW DRAFT under NEW TITLE READ ONCE.**

The Bill in **NEW DRAFT under NEW TITLE TOMORROW ASSIGNED FOR SECOND READING.**

Committee of Conference

The **Committee of Conference** on the disagreeing action between the two branches of the Legislature, on Bill "An Act to Protect

Lobster Gear" (H.P. 445) (L.D. 627)

Have had the same under consideration and ask leave to report that the House **Recede** from **Passage to be Engrossed**; that Committee of Conference Amendment "A" (H-130) be **Read** and **Adopted** and the Bill be **Passed to be Engrossed as Amended by Committee of Conference Amendment "A" (H-130) in Non-Concurrence.**

That the Senate **Recede and Concur** with the House.

Signed on the part of the House:
Representative ROLDE of York
Representative COLES of Harpswell
Representative RICE of Stonington

Signed on the part of the Senate:
Senator CHALMERS of Knox
Senator BUSTIN of Kennebec
Senator SHUTE of Waldo

Comes from the House, with the Conference Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE OF CONFERENCE AMENDMENT "A" (H-130), in NON-CONCURRENCE.**

Which Report was **READ** and **ACCEPTED**, in concurrence.

The Senate **RECEDED** and **CONCURRED.**

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House

Bill "An Act Relating to the Affixing of Indicia of Payment of Real Estate Transfer Tax" (H.P. 764) (L.D. 1084)

Which was **READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, in concurrence.

House As Amended

Bill "An Act to Make Additional Allocations from the Federal Block Grant Fund for the Fiscal Year Ending June 30, 1985" (Emergency) (H.P. 405) (L.D. 558) (C"A" H-121)

Bill "An Act Making Allocations for the Administrative Expenses of the State Lottery Commission for the Fiscal Years Ending June 30, 1986, and June 30, 1987" (Emergency) (H.P. 743) (L.D. 1053) (C"A" H-122)

Bill "An Act to Amend the Maine Lemon Law" (H.P. 819) (L.D. 1160) (C"A" H-124)

Bill "An Act Permitting Retention of Loss in Excess of Loss Fund by Group Self-insurers" (H.P. 557) (L.D. 829) (C"A" H-123)

Which were **READ A SECOND TIME** and **PASSED TO BE ENGROSSED as Amended**, in concurrence.

ENACTORS

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

An Act to Amend the Law Relating to the Installation of Smoke, Heat or Fire Detection Systems in Certain Hotels (H.P. 1013) (L.D. 1461)

An Act to Clarify Certain Aspects of Mineral Exploration, Development and Disclosure (S.P. 549) (L.D. 1466)

An Act Relating to Membership on the Board of Trustees of the Criminal Justice Academy (H.P. 1016) (L.D. 1465) (H "A" H-119)

Which were **PASSED TO BE ENACTED** and having been signed by the President, were presented by the Secretary to the Governor for his approval.

An Act to Require Eye Protection for Persons Riding Motorcycles (H.P. 465) (L.D. 666) (C "A" H-111)

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

Senator **DIAMOND:** Mr. President and Members of the Senate. I'm just wondering: (just catching this Bill now) it reads that everyone who rides a motorcycle must wear eye protection, but there are those folks who ride motorcycles who are not required to wear

helmets.

I am wondering if someone on the Committee could clear that up. Are we requiring people to wear eye protection if they're not wearing helmets, and if so, how would they do that? Or are we saying by passing this we are requiring everyone to essentially wear a helmet, even those who are not required to wear one?

THE PRESIDENT: The Senator from Cumberland, Senator Diamond has posed a question through the Chair to any Senator who may respond, if they so desire.

The Chair recognizes the Senator from Waldo, Senator Shute.

Senator **SHUTE:** Mr. President, Ladies and Gentlemen of the Senate, the Amendment requires that anyone who rides a motorcycle shall wear eye protection. It doesn't matter if it is glasses, goggles, a helmet, or whatever.

We did take out the section in the original bill which said, "the Commissioner of Public Safety would approve all eye protection worn." We didn't think that he was qualified to do that; it wasn't necessary.

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

Senator **DIAMOND:** Thank you, Mr. President. Members of the Senate. Just quickly then, just so I understand this, then everyone, if this passes, who rides a motorcycle must wear eye protection? Is that correct?

THE PRESIDENT: The Senator from Cumberland, Senator Diamond has posed another question through the Chair which any Senator may respond to, if they so desire.

The Chair recognizes the Senator from York, Senator Danton.

Senator **DANTON:** Mr. President, I was out of the Chamber, but I think the good Senator asked a question in reference to the Eye Glass Bill?

Really, Mr. President and Members of the Senate, this bill has been watered down so much that there is no specific glasses that you need, even the glasses that I am using right now would cover the law. The Bill, as far as I am concerned, instead of being enacted perhaps isn't even needed at all.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator McBreairty.

Senator **McBREAIRTY:** Mr. President and Honorable Members of the Senate. If this has been watered down this much, I move that it be Indefinitely Postponed.

I think that it is wrong to try to tell somebody riding a motorcycle what they try to wear for eye protection. I have ridden a motorcycle when I had to take off eye protection or I wouldn't have been able to see. If you're riding up I-95 and it is raining, foggy, you'd be worse off with eye protection than you would with it off. You get down behind the windshield and use that, look over it, and you're better off than you are with it.

I move that we Indefinitely Postpone this Bill.

THE PRESIDENT: The Senator from Aroostook, Senator McBreairty has moved the Indefinite Postponement of L.D. 666.

The Chair recognizes the Senator from York, Senator Danton.

Senator **DANTON:** I ask for a division, Mr. President.

THE PRESIDENT: A division has been requested.

Will all those Senators in favor of the motion by the Senator from Aroostook, Senator McBreairty to Indefinitely Postpone L.D. 666, please rise and remain standing until counted.

Will all those Senators opposed, please rise and remain standing until counted.

The Chair recognizes the Senator from Aroostook, Senator McBreairty.

Senator **McBREAIRTY:** Mr. President, 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 af-

firmative vote of at least one-fifth of the members 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 Pearson.

Senator **PEARSON**: Mr. President, Men and Women of the Senate. I used to own a motorcycle; I used to use a helmet but I never had eye glass in front of it or any kind of shield in front of it. So I really can't speak to it fogging up on a motorcycle. I ate an awful lot of mosquitoes. I do remember that, but I do remember skiing a lot—down hill skiing with goggles and let me tell you, if you tell somebody they've got to wear those after the conditions are so variable that one minute it will be fogged up and the next minute it won't.

I suspect that Senator McBreairty is absolutely correct. If you're riding down the road on a rainy day or whatever, the weather conditions are bad, and it's apt to fog up and you may not want to have goggles (eye protection). It may be a detriment to your safety, and further, it says "you have to wear eye protection." Do my contact lenses qualify as eye protection? If so, how much does that afford me?

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Aroostook, Senator McBreairty that L.D.666 be Indefinitely Postponed.

A Yes vote will be in favor of Indefinite Postponement.

A No vote will be opposed.

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

ROLL CALL

YEAS:—Senators, Berube, Black, Clark, Diamond, Dow, Gauvreau, Gill, Hichens, Kany, Maybury, McBreairty, Najarian, Pearson, Perkins, Stover, Trafton, Twitchell, Webster

NAYS:—Senators, Andrews, Baldacci, Brown, Bustin, Carpenter, Chalmers, Danton, Dutremble, Erwin, Matthews, Shute, Tuttle, Usher, Violette, The President - Charles P. Pray

ABSENT:—Senators, Emerson, Sewall

18 Senators having voted in the affirmative and 15 Senators in the negative, with 2 Senators being absent, the motion to **INDEFINITELY POSTPONE** the Bill and Accompanying Papers, in **NON-CONCURRENCE, PREVAILED**.

Sent down for concurrence.

Emergency

An Act to Amend the Charter of the Bustin's Island Village Corporation (H.P. 38) (L.D. 40) (C"A" H-115)

This being an Emergency Measure and having received the affirmative vote of 31 members of the Senate, with No Senators having voted in negative was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Emergency Resolve

Resolve, Pertaining to a State Employee Health Promotion (H.P. 990) (L.D. 1428) (S"A"S-79)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with No Senators having voted in negative was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for his approval.

Constitutional Amendment

Resolution, Proposing an Amendment to the Constitution of Maine to Extend the Tenure for Sheriffs from 2 Years to 4 Years (S.P. 348) (L.D. 943)

Comes from the House **FAILING OF FINAL PASSAGE**.

THE PRESIDENT: This being a Constitutional Amendment under Section 4, article 10 of the Maine Constitution requires for its Final Passage the affirmative vote of two-thirds of the Membership present and voting.

The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator **PEARSON**: Mr. President, I'm confused. I would like to pose a question to the Chair.

THE PRESIDENT: The Senator may state his inquiry.

Senator **PEARSON**: The House has refused passage of this.

THE PRESIDENT: That is correct.

Senator **PEARSON**: We're voting on final passage?

THE PRESIDENT: That is correct.

Senator **PEARSON**: It won't come back here again?

THE PRESIDENT: The Chair would answer in the affirmative.

Senator **PEARSON**: Then Mr. President, I would ask the good Senator from Kennebec, Senator Dow, to put this on the Appropriations Table.

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

Senator **DOW**: I move that L.D. 943 Lie on the Special Appropriations Table.

THE PRESIDENT: The Senator from Kennebec, Senator Dow moves that L.D. 943 Lie on the Special Appropriations Table.

Is this the pleasure of the Senate?

On motion by Senator **TUTTLE** of York, Tabled 1 Legislative Day, pending **FINAL PASSAGE**.

Out of Order and Under Suspension of the Rules, the Senate considered the following:

COMMUNICATIONS

The Following Communication:
112th LEGISLATURE
COMMITTEE ON AGRICULTURE

May 13, 1985

The Honorable Charles P. Pray
President of the Senate of Maine
State House
Augusta, Maine 04333

Dear Mr. President:

In accordance with 3 M.R.S.A., Chapter 6, Section 151, and with Joint Rule 38 of the 112th Maine Legislature, the Joint Standing Committee on Agriculture has had under consideration the nomination of James M. Begert of Lewiston, as a member of the Maine State Harness Racing Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS: Senators 3
Representatives 9
NAYS: 0
ABSENT: 1 (Rep. McCollister of Canton)

Twelve members of the Committee having voted in the affirmative and none in the negative, it was the vote of the Committee that the nomination of James M. Begert of Lewiston, as a member of the Maine State Harness Racing Commission be confirmed.

Sincerely,

S/ EDGAR E. ERWIN
Senate Chair
S/ JOHN M. MICHAEL
House Chair

Which was **READ** and **ORDERED PLACED ON FILE**.

THE PRESIDENT: The Joint Standing Committee on **AGRICULTURE** has recommended that the nomination of **James M. Begert** be confirmed.

The pending question before the Senate is: Shall the recommendation of the Committee on **AGRICULTURE** be overridden? In accordance with 3 M.R.S.A., Chapter 6, Section 151 and with Joint Rule 38 of the 112th Legislature,

the vote will be taken by the yeas and nays. A vote of Yes will be in favor of overriding the recommendation of the Committee. A vote of No will be in favor of sustaining the recommendation of the Committee.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber. The Secretary will call the Roll.

ROLL CALL

YEAS:—Senators None

NAYS:—Senators, Andrews, Baldacci, Berube, Black, Brown, Bustin, Carpenter, Clark, Danton, Diamond, Dow, Dutremble, Erwin, Gauvreau, Gill, Hichens, Kany, Matthews, Maybury, McBreairty, Najarian, Pearson, Perkins, Shute, Stover, Trafton, Tuttle, Twitchell, Usher, Violette, Webster, The President - Charles P. Pray

ABSENT:—Senators, Chalmers, Emerson, Sewall

No Senators having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being absent, and None being less than two-thirds of the membership present, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **James M. Begert** was **CONFIRMED**.

The Secretary has so informed the Speaker of the House.

SENATE PAPERS

Bill "An Act to Provide for Greater Tax Expenditure Accountability" (S.P. 579)

Presented by Senator **ANDREWS** of Cumberland

Cosponsored by: Representative **CASHMAN** of Old Town,

Senator **TWITCHELL** of Oxford, Representative **HOLLOWAY** of Edgecomb

Which was referred to the Committee on **TAXATION** and **ORDERED PRINTED**.

Sent down for concurrence.

COMMITTEE REPORTS

Senate

Leave to Withdraw

The following **Leave to Withdraw** report shall be placed in the Legislative Files without further action pursuant to Rule 15 of the Joint Rules:

Bill "An Act Concerning Surplus Funds Generated by Ferry Lines" (S.P. 517) (L.D. 1391)

Ought to Pass

Senator **TRAFTON** for the Committee on **LEGAL AFFAIRS** on Resolve, Authorizing Clayton, Maryann, Jeremy, and Elizabeth Huff to Bring Civil Action Against the State and Cumberland County (S.P. 508) (L.D. 1368)

Reported that the same **Ought to Pass**.

Which Report was **READ** and **ACCEPTED**. The Resolve **READ ONCE**.

The Resolve **TOMORROW ASSIGNED FOR SECOND READING**.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Resolve, to Establish a Commission to prepare a Revision of the State's Motor Vehicle Laws (Emergency) (S.P. 321) (L.D. 810)

Reported that the same **Ought to Pass**.

Signed:

Senators:

DANTON of York
ERWIN of Oxford
SHUTE of Waldo

Representatives:

THERIAULT of Fort Kent
SOUCY of Kittery
STROUT of Corinth
POULIOT of Lewiston
MILLS of Bethel

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**.

Signed:

Representatives:

MOHOLLAND of Princeton
MACOMBER of South Portland
McPHERSON of Eliot
CAHILL of Woolwich
CALLAHAN of Mechanic Falls

Which Reports were **READ**.

The Majority **OUGHT TO PASS** Report was **ACCEPTED**.

The Resolve **READ ONCE**.

The Resolve **TOMORROW ASSIGNED FOR SECOND READING**.

ORDERS OF THE DAY

The President laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act Relating to Solicitations and Public Office Holding by State Employees" (S.P. 533) (L.D. 1434)

Tabled - May 13, 1985, by Senator **VIOLETTE** of Aroostook.

Pending - **FURTHER CONSIDERATION** (In Senate, May 1, 1985, **PASSED TO BE ENGROSSED**.)

(In House, May 10, 1985, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "C"**(H-125), in **NON-CONCURRENCE**.)

On motion by Senator **VIOLETTE** of Aroostook, Tabled 1 Legislative Day, pending **FURTHER CONSIDERATION**.

The President laid before the Senate the Tabled and Specially Assigned matter:

Bill "An Act to Amend the Law concerning the Student Incentive Scholarship Program Under the Education Law" (S.P. 68) (L.D. 119) (C "A" S-85)

Tabled - May 13, 1985, by Senator **VIOLETTE** of Aroostook.

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (S-85)

(In Senate, May 13, 1985, **READ A SECOND TIME**.)

On motion by Senator **GAUVREAU** of Androscoggin, Senate Amendment "A" (S-88) **READ**.

THE PRESIDENT: The Senator has the floor.

Senator **GAUVREAU:** Thank you, Mr. President, Men and Women of the Senate. L.D. 119 is an act which pertains to expanding scholarships to eligible Maine students, whether they attend public institutions of higher learning or private colleges. The intent of the Bill is laudable. It's to expand participation in the Maine Student Incentive Scholarship Program, so that further students can qualify for Pell Grants.

In order to explain my amendment, I have to go back briefly to the way the scholarship program was designed. Currently, out of the entire scholarship funds which are set aside for the State of Maine, seventy-five percent of those funds go to students attending private schools, and other non-eligible public schools in other states. Twenty-five percent of that scholarship pool is earmarked directly for students who attend the University of Maine. The purpose, obviously, being to make certain that a certain number of Maine students who attend their State University, are eligible to take part in the student scholarship program.

The reason this is done is because the scholarships are awarded on a strict needs-based formula. It is much more expensive, as we know, to attend institutions of private schools, private colleges, than it is to attend public universities. So for example: if a student were to attend Brown University, obviously, that student could demonstrate a greater need in terms of raw financial needs than would a student who attends the University of Maine at Orono or any of its branches.

The purpose of L.D. 119 was to allow students who attend Maine Maritime Academy,

and also we're told who attend VTI's, to be eligible to take part in the Pell Grant Program. This goal would be achieved by expanding what had been a twenty-five percent of the total loan pool earmarked for students attending the University of Maine. That pool would be expanded to thirty percent. Twenty-five percent would still go to the students attending the University of Maine; the other five percent would be earmarked toward VTI's and Maine Maritime Academy students who had applied for the grant program.

Unfortunately, the practical impact of L.D. 119, as it is before you today, will not attain that specified goal. It will, in fact, assist students who attend Maine Maritime Academy to secure greater participation in the Maine Student Incentive Program. That's a good goal and I certainly praise that.

On the other hand, without question, this Bill will provide no relief whatsoever for students who want to attend the vocational training institutes, and would apply for a Pell Grant. The reason for this is that it is in terms of actual dollars it is less expensive to attend a VTI than it is to attend Maine Maritime Academy. I recognize the majority sentiment on the Committee of Education was that we should adhere to the strict needs-based formula. However, as a practical matter many Maine students who wish to go on to further their education in the VTI's are as financially strapped as those who would go on to other institutions of higher learning. For these perspective VTI students, every dollar toward their education is every bit as vital as a dollar for a student attending the University of Maine, Maine Maritime Academy or Princeton University.

For that reason, I am offering Senate Amendment "A." All this Amendment will do, would be to take that five percent, which had expanded the Student Grant pool from twenty-five to thirty percent. Take that five percent and split it down the middle: two and one half of the monies go the Maine Maritime Academy students, and two and one half percent goes to VTI students. Once again on the "needs basis" formula.

Now, if in fact it occurs, that the VTI students would not qualify or be eligible for their share of the Pell Grant Program, then those monies would either go over to MMA students, or if those monies were not expended, over to students attending the University of Maine system.

I will point, there was one piece of information which came before the Committee, which appeared to be damaging to my argument. I had argued, and the figures showed very clearly that in past years, virtually no VTI students were eligible for this program, due to the "need base formula." Last year, some forty-seven VTI students, did in fact, qualify for the Pell Grant Program. Now that is clearly a unique circumstance—it occurred once last year—it will not occur again. The Department officials came before our Committee and testified as such. The reason for that phenomenon is that we funded, as part of the Special Education Reform Package, last fall - a quarter of a million dollars to go into this Grant Program, the Scholarship Grant Program.

There was some money left over in March and it was distributed to VTI students. I am positive, and the Department Officials have testified before the Committee, that those funds will not be available to the VTI students today.

For these reasons, I am offering the Amendment. Very clearly put, my Amendment would allow students applying to go to the VTI's, be treated on an equal footing with their companion students attending Maine Maritime Academy, or the University of Maine, in vying for the Pell Grant Scholarship Program. Thank you.

THE PRESIDENT: The Chair recognizes the

Senator from Washington, Senator Brown.

Senator **BROWN:** Thank you, Mr. President. I would like to comment that my very able colleague from Androscoggin County on the Education Committee has done a very excellent job with presenting what the Amendment does.

I would like to ask for a division on this and would like to explain to you, briefly why.

I feel very uncomfortable being on the other side of my able colleague and very seldom will find myself in this position. This particular Bill, L.D. 119, is one that was reported out of Committee unanimous. It came back to the floor and was a Department Bill, sponsored by my colleague, and he felt there was not enough attention given to the VTI's or the students attending those institutions.

We recommended the Bill to the Committee. Recommended it. We spent untold hours on this issue. We would come out with about a seven or eight, four or five Report, not to include this Amendment. We would not have decided to include this. The Senator had said ahead of time that he was going to offer an Amendment, to include this issue.

What it is, is that the Student Incentive Scholarship Program is based upon a "needs factor". If a student has a certain financial need, they are eligible to receive the money. This particular Bill, L.D. 119, which he has just said, moves it from twenty-five percent to thirty percent to include the Maine Maritime Academy and the VTI's. If we keep it strictly on a "needs basis", let everybody compete equally that have that need, the VTI's are included in a select group now. (They never were before.) If we take now, and remove the "needs basis," move that issue, and strictly look at it by two and one half percent, which will be allocated to the VTI's especially, then we've taken out that "needs assessment" which we had before. That strictly "needs basis" for allocating the money. So I would, very gently, request that you not accept the Amendment that is before you, and I request a division.

THE PRESIDENT: A division has been requested.

Will all those Senators in favor of the **ADOPTION** of Senate Amendment "A" (S-85), please rise in their places to be counted.

Will all those Senators opposed, please rise in their places to be counted.

18 Senators having voted in the affirmative, and 13 Senators having voted in the negative, the motion to **ADOPT** Senate Amendment "A" (S-85) **PREVAILED**.

Which was **PASSED TO BE ENGROSSED, as Amended**.

Sent down for concurrence.

Senator **PEARSON** of Penobscot was granted unanimous consent to address the Senate Off the Record.

Senator **TWITCHELL** of Oxford was granted unanimous consent to address the Senate Off the Record.

Senator **TUTTLE** of York was granted unanimous consent to address the Senate Off the Record.

Senate at Ease

The Senate called to Order by the President.

Off Record Remarks

Out of Order and Under Suspension of the Rules, the Senate considered the following:

ORDER

Joint Order

On motion by Senator **VIOLETTE** of Aroostook, the following Joint Order (S.P. 580): **ORDERED**, the House concurring that when the House and Senate adjourn, they adjourn to Friday, May 17, 1985, at 12:00 o'clock in the afternoon.

Which was **READ** and **PASSED**.
Sent down forthwith for concurrence.

On motion by Senator **VIOLETTE** of
Aroostook, the Senate **ADJOURNED** Pursuant
to Joint Order (S.P. 580) until Friday, May 17,
1985 at 12:00 o'clock.