

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

Volume II

May 21, 1975 to July 2, 1975

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

Reduce the Maximum Allowable Height for Outdoor Advertising Near State Highways to Twenty-five Feet" (H. P. 177) (L. D. 208) reporting Leave to Withdraw
 Reports were read and accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Transportation reporting "Ought Not to Pass" on Bill "An Act to Repeal the Requirement for Wearing Motorcycle Helmets" (H. P. 897) (L. D. 1084)

Report was signed by the following members:

Messrs. McNALLY of Hancock, GREELEY of Waldo, CYR of Aroostook of the Senate.

Mrs. BERRY of Madison, Messrs. JENSEN of Portland, WINSHIP of Milo, KAUFFMAN of Kittery, STROUT of Corinth, ALBERT of Limestone, FRASER of Mexico, WEBBER of Belfast, LUNT of Presque Isle — of the House.

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Report was signed by the following member:

Mr. JACQUES of Lewiston — of the House.

Reports were read.

Mr. Fraser of Mexico moved the House accept the Majority "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I notice that the signer of the Minority Report is not in his seat, I was wondering if possible this could be tabled until later in the day.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I think rather than attempt to table this, I would like to debate it now. I am ready — I am the sponsor of the bill.

I am going to ask you to vote against the motion of accepting the "Ought not to pass" Report.

I originally introduced this bill by request, because when I was asked to put it in by a group of motorcyclists, I did have some serious reservations about this, about repealing this law.

However, since I have put the bill in, I have done some serious soul searching on the idea of how far I feel the government should go to protect the individual. I have also done some serious research into the case for or against helmet laws.

First, I would like to touch on the practical case against the helmet law. Before I get into it, I think you have to realize that helmets do not prevent accidents; this fact should be obvious, but many proponents of highway safety have been misled into concluding that the universal use of helmets would greatly reduce the death rate. Roughly 75 percent of all motorcycle accidents involve a rider having less than three months experience. More than two-thirds of all accidents involving a motorcycle and another motor vehicle are determined to be the fault of another motorist, usually the case of an automobile driver ignoring the motorcyclist or in some cases consciously violating the motorcyclist's right of way.

Statistics — to get this into perspective, I don't think one can just take the evidence from a state's number of deaths due to motorcycle accidents, what you have to do is look at the number of deaths as they pertain to the number of motorcycle

accidents. Statistics from those states and provinces which have a mandatory helmet legislation reflect no demonstrated decrease in the ratio of deaths to accidents. On the contrary many, many jurisdictions have shown a marked increase in the death rate following the enactment of the helmet law. Why is this the case? Generally because your helmets actually can cause death when you are involved in an accident, because most helmets are not capable of withstanding impact of over 13 to 15 mile per hour impact.

In California, which has never had a helmet law, exist the largest number of registered in the United States are registered in the State of California. Due to the pleasant weather, many of the machines can be used throughout the year; even so California's motorcycle fatality rate is one of the lowest in the nation, an annual figure of 72 per 100,000 registrations. New York, on the other hand, which riding season is very similar to Maine's has on the average of 136 deaths per 100,000 motorcycles, almost twice the California figure. After New York passed their helmet law, deaths due to neck injuries increased by more than 100 percent.

In the hearing that we had on this bill, there were many arguments, there were many people supporting this bill who gave a lot of good testimony on how helmets can actually cause deaths due to snapping of the neck and either by the helmet coming back onto the neck on an injury or because of the neck strap.

The role of a helmet in causing accidents cannot be underestimated. When you are riding a motorcycle all your sensory organs, your eyes, your ears and your nose are all encased in a helmet and this greatly reduces your ability to see approaching danger or hear of approaching cars, horns, etc. I have some figures from the University of Utah, an audiology sheet, which shows that the hearing with a helmet on is almost cut in half; the hearing loss is actually doubled when you're wearing a helmet. The helmet minimizes the wearer's ability to see; most helmets give you peripheral vision of 105 degrees; 180 degrees is considered normal, 140 degrees, if you are tested by an optometrist or an ophthalmologist and you have peripheral vision of 140, you are deemed to have some sort of an eye disease or you should have a checkup. Yet, the helmets give you only a visibility of 105 degrees.

As I said, with the principal sensory organs enclosed in a tight shell of fiberglass and tinted plastic, the rider inevitably assumes a subconscious or a conscious feeling of indestructibility. The degree of course to which this happens is the degree, of course, of the experience of the rider, but where you have most of your accidents occurring with an inexperienced rider, I feel this is a very viable argument.

But I think the strongest argument to use against the helmet law is the moral argument of how far the government is going to go to protect the individual, and I don't feel there can be any crime where there is no unwilling victim. And I feel in this particular case, where you're subjecting a motorcycle driver to a penalty if he fails to wear a helmet is just unfair and I feel the government is just going too far in this particular aspect.

The argument will be, I am sure somebody will get up and explain how the

federal highway safety Department of Transportation, Highway Safety Division, is going to withhold 10 percent of our highway money if we enact this bill. I have letters from the Highway Safety people saying that they have never done this; there are five to six states right now that do not have a helmet law and in none of those states has any highway money ever been withheld from them, and I don't feel we should sit here today and vote on this bill simply because we're being blackmailed by the federal government. So I would ask you to vote against the motion of "Ought Not to Pass" and support the "Ought to Pass" motion.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: I will be brief. I am not a motorcyclist, have never been on a motorcycle in my life. I do support the minority "Ought to pass" report for a couple of reasons.

There has been a lot of talk in the last few years about seat belts in cars and mandatory wearing of seat belts and all of this, and I object to this, I guess, for the same reasons that I object to the requirement that a person wear a helmet if he is going to ride a motorcycle.

Now, we had a bill in here a little while ago about lights on motorcycles and I agree with that because that affects me as a car driver. It allows me to either see the person better or not see the person better, and possibly avoid an accident. The helmet law does not affect me as a driver and I don't feel that a person should be required to wear a helmet just to ride a motorcycle.

As I said, I don't ride a motorcycle myself but having had helmets on before, I can tell you that I support the gentleman from South Berwick, Mr. Goodwin, about the restriction in vision and hearing and all of the rest, and I don't think we should require somebody — you know, I think it is a very good question he raised about how far can the government go in protecting somebody. I don't know of any state yet that has passed a law to prosecute somebody for committing suicide, and I think if there is a real danger factor involved here, if there is a real question of safety to the motorcycle rider, I think that should be optional, I think it should be up to the motorcycle rider whether he is going to wear one or not. If it is proven that this reduces fatalities on the highway, well, fine, I think the motorcycle rider should be given the option. I don't necessarily think it is our place to legislate this type of protection into the person and if you vote to accept the majority "Ought Not to Pass" recommendation, I think we should give serious consideration to some other bills that either are pending or may be coming up regarding protecting a person's life. Just how far can we go in forcing a person to protect his own life?

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Cox.

Mr. COX: Mr. Speaker, Ladies and Gentlemen of the House: I think that I should say a few words about this. We have heard it said that helmets cannot withstand the impact of more than 13 miles per hour. My concern is, how much of an impact can the unprotected head stand?

This is a bit personal, not closely personal, but it goes back to an incident in my own town, where this gentleman decided one day that work was a little bit slack in his shop and his bike was sitting in

the yard and he was just going to take a spin around the block. He said, "I don't need my helmet for that because no cops will catch me just for this little spin around the block." He took his little spin around the block, he didn't run into any cars, started to turn out the street right opposite his own yard and he flipped, landed on his head, hardly any speed that he was moving at, but the man is practically a vegetable now. Had he had his helmet on, I am sure he would have banged the helmet a little, scratched the paint, maybe even caved it in, but he would be working and supporting his family now.

Talking about unwilling victims, this man's wife is now working to support him. It would seem that the families of victims of this sort of accidents are unwilling victims of the accidents. How about the ambulance driver who has to make a sudden emergency run to one of these accidents and has to take a little risk? Is he possibly an unwilling victim of the accident? The taxpayers who have to pay increased taxes to support these emergency operations, support hospitals, are they perhaps unwilling victims of accidents? I would submit that there are unwilling victims of these accidents. No man is an island sufficient unto himself; no man can truthfully say that no one else is going to suffer if he becomes injured.

We also have raised the restricted peripheral visions to 180 degrees. Now anyone riding down the road, 180 degrees is straight out to your ears; does anyone riding down the road need to see straight out from his ears? I am sure it would fix his ability to look at pretty girls on the sidewalk, but what he's supposed to be doing is watching the road. And 105 degrees of vision should be adequate for watching the road and streets that are leading into the road.

Now, I have said a little more about this than I intended to; I am not an expert on the matter, but I think sometimes experts on these things can perhaps get so bound up in their expertness that they miss some other things that some of us who don't know anything about it perhaps think they can see.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: As a signer of the Majority "Ought not to pass", I feel I should make a few comments. The gentleman from South Berwick, Mr. Goodwin, has mentioned that probably somebody would bring to your information concerning the loss of revenue of the federal highway safety act. He heard the testimony. We had a gentleman there from the Northeast Regional Commission that told us very specifically that if the helmet law on motorcycles was repealed, that we would lose \$3.5 million. I don't know how much clearer we could have gotten the message. Also, Mr. Goodwin told that there were five or six states that don't have helmet laws. I believe he is incorrect, because at the hearing we were told that today there are two states that don't have motorcycle helmets; one is California and right at the present time they have a bill before them to act on and I am quite certain that if California doesn't pass this, that they are going to find they are going to be losing some of their federal revenue also.

As a member of the Transportation Committee, I am not serious one way or the other, I don't care if they wear helmets or not. I do think at the present time that it

would be unwise for us to pass this legislation knowing that our revenue in the highway is about as low as it could go and I really don't feel there's any need for this bill. So I now move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: It has been mentioned that the helmet would rescind 17 m.p.h. or some impact of a certain number of pounds, and the question was asked "what would the human head stand?" Well, that it is an unknown factor. Mine's pretty hard and could stand quite a lot and there's some that have a thin skull.

But let me tell you, I rode a motorcycle for a good many years when I was younger, I feel that I am past that now, and I never had a helmet and I am still here. But the thing that I stood up for this morning to tell you people, it involves something like — I might remind some of you younger people here perhaps this type of thing has something to do with my longevity here.

Now let me tell you, back home I have had some people against this bill, quite a few of them against it, back in the country having this helmet bill and being dictated by the great white fathers down here. I don't care if it is the motorcycle bill or the seat belts or what have you. They are tired and sick and you're going to find revolt from the people, more and more as you go along, in their every day affairs. I don't care if it is this or everything. We're picking away at their every day affairs to the extent that they think we no longer should be here. They're getting fed up with the government and why? It's things like this.

I will try to make it plain to you. Several people have come to me and don't want this helmet bill, but not one, not one mind you, has come to me and said "Mr. Dudley, would you please support this helmet bill as a matter of safety." Now these are the type of things that I support, because I am trying to represent these people and I think has contributed greatly to my longevity here. It is bills like this that I try to be with the people who come to see me. I think that is what I am here for. I am not right here to think that I'm their father, that I'm going to dictate to them, that I'm a bigshot, that I'm going to tell them "you do this, you run and get this, you do this." This is not what I'm here for. I'm here to try to represent these people and I hope you are and I will ask you, how many people have called you or written you that they wanted this helmet bill? There are similar bills that have come up. I am going to support the people who don't want it. I am going to vote for the minority and I suggest it might be a good thing for you people to consider the people you are here for.

As for this federal thing, I have heard this federal bluff for years. There's going to be \$40 million of federal money we won't be able to cover anyway, so if they cut us 3 percent, we will take it out of that 40 percent we can't reach because we can't cover it. I am not afraid of these people; they're not going to dictate to me nor my people and I hope they don't dictate to you. The public, you must know by now, is fed up with the federal government dictating to the state government and the state government dictating to the town government and the town government dictating to the people. We advocate

around the world that this is a free society, that we have freedom. Why, it's getting so that communist countries have more freedom than we do and it is just because of cases like this. I think it is time we smarten up and try to do what the people ask us to do and not try to make them think that we are the father to everybody.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. McBreairty.

Mr. McBREAIRTY: Mr. Speaker and Members of the House: I am going to be very brief. A few days ago, I got a letter from a concerned motorcyclist. He suggested I put in a bill to require helmets in cars. I am sure many of you have seen that round hole in the windshield where a head has collided in cars. I am sure the vote on this bill will indicate the chances of passage of such a bill; after all, we want to protect everyone.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Sprowl.

Mr. SPROWL: Mr. Speaker, Ladies and Gentlemen of the House: I rise only briefly to support the "Ought to pass" minority report. I am a motorcycle enthusiast and I come in from a rural area. I enjoy not riding a bike fast but 35 or 40 miles an hour on the rural roads and I hate to wear that helmet. I enjoy the sunshine, you put the helmet on, you perspire, you're wet and it is a very uncomfortable feeling. I think this is an individual right: If I am riding the highways and I intend to go fast, then I would put the helmet on regardless of legislation, but I reiterate, it is an individual's right as to whether they want to put a helmet on or not. I hope that you will support the Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: Some days ago in debate, I said that as far as I was concerned, I would allow the motorcyclists to operate their machines dressed any way they chose to as long as they put their headlights on and I still feel that way. However, I have checked carefully with the Department of Transportation to get the real story on this Federal law thing and I think you should understand what it is and then you can make your decision. Back in 1966, the federal law was passed that each state must have an approved safety program. The Secretary of Transportation was authorized to promulgate rules and regulations concerning that and he has done that. One of those rules is that the secretary says that each motorcycle rider is to wear an approved helmet and all but two states have done this. The State of Maine has this program, only California and Illinois have not. No other state up to this point in time has repealed their law that they put on the books in connection with motorcycle helmets. Connecticut and Oklahoma attempted to or considered it or are considering it, I am not sure what the timing is and they have both received telegrams from the Department of Transportation in Washington saying that if they did repeal the law then the coordinator or whatever his title is would recommend to the Department that the sanctions be invoked. Now, those sanctions are, reduction of 10 percent in the amount of subsidy under the general subsidy law, which in our particular case, will depend on the amount of money that we match and loss of the highway safety program money which to the State of Maine is

approximately \$400,000 a year, which is used to subsidize driver education programs, automation of motor vehicle records, training programs and emergency medical training and that sort of thing. So, that is the possibility. No state has ever had these sanctions invoked but by the same token, no state has ever returned to the no-helmet law once they had adopted it. It seems that the thinking behind this at the federal level is, that if a state is making progress towards, then they are not in any trouble, but if they attempt to back up they could well be. So, Connecticut and Oklahoma have been so advised. I believe this is an accurate record of what happens or what happened as far as the federal law is concerned. I put it on the record for your information. You can make the decision on the basis of how you feel about the whole bill and this in context.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: One of the previous speakers who opposed this helmet law said he was going to wear one anyway regardless of the law if he feels like speeding. That reminds me of a lady who came before our committee as an opponent to this bill, said she and her husband enjoyed motorcycling and she hopes to continue and she also said the last part of her testimony, "Even if you repeal this law, I will still wear a helmet." I said, "Why?" and she said, "Because it is safer."

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to recount a story here this morning. A few years back the famous M. C. of the Tonight Show, Ed McMahon, was the chairman of a huge benefit for the Catholic universities in this country and he was able to get probably some of the top entertainment of the country to perform at that charity. After the entertainment was over with Mr. Sammy Davis Jr. sitting down next to the then Cardinal Cushing of Boston and at that time, one of the fads, for lack of a better word, was to have the St. Christopher statue on dashboards of cars. Sammy Davis Jr. asked the Cardinal, does that statue do any good at all on the dashboard of a car? He said, "Well, Sammy, really on a head-on crash, after 35 miles an hour, no good at all."

I talked to some motorcyclists in regard to this helmet bill and they said the only thing that a helmet would do after 15 miles an hour is probably insure you that you could have an open casket. I would urge this House to go along to defeat the pending motion to indefinitely postpone and accept the Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jacques.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: Here I go again. I am the lone signer of this bill "Ought to Pass". We had a pretty good hearing on it and not one motorcyclist that was present, and at least 200 people appeared at the hearing, not one motorcycle rider who had the helmet stay on, they all wanted it off but they wanted to wear it if they could wear it for themselves, not have the law tell you that you have to wear it.

We had a young fellow from Aroostook County showing us statistics what it had done for fellows that had crashed which had broken the vertebra in the back of his

neck and he stayed paralyzed. It wasn't just in one case. Most cases that where the helmet was worn what it had done to that young fellow. I hope, ladies and gentlemen of the House, that you people don't vote because you don't like motorcycles. I know that the majority of people do not like motorcycles on the road because a lot of them are cowboys and they don't know how to deal with automobiles. I tell you we had a group of motorcyclists, when I was a young fellow, that we used to ride 35 together and it was a real sport. We had fellows like John Reed, who is also a motorcycle rider, Jon Lund is also a motorcycle rider. We had many, many lawyers in my area that own a motorcycle because they enjoy riding it and they ride it right. If you knew what that helmet does to a motorcycle rider — first of all, it impairs his seeing on the sides, it impairs his hearing. Wearing that helmet is just like taking a pair of earmuffs and putting it on your ears, that is what it means. I never wore a helmet except when I used to race them. We had to because that was a rule, the insurance rule and the association rule. It is absolutely, after so much speed, after 50 miles an hour, if you ever landed on top of that helmet that helmet would hurt you more than it would help you.

Another thing that I didn't like is the federal government coming in to our committee and stating to us that if we do take the helmet off that we are going to lose 10 percent of our road money and that really fired me, that is one of the reasons that I really went against this. When he comes in and tells us that we are going to lose our federal money because we are not wearing helmets that it is going to impair the safety record that we have here in Maine. California has over 400,000 motorcycles and they don't have to have helmets if they don't want to wear them. So, you figure that one out and you have more traffic than you have here in Maine. We have open space here in Maine, and we have good motorcycle riders, our record is very good compared to other parts of the country. These young men are riding motorcycles because they like them and they are not cowboys like people think. I hope, ladies and gentlemen of the House, that you people do not vote because you don't like motorcycles, vote what the law says and what the motorcyclists would like, not to have the helmet. There was one young man that appeared at the hearing stating to us that they wanted to wear the helmet. I hope this morning that you do go along with the Minority Report, "Ought to Pass".

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Peakes.

Mr. PEAKES: Mr. Speaker, Ladies and Gentlemen of the House: I am one of those California motorcyclists and when I came back to Maine I got rid of it because in California, I could go out on the desert and I could ride for hours without meeting a car or fence or anything. Here in Maine, we have, especially in the back areas, we have a lot of horse and buggy roads that have been blacktopped, they have gravel and they are not properly sloped and I just think that there is no question about the safety of the helmet. I wore one in California, it is hot and sweaty under there but I think there is no question about the safety factor. I have handled cases where people have gone off, not particularly with another automobile or motorcycle and they hit a stone or tree or whatever and you can always bust a leg but if you bust a head it is pretty hard to put it back

together. I would urge you to support the helmet bill.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to touch on a few things I didn't the first time. I think the first thing I would like you people to remember when you vote on this is that 27 percent of all motorcycle deaths are due to head injuries, 28 percent of all automobile deaths are due to head injuries. I think that it is only fair that if you are going to force the motorcyclists to wear a helmet that we ought to force motorists to wear a helmet when they are driving their car because the statistics are identical.

I have got stories and statistics from other states and in Kansas the cycle fatalities doubled after they passed the helmet law while the registrations went up only 12 percent, and accidents stayed about the same. They doubled because when you are thrown from a bike and you don't hit your head directly, there is a good chance that the helmet can snap your neck or the strap can snap your neck. There are studies that are being done in Canada that have documented this and I just feel that some bureaucrats sitting down in Washington probably never even been on a motorcycle have probably said, this sounds like a good idea, let's throw this in with our safety regulations. I don't think the State of Maine has to worry or be blackmailed by this type of bureaucratic thinking.

I have a letter from one of these bureaucrats written someone in Kansas or Oklahoma stating, "that no federal highway safety funds have ever been withheld from any state for failure to implement any of the federal highway safety requirements." I think it is probably because they know that they could never back them up. I think if they tried to do that, there would be such an outcry from Congress that they would have to repeal all the safety regulations. They are just using this as a threat, there are more than two states that don't have the helmet law, there are four or five states that require, Louisiana I think is one case in point that if you are, I think the age is 18 and driving a motorcycle, you have to have a helmet, over 18 you don't. I don't know what the reason for that is. There are several midwestern states that require you to wear a helmet when you are in a suburban or urban area but not in a rural area. There is one state that does just the opposite. These states haven't lost any federal highway safety money.

I would ask, when you vote on this, you just vote to let the motorcyclists have a chance to determine what he is going to do. Let's stop this dictating from here on just how we are going to work. If you are going to keep laws on the books like this, then perhaps we ought to start thinking about making hunters wear bulletproof vests, and perhaps we ought to ban things like skydiving and making everybody that goes swimming has got to wear life jackets, and let's get into this whole bit. Let's make sure to pass a law requiring every person to get eight hours sleep at night. Let's keep going like this, this is the type of thing if we are going to keep laws on the books like this I think that we ought to get into.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mr. Speaker, Ladies and Gentlemen of the House: I was asked by one of my cycle riders to vote for the repeal of this helmet law. One of the disadvantages is that if you fall and hit your head just right the helmet, itself, could snap your neck. As for myself, I am getting sort of tired of being blackmailed by the federal government with their matching funds which are withdrawn eventually and leave states with all programs and no funds.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Jensen.

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: I think there are two questions we have to decide here. One of them is the actual need for the helmet, the other thing is what happens if we decide that a helmet is not needed and we are willing to accept loss of money. I have seen the gentleman from South Berwick, Mr. Goodwin, paint a very, very excellent picture of how bureaucrats are trying to run things and how highway administrators determine these great safety things and go after them and say, if you don't do what we say you should do, then we are going to take away your money. It is fine to paint the bureaucrats doing that type of thing. It is a popular thing and people love to do it. However, they are not the ones that determine this had to be done, it is the Congress. The congress of the United States, other elected officials, were the ones that said, if these programs aren't kept up to snuff, if the safety levels aren't made, the money will be withheld. It is not a bunch of bureaucrats.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jacques.

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: That isn't so. We had a letter from the federal government stating that there hasn't been any money withheld anywhere for states that have not adopted the helmet law.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Quinn.

Mr. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: I think the gentleman from Enfield stated it more precisely than I could. There could be no doubt, in my opinion, in my district that the overwhelming majority of my people are not remotely interested in any more unnecessary expensive government. I want to show my people how I voted and I, therefore, want to request a roll call.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I would make just two points. The first point is that we talk about the innocent by-stander and we consider that the driver of the motorcycle should only have to worry about his own risks. I think we should consider the rider, many people do take riders on motorcycles and they have no control over the machine and yet are very vulnerable. The second point I would make is something that came out of the no-fault hearings last year in front of the Business Legislation Committee, and that is, I believe, that of the major accidents in automobiles between 50 and 20 percent were fatal and of the major accidents of motorcycles, approximately 80 percent were fatal.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and

voting. All those desiring a roll call will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question before the House is the motion of the gentleman from Corinth, Mr. Strout, that this bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA -- Bachrach, Bagley, Birt, Bustin, Call, Carroll, Cox, Curran, P.; Curran, R.; Doak, Durgin, Farnham, Finemore, Gould, Higgins, Hinds, Hughes, Immonen, Jackson, Jensen, Joyce, Kauffman, Kennedy, LeBlanc, Lewin, Littlefield, Lunt, Lynch, Martin, A.; McMahon, Miskavage, Morton, Nadeau, Perkins, S.; Saunders, Snowc, Strout, Stubbs, Talbot, Tarr, Tierney, Torrey, Tozier, Usher, Wagner, Walker, Webber.

NAY — Albert, Ault, Bennett, Berry, G. W.; Berry, P. P.; Berube, Blodgett, Boudreau, Bowie, Burns, Byers, Carey, Carpenter, Carter, Chonko, Churchill, Clark, Connors, Connolly, Cooney, Cote, Curtis, Dam, Davies, DeVane, Dow, Dudley, Dyer, Farley, Faucher, Fenlason, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Hobbins, Hunter, Hutchings, Ingegneri, Jacques, Jalbert, Kany, Kelleher, Kelley, Laffin, LaPointe, Laverty, Lewis, Lizotte, Lovell, MacEachern, Mackel, MacLeod, Mahany, Martin, R.; Maxwell, McBreaarty, Mills, Mitchell, Morin, Mulhern, Najarian, Norris, Palmer, Peakes, Pelosi, Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rolde, Rollins, Shute, Silverman, Smith, Snow, Spencer, Sprowl, Teague, Theriault, Truman, Twitchell, Tyndale, Wilfong, Winship.

ABSENT — Drigotas, Leonard, McKernan, Susi.

Yes, 47; No, 98; Absent, 5.

The SPEAKER: Forty-seven having voted in the affirmative and ninety-eight in the negative, with five being absent, the motion does not prevail.

Thereupon, the Minority "Ought to Pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Human Resources reporting "Ought Not to Pass" on Bill "An Act to Provide for Review and Planning of Human Service Programs by Regional Planning Commissions" (H. P. 1186) (L. D. 1477)

Report was signed by the following members:

Mrs. BACHRACH of Brunswick
Mrs. HUTCHINGS of Lincolnville
Messrs. AULT of Wayne
CONNERS of Franklin
HUNTER of Benton
RAYMOND of Lewiston
TRUMAN of Biddeford

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "A" (H-440) on same Bill.

Report was signed by the following members:

Messrs. KATZ of Kennebec
GRAHAM of Cumberland

— of the Senate.

Mrs. SAUNDERS of Bethel
Messrs. TALBOT of Portland
DAVIES of Orono

— of the House.

Reports were read.

On motion of Mr. Talbot of Portland, tabled pending acceptance of either Report and specially assigned for Tuesday, May 27.

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought Not to Pass" on Bill "An Act to Permit Uniform Reduction of Liquor Prices in Four Stores in the State" (H. P. 987) (L. D. 1252)

Report was signed by the following members:

Messrs. GRAFFAM of Cumberland
CARBONNEAU of Androscoggin

— of the Senate.

Messrs. LIZOTTE of Biddeford
DYER of South Portland
TWITCHELL of Norway
JACQUES of Lewiston
PERKINS of Blue Hill
IMMONEN of West Paris

— of the House.

Minority Report of the same Committee reporting "Ought to Pass" on same Bill.

Report was signed by the following members:

Mr. DANTON of York

— of the Senate.

Messrs. PIERCE of Waterville
MAXWELL of Jay
FAUCHER of Solon
RAYMOND of Lewiston

— of the House.

Reports were read.

On motion of Mr. Maxwell of Jay, the Minority "Ought to Pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought to Pass" as amended by Committee Amendment "A" (H-438) on Bill "An Act Relating to Services Provided by Private Clubs under the Liquor Laws" (H. P. 793) (L. D. 966)

Report was signed by the following members:

Messrs. GRAFFAM of Cumberland
CARBONNEAU of Androscoggin

— of the Senate.

Messrs. PIERCE of Waterville
DYER of South Portland
FAUCHER of Solon
RAYMOND of Lewiston
IMMONEN of West Paris

— of the House.

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following members:

Mr. DANTON of York

— of the Senate.

Messrs. LIZOTTE of Biddeford
TWITCHELL of Norway
MAXWELL of Jay
JACQUES of Lewiston
PERKINS of Blue Hill

— of the House.

Reports were read.

On motion of Mr. Pierce of Waterville the Majority "Ought to Pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-438) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on