

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Fourteenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME II**

**FIRST REGULAR SESSION**

May 10, 1989 to June 14, 1989

HELD BILL

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

Senator PEARSON: Thank you Mr. President. Mr. President, is the Senate in possession of L.D. 204?

THE PRESIDENT: The Chair would answer in the affirmative, the Bill having been held at the Senators request.

On motion by Senator PEARSON of Penobscot, the Senate RECONSIDERED whereby it PASSED TO BE ENGROSSED AS AMENDED, in concurrence:

Bill "An Act Making Allocations for the Expenditure of Funds Received by the State as a Result of Federal Court Orders in the Stripper Well Overcharge Case Involving the Shell Oil Company" (Emergency)

H.P. 152 L.D. 204  
(C "A" H-312)

(In Senate, June 5, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312), in concurrence.)

(In House, May 31, 1989, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312).)

Senate at Ease

Senate called to order by the President.

On further motion by same Senator, the Senate SUSPENDED THE RULES.

On further motion by same Senator, the Senate RECONSIDERED whereby it ADOPTED Committee Amendment "A" (H-312), in concurrence.

On further motion by same Senator, Tabled until Later in Today's Session, pending ADOPTION of Committee Amendment "A" (H-312), in concurrence.

The Chair laid before the Senate the Tabled and Later Today Assigned matter:

SENATE REPORTS - from the Committee on TRANSPORTATION on Bill "An Act to Mandate the Use of Seat Belts"

S.P. 491 L.D. 1333

Majority - Ought Not to Pass

Minority - Ought to Pass as Amended by Committee Amendment "A" (S-212)

Tabled - June 6, 1989, by Senator CLARK of Cumberland.

Pending - ACCEPTANCE OF EITHER REPORT

(In Senate, June 6, 1989, Reports READ.)

Senator TWITCHELL of Oxford, moved to ACCEPT the Majority OUGHT NOT TO PASS Report.

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

Senator BRANNIGAN: Thank you Mr. President. Mr. President, men and women of the Senate. I hope that you will oppose the motion to Accept the Majority Ought Not to Pass Report and go on to Accept the Minority Ought to Pass as Amended Report. This is a continuation of the issue of seat belts. The difference between the two Reports is a two year extension of decisions that this Legislature has made in the past. There are people in the Legislature who feel that everyone should wear seat belts and we should, like we do with many other things dealing with automobile safety and use, require it. There are some of us, and I am one of those, who feel that we should do that and it should be part of driving.

In the debates that we have had over the last few years, this Legislature has decided, however, that is not the way it wishes to go and that we should do

seat belts through training. So, the Legislature, several years ago, began with the little people, the people who will never vote, as I told the Transportation Committee, in our life time. We began with those that were four years of age and under and we went through all the difficulties of helping folks get safety seats, have them buckled in, and all very young children buckled in. That was the first step. A step of raising a group of citizens who would be keeping themselves and others safe on the roads.

We moved later to add other young people to the list of those who would travel in our cars buckled in. Those twelve years of age and under, which is the law today. This Bill would raise that age from twelve for three years, thirteen, fourteen, and fifteen. Those under sixteen would be required to wear seat belts.

This fits very well with decisions by the same Committee that dealt with this Bill, dealing with licensing. We have raised that age limit one year and this will require those who are moving toward that important right of passage and that important stage in their life where they will have their own drivers license. That we will close that gap between the present law and the time when they will take over the responsibility of driving. It seems very sensible to me that we would pass a law which extends for those who have already experienced the learning of buckling in, through that time when they are torn between rebelling, taking unnecessary chances in their lives, that the area of driving, where my safety and your safety is involved, and especially where their safety is involved, that we continue to make sure that they wear their seat belts up to the time when they gain their license. I would encourage you to join with us who sponsored this legislation with other members of this Committee to oppose the Majority Ought Not to Pass motion. Thank you.

Senator MATTHEWS of Kennebec requested a Division.

THE PRESIDENT: The pending question before the Senate is the motion of Senator TWITCHELL of Oxford, to ACCEPT the Majority OUGHT NOT TO PASS Report.

A Division has been requested.

Will all those Senators in favor of the motion of Senator TWITCHELL of Oxford, to ACCEPT the Majority OUGHT NOT TO PASS Report, please rise in their places and remain standing until counted.

Will all those opposed please rise in their places and remain standing until counted.

14 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion of Senator TWITCHELL of Oxford, to ACCEPT the Majority OUGHT NOT TO PASS Report, FAILED.

On motion by Senator BRANNIGAN of Cumberland, the Minority OUGHT TO PASS AS AMENDED Report was ACCEPTED.

The Bill READ ONCE.

Committee Amendment "A" (S-212) READ and ADOPTED.

Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED, as Amended.

Sent down for concurrence.

Off Record Remarks

The Chair laid before the Senate the Tabled and Later Today Assigned matter:

Bill "An Act Concerning Withdrawal of Candidates"

H.P. 559 L.D. 757  
(H "A" H-282 to C "A" H-234)

Tabled - June 6, 1989, by Senator CLARK of Cumberland.

Pending - FURTHER CONSIDERATION