

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME II

FIRST REGULAR SESSION

House of Representatives
May 17, 1993 to July 14, 1993

(H.P. 649) (L.D. 887) Bill "An Act to Permit Owners of Property to Seek Indemnification from Parties Responsible for Violations of Clear-cutting Laws" (C. "A" H-288)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were Passed to be Engrossed or Passed to be Engrossed as Amended in concurrence and the House Papers were Passed to be Engrossed as Amended and sent up for concurrence.

PASSED TO BE ENGROSSED

Bill "An Act to Amend the Maine Pharmacy Act" (H.P. 944) (L.D. 1273)

Was reported by the Committee on Bills in the Second Reading, read the second time, Passed to be Engrossed, and sent up for concurrence.

PASSED TO BE ENGROSSED

As Amended

Bill "An Act to Clarify the Law Concerning Complimentary Licenses for Disabled War Veterans" (EMERGENCY) (H.P. 1029) (L.D. 1381)

Was reported by the Committee on Bills in the Second Reading and read the second time.

Representative Rotondi of Athens offered House Amendment "A" (H-282) and moved its adoption. House Amendment "A" (H-282) was read by the Clerk and adopted.

The bill was passed to be engrossed as amended by House Amendment "A" (H-282) and sent up for concurrence.

PASSED TO BE ENGROSSED

As Amended

Bill "An Act to Provide Local Control for the Job-start Program" (S.P. 246) (L.D. 765) (S. "A" S-128 to C. "A" S-126)

Was reported by the Committee on Bills in the Second Reading, read the second time, Passed to be Engrossed, and sent up for concurrence.

PASSED TO BE ENGROSSED

Bill "An Act Concerning the Mandatory Use of Car Safety Seat Belts" (S.P. 155) (L.D. 486) (C. "A" S-88)

Was reported by the Committee on Bills in the Second Reading and read the second time.

Representative Tracy of Rome moved that L.D. 486 and all its accompanying papers be indefinitely

postponed.

The same Representative requested a roll call vote on the motion to indefinitely postpone.

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

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

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Pendexter.

Representative PENDEXTER: Mr. Speaker, Men and Women of the House: I urge you to vote against the motion before you to indefinitely postpone L.D. 486.

The debate sometimes has centered around whether our insurance rates would go down. I have been able to find out some information that in the State of Michigan their auto policies did reflect a decrease in premiums after they had a belt law and the superintendent of insurance, I understand, ordered that the insurance companies lower their rates after Michigan had a law in. We can't guarantee you that that will happen here because we don't know what effect this law will have getting people to wear their seat belts, but I think the scenario is entirely possible. However, we can't predict and assure you today that that is exactly what will happen.

Some of you are having problems in deciding how to vote for this so I have another suggestion for you. It is interesting as I was putting some thoughts down on paper that another Representative circulated a note written by a child which fits right into the comments I was going to say which was, do it for the kids.

I have an interesting question that I ask kids who come into my office. Those kids are certainly able to relate to the issue because we are always talking about safety with children when they come in for their well visits because we are in the business of keeping kids healthy and well. One of my favorite questions I always ask them is, do you think it should be a law that adults buckle up? I have yet to find one tell me no. They all say, yes, we think adults should buckle up. They want you to buckle up, their mothers, their fathers, their grandparents, they are doing the best they can in spreading the word and some of them have been very effective in getting their parents to buckle up but they do need our help. I don't think that we should put it on the backs of kids to enact a policy for our state. I think that it is entirely within this parameter to legislate this safety issue and we should help the kids.

There is a national crisis on our highways which is perhaps why Congress is putting the squeeze on some of the states who don't have mandatory seat belt laws but you have to realize that 40,000 people die on our highways every year. If you can't relate to 40,000 lives, let me put it to you this way — it is equivalent to three wide body jets crashing every week. If that was literally going on, three wide body jet crashes every week, I think that we would all be up in arms and say, gee, we have to do something about this problem. It interests me that we just expect people to die on our highways and we

just don't do anything about it. I dare say to you that 40,000 lives is worth saving and Maine needs to play its role in trying to put an end to the epidemic that is going on on our highways.

I would like to quote from an editorial that was written in the K.J. on January 5th of this year. It is entitled "Maine Out of Step on Highway Safety" and I quote from that editorial. "Nationally, roads are getting safer, but not in Maine. The reasons why that is so should prompt swift legislative action to require seat belt use by all Maine drivers. The figures are compelling. As predicted here several months ago for the first time since 1962, traffic deaths were less than 40,000 nationally. Since far more people are driving many more miles, the reduction is doubly impressive. The rate of deaths for 100 million miles has dropped from 2.8 to 1.8 over the past ten years, but Maine has unfortunately not joined in this encouraging trend despite one of the nation's toughest drunken driving laws. In 1992, 215 people died on Maine highways, actually an increase from 205 in 1991 and unimproved since 1987. As the nation's roads have become safer, Maine's have not. This is unacceptable. It is certainly not because of OUI enforcement. Alcohol is involved in 46 percent of all fatal accidents nationally, but only 40 percent in Maine. The state's tough laws are having the desired effect but it is the nonuse of seat belts which makes driving in Maine more dangerous than it should be. Experts have known for years that seat belts save lives and now have the figures to prove it.

Nationally, 62 percent of all drivers buckle up and in 14 states, seat belt use tops 70 percent. Maine's is less than half that. The beginning of the downward trend in fatalities exactly coincides with the auto industry's campaign to convince states to enact laws requiring seat belt use. The industry was seeking to avoid the passive restrained requirements former Treasurer/Secretary Elizabeth Dole had ordered unless seat belt use increased. In this case, we've got the best of both worlds, not enough states passed tight enough laws to meet Dole's standards, so air bags will be standard on virtually all models by 1997 but the trend toward seat belt use proved catching with dramatic increases in buckling up everywhere from television cop shows to real life families on their way to the beach. States must have a comprehensive law requiring belt use and Maine does not. It is one of only five states with no official policy for all drivers, though it has raised to 19 the age for required use.

This is the year to reject silly arguments about freedom of choice and pass a seat belt law for all drivers and passengers. It should treat first-time violations with a modest fine and also launch a comprehensive public education program to get the word out. Requiring seat belts is a quick, safe, and effective way to improve public health and safety in Maine. Best of all, considering the state's current financial difficulties, it won't cost a dime. In fact, it will save money on hospital bills, auto insurance rates, state employee costs and medicaid, just to start. But most importantly, it will save lives. There are few bills before the legislature which would guarantee that, this is one that can." End of quote.

I think that this editorial really states the reason why we should pass this bill and I urge you to vote against indefinite postponement.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Hale.

Representative HALE: Mr. Speaker, Ladies and Gentlemen of the House: I urge you to vote for the pending motion on the floor. We have been told time and time again by our constituents they would like to make the choice. Perhaps it might seem like a silly argument as far as the K.J. editorial but it is certainly not a silly argument as far as the people that voted to get us here. They have said to us time and time again, give us the choice, we are adults, we are not children. Our children will do this automatically, our grandchildren will do this automatically, we feel we can do what we choose to do.

As far as insurance, you can bet your sweet life the insurance companies are not going to lower your rates, they never have, and I don't think they intend to. You pass this law and they are going to say to you, as they do in the State of Florida, if your seat belt is not on, we are not paying, and that is all they will be looking for, the excuse not to pay.

As far as the cost to health care, yes, there is undoubtedly a cost to health care and the people of the State of Maine, but we have other situations such as alcohol abuse — are we now going to say that we don't like the way you are drinking your alcohol or the amount that you consume so now we are going to regulate that too even if we have to go into your homes?

I say to you, ladies and gentlemen of the House, that this may be the straw that breaks the camel's back when it comes to John Q. Public, they have been regulated and regulated and regulated to death. They are not working, they cannot pay their taxes, they do not have money, we do not have money, so if we feel that we know better than they do, we can pass it, but they may do like Massachusetts and vote to rescind it.

I urge you to vote for the pending motion on the floor.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Libby.

Representative LIBBY: Mr. Speaker, Men and Women of the House: I would first like to complement a very eloquent speech by the Representative from Sanford, Representative Hale. I also want to bring back the point that some of you I know have considered, the point of the driver of the car and the liability involved in this new seat belt law. You just wait until the first accident where somebody doesn't have their seat belt on and they are on the passenger side of that car, there will be lawsuits and lawsuits.

This is a ridiculous bill because it is tying the hands of people who want to make a choice. It comes down to civil liberties. I think we need to start thinking about people instead of giving the legislature a bad name and telling them what to do. It is as simple as that and I hope you will vote for indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The Chair recognizes the Representative from Madison, Representative Ketterer.

Representative KETTERER: Mr. Speaker, Ladies and Gentlemen of the House: I want to address a couple of issues and tell you why I intend to vote against the motion for indefinite postponement and I am going to urge you to do the same thing.

In the Fall of 1992, when I was running for a seat in the House of Representatives, I had my fourth grade son, who is a student at Madison Elementary

School, out campaigning with me. While we were out campaigning, he asked me if I would sponsor or cosponsor a mandatory seat belt law. I talked to him about that and I said, well, if that is something that you really think is important as my number one constituent, I certainly would consider it and would probably do it. I asked him what will we do if it turns out I don't win the election? He shrugged his shoulders and said, I'll simply get your Republican opponent to sponsor that bill. He was determined to do that. In any event, as you can see I am here and that is my reason in part for voting for this important legislation, but there are other compelling reasons why you should as well.

I won't bore you with some of the issues that we have been through the number of times that this has been debated on the floor of the House but, simply stated, seat belts save lives, lots and lots of lives. People who sustain medical injuries as a result of automobile collisions have less severe medical consequences when they wear a seat belt. Those facts are undeniably true.

There are also economic reasons why this legislation should be supported by you and why you should vote against the motion that is before you to indefinitely postpone. We hear a lot today about the crisis in the delivery of health care and the fact that people simply cannot afford health care in this state or frankly in many of the states in this country. An increasing number of citizens including citizens in the State of Maine do not have health care. Those who don't have health care get injuries when involved in automobile collisions just like those of us who do. When people who don't have health insurance get involved in those collisions, somebody has to pay the medical bill for the people who are injured, whether or not they are wearing seat belts. I am going to tell you who pays that bill, it is the people in your district who have jobs and pay taxes, they are the people who end up paying for people who don't have health insurance and have injuries.

In conclusion, I would like to state that, as many of you may well know, current Maine law addresses the issue of whether or not passengers in an automobile are wearing seat belts on the issue of liability in civil actions. We have heard about lawyers and all the lawsuits that they file, current Maine law indicates that in no civil or criminal action can the use or nonuse of a seat belt be admissible in a proceeding. That is current law, the proposed bill does not change that current law whatsoever. So, the admissibility of the use of a seat belt is not a factor in your debate today.

I am going to vote against the motion to indefinitely postpone. For the reasons I just stated, I urge you to take the same action.

The SPEAKER: The Chair recognizes the Representative from Limestone, Representative Young.

Representative YOUNG: Mr. Speaker, Ladies and Gentlemen of the House: I, too, rise to ask you to defeat this motion for indefinite postponement. I think it is incorrect to characterize this issue as one of civil rights. It is true that the reason this debate is difficult is that there is a tension here between private rights and public obligations. When there are such challenges or such tensions, it is often very difficult to determine on what grounds we should discern correct judgment.

The simple fact is though that driving a car is

an act that, while undertaken undeniably by a private being, a private being who is unique, unduplicable, free, nevertheless driving a car is a public act. When you walk out the door of your house, you are in our world. You are going to drive your car on our highways. When you get in an accident, our police force is going to have to respond, our paramedics are going to have to (I always upset nursing people and health care people because I am not sure what the terminology is here) service you, I guess, administer — it is a public act, undeniably, so therefore, I hope you will vote with me to defeat this motion.

The SPEAKER: The Chair recognizes the Representative from Northport, Representative Lindahl.

Representative LINDAHL: Mr. Speaker, Ladies and Gentlemen of the House: Last week I distributed a letter from a Dr. Moreno who is an emergency room physician at Eastern Maine Medical Center. Today, I have a letter from his daughter, Tiffany, it is a real letter. I would like you to just take a look at it before you make your decision. I urge you to vote against the pending motion.

Use of seat belts is a lot like brushing your teeth, once you get used to doing it, you don't feel right unless you have.

The SPEAKER: The Chair recognizes the Representative from Jonesboro, Representative Look.

Representative LOOK: Mr. Speaker, I would like to pose a question to Representative Pendexter. For a point of clarification, does this seat belt law mandate usage in all vehicles on the highway? I am specifically interested in all types of buses, school buses, public buses and all other methods of transportation, trucks and etcetera?

The SPEAKER: Representative Look of Jonesboro has posed a question through the Chair to Representative Pendexter of Scarborough who may respond if she so desires.

The Chair recognizes that Representative.

Representative PENDEXTER: Mr. Speaker, Men and Women of the House: I might defer the question to a member of the Transportation Committee, but I am looking at the bill and my sense is that it is passenger motor vehicles, vans and light trucks — it does not definitely pertain to a school bus at all.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative O'Gara.

Representative O'GARA: Mr. Speaker, Men and Women of the House: Since the question was directed to the Representative, I didn't get up, but in fact that is exactly the case, it is concerned just with passenger cars.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Aliberti.

Representative ALIBERTI: Mr. Speaker, Men and Women of the House: The good Representative from Rome has asked you to indefinitely postpone this bill and its accompanying papers. In common language, he is saying kill, kill the bill. In doing so, it becomes a double kill, a maim type of legislation.

I feel very strongly about it. I am quite stubborn at times, I overcame the syndrome of not buckling up. I have never had the experience to say, great, that saved my life, I hope I never do.

Statistical data and other information from our safety officials indicates over and over again that many lives are saved by the use of seat belts. Sure, this is a great American democracy and we don't like to be told and mandated what we have to do but there are times when we just will not listen. Please, give

us a chance to get this legislation through and sophisticate it if we have to, but give us a chance to address the legislation.

The SPEAKER: The Chair recognizes the Representative from Winslow, Representative Vigue.

Representative VIGUE: Mr. Speaker, Ladies and Gentlemen of the House: Seeing that I was the one that switched his vote, I would urge you to oppose the pending motion.

Isn't it ironic that we are sitting here and the kids that buckle up — my grandchildren get in the car and they say, "Pep, aren't you going to buckle up?" It is ironic that they are more or less leading what we should be doing and we wonder what in the world — we are supposed to be leading them, but they are really leading us.

I think we should rethink this, the time has come when we should face up to the fact that we should buckle up. There is no other way, we should. It is a safety feature, it is something that should be done, it has been done for many years. Is somebody going to try to prevent people from having air bags because they interfere with your right to hit the windshield? Basically, you've got the same thing.

I urge you to oppose the pending motion and hope that you will vote to reduce harm to the people that do not buckle up.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Libby.

Representative LIBBY: Mr. Speaker, I would like to pose a question through the Chair.

The question is, if I decide or anybody else decides to take a trip down to the local store to buy a loaf of bread and I am on my way back and I happen to get into an accident and I didn't have my seat belt on, does that put me at fault as the driver? What will be the insurance situation under those circumstances? That concerns me greatly because there are a lot of my constituents out there who are saying, I don't care if the legislature tells me if I have to buckle up or not, I am not going to buckle up. So, what is going to happen to them when they get in an accident and they weren't buckled up?

The SPEAKER: Representative Libby of Buxton has posed a question through the Chair to any member who may respond if they so desire.

The Chair recognizes the Representative from Scarborough, Representative Pendexter.

Representative PENDEXTER: Mr. Speaker, Men and Women of the House: There is nothing in this legislation that holds anybody legally liable for anything. Not wearing your seat belt is considered a traffic violation and that is all it is.

I can state a scenario to you which is real life. A five year old who was traveling with a friend of the family was not wearing her seat belt (this was several years ago) and they got into a crash and the five year old was killed. Nothing ever happened to the driver of that motor vehicle, she was not held liable for anything. She was not legally prosecuted for anything. I suppose if the parents had wanted to sue her, that would have been their legal prerogative but there is nothing in this legislation that holds anybody liable for anything if you do not have a belt on. It is merely a traffic violation and it is served as such.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Melendy.

Representative MELENDY: Mr. Speaker, Men and Women of the House: I urge you to vote nay on this

pending motion. Earlier in the debate, Representative Hale told about kids and grandkids buckling up, they will do the right thing. What she neglected to tell you is that the kids want their parents and grandparents to live and be able to grow up with them too. I think Tiffany M., whose letter is sitting on your desks that was distributed by Representative Lindahl, I would like to take the time to read it, he didn't. I think she says it exactly as kids would want it said. "My daddy didn't think he was going to be in an accident. He would be dead now if he didn't have his seat belt on. Don't let other little girls daddy's die just because they don't think that they will be in an accident or because they think that it won't affect anyone else's life by not wearing a seat belt like us kids."

I urge you to vote nay on the pending motion.

Two other things that I would just like to remind you about, questions that continue to come up and that is, "I absolutely can't stand a seat belt, it just drives me crazy and I wouldn't be able to sit in that car with a seat belt on." If you are a person with claustrophobic reactions and so forth, there are medical conditions under which you can get a permit or certificate from your physician saying that you cannot wear a seat belt. Let me remind you of that.

Also, the enforcement section, there are people who continue to say the police will just harass us — the way it reads, "enforcement, this section may be enforced only if a law enforcement officer has detained the operator of a motor vehicle for a suspected violation of another traffic offense. And, that operator is not subject to the penalty established in this section unless the operator is required to pay a fine for the primary offense that he or she was stopped for." So, this is not as bad as you think it is.

Please, take the time, vote nay on the pending motion so we can pass this legislation and save the lives of many parents of little kids.

In past years as we have continued to put in legislation to protect the children, how many times have you read of an accident where the child came out unscathed but yet they have lost a parent, they were buckled into their little seats. Please, save the parents.

The SPEAKER: A roll call has been ordered. The pending question before the House is the motion of Representative Tracy of Rome that L.D. 486 and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 92

YEA - Ahearne, Aikman, Anderson, Ault, Bennett, Birney, Bowers, Campbell, Caron, Carr, Cashman, Chonko, Clark, Clement, Clukey, Coffman, Coles, Cote, Cross, Dexter, Donnelly, Erwin, Farren, Foss, Gould, R. A.; Gray, Greenlaw, Hale, Hatch, Heino, Hichborn, Hussey, Jacques, Jalbert, Joseph, Joy, Lemont, Libby Jack, Libby James, Lipman, Look, Lord, Marshall, Martin, H.; Michael, Michaud, Murphy, Nash, Nickerson, Norton, Pendleton, Plowman, Poulin, Pouliot, Ricker, Robichaud, Rotondi, Saint Onge, Saxl, Skoglund, Small, Spear, Strout, Swazey, Tardy, Thompson, Townsend, G.; Tracy, Tufts.

NAY - Adams, Aliberti, Bailey, H.; Bailey, R.; Barth, Beam, Brennan, Bruno, Cameron, Carleton, Carroll, Cathcart, Chase, Cloutier, Constantine,

Daggett, DiPietro, Dore, Driscoll, Dutremble, L.; Faircloth, Farnum, Fitzpatrick, Gamache, Gean, Gwadosky, Heeschen, Hillock, Hogleund, Johnson, Kerr, Ketterer, Kontos, Kutasi, Larrivee, Lemke, Lindahl, MacBride, Marsh, Melendy, Mitchell, E.; Mitchell, J.; Morrison, Nadeau, O'Gara, Oliver, Ott, Paradis, P.; Pendexter, Pfeiffer, Pineau, Pinette, Plourde, Rand, Reed, G.; Reed, W.; Richardson, Rowe, Rydell, Simonds, Simoneau, Stevens, A.; Stevens, K.; Sullivan, Taylor, Townsend, E.; Townsend, L.; Treat, True, Vigue, Walker, Wentworth, Whitcomb, Winn, Young, Zirnkilton, The Speaker.

ABSENT - Farnsworth, Holt, Kilkelly, Kneeland, Ruhlin.

Yes, 69; No, 77; Absent, 5; Paired, 0; Excused, 0.

69 having voted in the affirmative and 77 in the negative with 5 being absent, the motion to indefinitely postpone did not prevail.

Representative Strout of Corinth requested a roll call vote on passage to be engrossed.

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

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

Representative Libby of Buxton moved that L.D. 486 be tabled until later in today's session.

Representative Pendexter of Scarborough requested a roll call vote on the motion to table.

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

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

The SPEAKER: The pending question before the House is the motion of Representative Libby of Buxton that L.D. 486 be tabled until later in today's session. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 93

YEA - Ahearne, Bailey, H.; Bennett, Bowers, Campbell, Caron, Chonko, Clark, Coffman, Coles, Cross, Dexter, Donnelly, Erwin, Farren, Foss, Gould, R. A.; Gray, Hatch, Joseph, Kontos, Kutasi, Larrivee, Lemont, Libby James, Lipman, Look, Lord, Marshall, Michael, Michaud, Murphy, Nash, Nickerson, Norton, Ott, Pineau, Plourde, Plowman, Poulin, Robichaud, Saxl, Swazey, Tardy, Townsend, G.; Tracy, Tufts, Wentworth, Whitcomb, Young, Zirnkilton.

NAY - Adams, Aikman, Aliberti, Anderson, Ault, Bailey, R.; Barth, Beam, Birney, Brennan, Bruno, Cameron, Carleton, Carr, Carroll, Cashman, Cathcart, Chase, Cloutier, Clukey, Constantine, Daggett, DiPietro, Dore, Driscoll, Dutremble, L.; Faircloth, Farnum, Fitzpatrick, Gamache, Gean, Greenlaw, Gwadosky, Hale, Heeschen, Heino, Hichborn, Hillock, Hogleund, Hussey, Johnson, Joy, Kerr, Ketterer, Lemke, Lindahl, MacBride, Marsh, Martin, H.; Melendy, Mitchell, E.; Morrison, Nadeau, O'Gara, Oliver,

Paradis, P.; Pendexter, Pfeiffer, Pinette, Pouliot, Reed, G.; Reed, W.; Richardson, Ricker, Rotondi, Rowe, Saint Onge, Simonds, Simoneau, Skoglund, Spear, Stevens, A.; Stevens, K.; Strout, Sullivan, Taylor, Thompson, Townsend, E.; Treat, True, Vigue, Walker, Winn, The Speaker.

ABSENT - Clement, Cote, Farnsworth, Holt, Jacques, Jalbert, Kilkelly, Kneeland, Libby Jack, Mitchell, J.; Pendleton, Rand, Ruhlin, Rydell, Small, Townsend, L.

Yes, 51; No, 84; Absent, 16; Paired, 0; Excused, 0.

51 having voted in the affirmative and 84 in the negative with 16 being absent, the motion to table did not prevail.

The SPEAKER: The pending question before the House is passage to be engrossed, a roll call having been ordered. Those in favor will vote yes; those opposed will vote no.

ROLL CALL NO. 94

YEA - Adams, Aliberti, Bailey, H.; Bailey, R.; Barth, Beam, Brennan, Bruno, Cameron, Carleton, Carroll, Cathcart, Chase, Cloutier, Constantine, Daggett, DiPietro, Dore, Driscoll, Dutremble, L.; Faircloth, Fitzpatrick, Gamache, Gean, Gwadosky, Heeschen, Hillock, Hogleund, Johnson, Kerr, Ketterer, Kontos, Kutasi, Larrivee, Lemke, Lindahl, MacBride, Marsh, Melendy, Mitchell, E.; Mitchell, J.; Morrison, Nadeau, O'Gara, Oliver, Ott, Paradis, P.; Pendexter, Pfeiffer, Pineau, Pinette, Plourde, Rand, Reed, G.; Reed, W.; Richardson, Rowe, Rydell, Saxl, Simonds, Simoneau, Stevens, A.; Stevens, K.; Sullivan, Taylor, Thompson, Townsend, E.; Townsend, L.; Treat, True, Vigue, Walker, Wentworth, Winn, Young, Zirnkilton, The Speaker.

NAY - Ahearne, Aikman, Anderson, Ault, Bennett, Birney, Bowers, Campbell, Caron, Carr, Cashman, Chonko, Clark, Clement, Clukey, Coffman, Coles, Cote, Cross, Dexter, Donnelly, Erwin, Farnum, Farren, Foss, Gould, R. A.; Gray, Greenlaw, Hale, Hatch, Heino, Hichborn, Hussey, Jalbert, Joseph, Joy, Lemont, Libby Jack, Libby James, Lipman, Look, Lord, Marshall, Martin, H.; Michael, Michaud, Murphy, Nash, Nickerson, Norton, Pendleton, Plowman, Poulin, Pouliot, Ricker, Robichaud, Rotondi, Saint Onge, Skoglund, Spear, Strout, Swazey, Tardy, Townsend, G.; Tracy, Tufts, Whitcomb.

ABSENT - Farnsworth, Holt, Jacques, Kilkelly, Kneeland, Ruhlin, Small.

Yes, 77; No, 67; Absent, 7; Paired, 0; Excused, 0.

77 having voted in the affirmative and 67 in the negative with 7 being absent, L.D. 486 was passed to be engrossed as amended by Committee Amendment "A" (S-88) and sent up for concurrence.

PASSED TO BE ENGROSSED

Bill "An Act Related to Mortgage Companies" (S.P. 177) (L.D. 591) (C. "A" S-121)

Bill "An Act to Amend the Maine Hunting Laws to Prohibit Discharges of Firearms across Paved Ways" (S.P. 282) (L.D. 853) (C. "A" S-120)

Bill "An Act to Increase the Number of Moose