

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred And Sixteenth Legislature

OF THE

State Of Maine

VOLUME IV

FIRST REGULAR SESSION

Senate

May 19, 1993 to July 14, 1993

FIRST CONFIRMATION SESSION

October 14, 1993

Tabled - June 1, 1993, by Senator **ESTY** of Cumberland.

Pending - **FURTHER CONSIDERATION**

(In Senate, May 24, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-368)**, in concurrence.)

(In House, May 28, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-368) AS AMENDED BY HOUSE AMENDMENT "A" (H-469)** thereto, in **NON-CONCURRENCE**.)

On motion by Senator **ESTY** of Cumberland, Tabled 1 Legislative Day, pending **FURTHER CONSIDERATION**.

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

Bill "An Act to Amend the Laws Governing the Conversion of Fuel Systems"

H.P. 284 L.D. 371
(C "A" H-348)

Tabled - June 1, 1993, by Senator **VOSE** of Washington.

Pending - **ADOPTION** of Committee Amendment "A" (H-348)

(In Senate, June 1, 1993, **RECONSIDERED** Adoption of Committee Amendment "A" (H-348), in concurrence.)

(**RECALLED** from Engrossing, pursuant to Joint Order S.P. 521.)

On motion by Senator **VOSE** of Washington, Senate Amendment "A" (S-263) to Committee Amendment "A" (H-348) **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Vose.

Senator **VOSE:** Thank you Mr. President, Ladies and Gentlemen of the Senate. This is a friendly amendment to the Bill offered by the Maine State Housing Authority, which established the program. It is the Fuel Conversion Assistance Program, which they will be administering their part of. It also clarifies who the eligible borrowers and grantees of the program are. I move we adopt it. Thank you.

On further motion by same Senator, Senate Amendment "A" (S-263) to Committee Amendment "A" (H-348) **ADOPTED**.

Committee Amendment "A" (H-348) As Amended by Senate Amendment "A" (S-263) thereto, **ADOPTED** in **NON-CONCURRENCE**.

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

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

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

An Act Concerning the Mandatory Use of Car Safety Seat Belts

S.P. 155 L.D. 486
(C "A" S-88)

Tabled - June 1, 1993, by Senator **ESTY** of Cumberland.

Pending - **CONSIDERATION**

(In Senate, June 1, 1993, Veto message from the Governor **READ** and **ORDERED PLACED ON FILE**.)

(In House, May 20, 1993, **PASSED TO BE ENACTED**.)

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

Senator **BRANNIGAN:** Thank you Mr. President, Ladies and Gentlemen of the Senate. It is the business of the State to deal with safety in automobiles and vehicles, and those things that surround automobiles and vehicles, our roads, signs, various types of equipment on and in automobiles, that's the business of the State. It is the business of this body, the legislature, to make rules and laws about them. Not to preach, but to make laws. This legislature a week or two ago, made a decision about seatbelts, they said that seatbelts are a safety device and the people who ride in cars, old and young, people who drive cars, older and younger, should wear the belts that are provided for them. It is a safety issue, a safety issue that is important enough for us to make a law about and important enough for us to say, as we do with many other things regarding laws and regarding equipment and regarding regulations and regarding people, that we have made that decision. The Governor has now said no, that you do not have to wear seatbelts, that it is okay not to wear them, that this law will not happen and that people who are over 18 do not have to and it is okay. We're in the business of making laws, not to say it is not okay, but it is okay he said. Now we have to decide is he right, is it okay not to wear them, or are we right to say that you must wear them. I had some very harsh words I would like to say but I am not going to. Those of you who feel you have won, I hope you will not gloat. This is a very important issue, we have the lives of people in our hands, the suffering of people in our hands on this issue. Money has been mentioned and of course that is very important because of how tight and how difficult it is for us to find places and ways to save money. Lives and suffering have been in our hands.

I was in Canada over the weekend and sat on a busy street in Ottawa and watched the effect of a strong law that has been in place for some time. I couldn't believe, I swear that in a half hour on a very busy street in Ottawa I saw only two or three people, men driving sports cars, without belts.

Everyone else was belted. Everyone else had as much safety as possible because they had a law. How long are we going to wait before we adapt this easy way to save lives and money. I urge you to vote with me to override this veto and to say it is wrong to ride without using this belt that is there beside you. I want to commend the people who have worked so hard this time and other times, many many people have worked to pass this. I want to commend Dr. Graham from the administration of the Bureau of Health, Jadine O'Brien and Gordon Smith, from the lobby, have worked so hard, and especially Representative Pendexter from the Maine State Highway Safety Council and all those who have worked hard. We should be proud of them and what we have done. I hope that we can continue to be proud by overriding this veto. Thank you.

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

Senator **PARADIS:** Thank you Mr. President, Ladies and Gentlemen of the Senate. It was ironic that a constituent leaving my house on Monday afternoon said there is an accident out here. My parents, having left my house a few minutes before, I checked because it was a brown vehicle. The first thing I saw when I got to the accident scene was this beautiful woman belted in. Thank God you're belted, I said, she was still very emotionally distraught from the accident. She was taken to the hospital. Somebody had hit her, somebody had come after her with a big car and they were injured. I was leaving shortly afterwards to come down here and it hit me that it took about an hour to get emergency vehicles to the sight of that accident and I live on U.S. Route 1. Many times I had completely forgotten that angle to this, that we have a volunteer emergency service that takes a long time to get to accident sights. If she had been even a little farther off it would have been even longer. I remember being at a restaurant one time and a snowmobiler died in front of us, drowned in his own blood, because we couldn't get the ambulance to come up. That is one aspect, the fact that we live in a rural area, that we have got to respect the fact that we can't get to our people even if they are in very dire straights. We will all be leaving here soon and I have tried to envision the people who were here last year even, I think we leave with hardly a trace. In french we say cher disparu, dear ones who have disappeared from our lives, many times I think of that expression and how a lot of beautiful people are disappearing from our lives who don't need to because of our action here. There are many things, most of the stuff we do around here will soon be forgotten, but when we are retired and sitting on our front porch contemplating a beautiful sunset, this will be something that we will remember that we did positively. The people's whose lives we are going to save might not even know our faces, it does not matter. We are here now, we can make a decision. I urge override of this Bill. Thank you.

The President laid before the Senate the following:

"Shall this Bill become Law notwithstanding the objections of the Governor?"

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote will be taken by the Yeas and Nays.

A vote of Yes will be in favor of the Bill.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators AMERO, BALDACCI, BERUBE, BRANNIGAN, BUSTIN, CAREY, CLEVELAND, CONLEY, ESTY, GOULD, HANDY, HARRIMAN, LAWRENCE, MCCORMICK, PARADIS, PEARSON, PINGREE, VOSE, THE PRESIDENT - DENNIS L. DUTREMBLE

NAYS: Senators BEGLEY, BUTLAND, CAHILL, CARPENTER, CIANCHETTE, FOSTER, HALL, HANLEY, KIEFFER, LUDWIG, LUTHER, MARDEN, O'DEA, SUMMERS, TITCOMB, WEBSTER

ABSENT: Senators None

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, with No Senators being absent, and 19 being less than two-thirds of the membership present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

The Secretary has so informed the Speaker of the House.

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

Bill "An Act Related to the Adoption of Municipal Ordinances and Comprehensive Plans and to Revise Notice Requirements for Certain Zoning Changes" H.P. 864 L.D. 1173

Tabled - June 1, 1993, by Senator **ESTY** of Cumberland.

Pending - **ADOPTION** of Committee Amendment "A" (H-343), in concurrence

(In Senate, May 21, 1993, Committee Amendment "A" (H-343) **READ**.)

(In House, May 20, 1993, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-343)**.)

On motion by Senator **ESTY** of Cumberland, Tabled until Later in Today's Session, pending **ADOPTION** of Committee Amendment "A" (H-343), in concurrence.

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

Emergency