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LEGISLATIVE RECORD
OF THE
One Hundred And Thirteenth Legislature
OF THE
State Of Maine

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FIRST REGULAR SESSION

May 26, 1987 to June 30, 1987

Index

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

Bill "An Act to Authorize the Increase of the Maximum Speed Limit to 65 Miles Per Hour"

H.P. 547 L.D. 734

Tabled - June 4, 1987, by Senator THERIAULT of Aroostook.

Pending - Motion by Senator CAHILL of Sagadahoc to RECONSIDER whereby Committee Amendment "A" (H-212) was INDEFINITELY POSTPONED

(In Senate, June 4, 1987, READ A SECOND TIME.)

(In House, June 3, 1987, PASSED TO BE ENGROSSED, AS AMENDED.)

On motion by Senator CAHILL of Sagadahoc, the Senate RECONSIDERED whereby Committee Amendment "A" (H-212) was INDEFINITELY POSTPONED.

Senator CLARK of Cumberland requested and received Leave of the Senate to withdraw her motion to INDEFINITELY POSTPONE Committee Amendment "A" (H-212).

THE PRESIDENT: The pending question before the Senate is the ADOPTION of Committee Amendment "A" (H-212).

On motion by Senator THERIAULT of Aroostook, Senate Amendment "A" (S-131) to Committee Amendment "A" (H-212) READ.

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

Senator THERIAULT: Thank you, Mr. President and members of the Senate. It really is with great reluctance that I rise at this moment to discuss this Bill further. I feel that I ought to make one last appeal for my constituents that I know, if were in my place today, would vote the way that I will be voting. I owe it to them to do it. I am sure that there is not one individual in this Chamber, nor any individual in the State who has not been guilty of speeding at one time or another. Consequently, I am really not talking about them. I am really talking about us. Like I told you on a few occasions before, I live further from these chambers than any one else in this room. Consequently, I have plenty of occasion to think along the route about interesting subjects. If you remember, a short while back, I told you of my experiences that I have had with pot holes. Thanks to the good Commissioner of Transportation, those pot holes are now filled. I have occupied my thoughts by studying the anatomy of the speeder, which I would like to discuss with you today, if you don't mind. I would like to share some of my findings. First, I would like to say that I am really not talking about myself nor am I talking males vs females. I think that they both are guilty equally in this.

Occasionally, I will be referring to he, him or his but that also includes the women. I would like to begin by saying that there are really two types of speeders.

There is the professional speeder and there is the occasional speeder. You can always tell the difference. Before I go into describing the differences, I would like to ask you a few questions. I don't expect an answer but just want to stimulate your thoughts. I would like to begin by saying: Have you ever seen a tractor trailer rig stopped for speeding? Have you ever wondered why the individual that goes by you with such speed that your car shakes, is never stopped? Have you ever wondered why the individual that has two or three or four antenna on the vehicle is never stopped?

The individual that we see stopped for speeding are individuals that might be in a beat up car, it

might be an out-of-stater, it might be a young driver. There is a reason for that. It is not because our law enforcement officers do not want to stop speeding trucks or the individual that have three or four antenna on the vehicle, or that he really enjoys stopping young drivers or out-of-staters. The real reason is due to sophistication. This is what I would like to discuss with you, the sophistication of the speeder vs the non-speeder.

The professional speeder has certain skills which are learned and acquired through experience. Also, they might possess certain equipment that he might use. You can tell a professional speeder when he goes by you by the swivel neck. The speeder looks in all directions simultaneously. He looks forward, sideways, backward and also observes the sky. So, this is why sometimes we see these vehicles with sun roofs. The professional speeder also knows the presence of a police officer by observation, that is, he can tell that there is an officer somewhere lurking around the corner.

Here are some of the things that that individual might use or does use to determine the presence of an officer. First of all, he observes birds. If there are any birds in the vicinity of a turn off, it is a sure sign there is no cop there. I don't really know why this is true except that maybe the radar radio waves affect the bird in some way. Another thing that the speeder does, he constantly observes the flow of traffic. He knows how many cars are behind, how many cars are ahead and at night he will count lights. If there is a strange light in there, it is cause for signal, danger. There could be somebody he doesn't want in there. Other things that he might do is, he will observed a flow of traffic and a speeder always drives as far ahead as he can see. If he can see ten miles down the road, that is where the speeder is looking. He is looking for these signs. He is looking for a flicker of light that he might see through the bushes which would be a clue that there might be some one lurking there.

I would like to continue by describing some to the tools available to the speeder. He might have a scanner in the vehicle that will keep the speeder informed at all times, of where all the cops are, because police officers are good public servants and they always tell their boss when they are going to do something. He might have a C.B., listening. Besides that to list traffic, he might have a number of things and you might hear such messages as "There is a bear in the air in the vicinity of marker number 3." That is a good signal.

They might say "There is a smokey lurking at turn off number 20." You hear those constantly on the C.B. This is why some of our professional speeders very often, will hug these trailer trucks as they are going down the road, because they know that every single truck is equipped with all the latest equipment possible to buy.

There are many more things. There are many more tools available to the professional speeder and I think you're aware of some of them. I don't need to elaborate.

So, I ask you to consider very carefully your vote today. The individuals that you are trying to reach by increasing the penalty is the occasional speeder. Like I said yesterday, in passing, that those might be the individuals that got up late in the morning and were trying to get to work on time. That is a favorite time for police officers, just before work. This is the individual that will be feeling this pinch. So, before you vote, I want you to consider that you will not be touching the

professional speeder. You will be touching the occasional speeder because the professional speeder rarely, rarely, if ever gets caught. In my 7 years to the Capitol, I have yet to see a tractor trailer truck stopped for speeding or for any purpose for that matter, except for weight. I would ask you to please support my amendment and do it for the little guy. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator CAHILL: Thank you, Mr. President. Men and women of the Senate. It is with reluctance that I rise to rebut the good Senator from Aroostook, Senator Theriault, with his humor and his eloquence today, but I feel that I must. I feel that this is a real serious matter that we have before us, raising the speed limit. I think that it is a privilege that we are considering doing this. I think also, we have to send a message to the Maine motoring public that we aren't about to accept a maximum speed limit of 70 or 75. We have to tell people, we have to send the message to our law enforcement people and to the Judiciary, telling them that 65 does not mean 70 or 75. That is why I support the increasing of fines. Actually, every one says that it is a doubling of the fine, and while it is, it actually isn't. Currently the \$25 fine is rarely used. If you're convicted of speeding over 15 miles over the speed limit, the fine is generally \$50, \$55, \$60 or \$70. Rarely, do you see a \$25 fine imposed. The other thing this would do, increasing the fine, is only on those highways that have the 65 speed limit. It is not going to apply to Route 1 or Route 201, or any of the other highways. It is just the Interstate System and the Turnpike System where this increase in fine will apply. So, I will ask you to oppose Adoption of the amendment before us. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Gauvreau.

Senator GAUVREAU: Thank you, Mr. President, men and women of the Senate. Over the course of the last twenty four hours, I have listened, with some amusement, some concern regarding the debate on the now infamous speeding bill. I find myself, somewhat curiously, in agreement to the good Senator from Aroostook, Senator Theriault. It is my belief, based upon several years of appearances in court houses, observation of police officers' behavior, as well as motorists' behavior, that the suggestion that we ought to affect a modest raise in the minimum penalty, is a message to the motoring public in Maine, that we will not stand for irresponsible speeding, is somewhat illogical.

Basically, we should be focusing our concerns about how to improve enforcement, speeding infractions in the State of Maine. I submit to you that a mere hike of \$25 as a minimum fine for speeding will not advance that objective.

As a practical matter and a matter of human nature, police officers are simply not going to spend substantial time sitting around district court houses in our State, enforcing relatively minor speeding violations. We all recognize that we lack police officers now, in many parts of our State, for them to discharge law enforcement duties. There are clearer higher priorities, in many areas, certainly in my city of Lewiston, than enforcing relatively minor speeding violations. I submit to you, that if you have a person, a police officer has a choice whether to spend 4 hours on the Maine Turnpike in bringing in people who are 6 or 7 miles over the speed limit, or in fact, using his or her time to prosecute other more significant violations of the law. The officer simply is not going to spend a great deal of time

enforcing relatively minor violations, speeding violations.

There is nothing more frustrating to a law enforcement officer, and I am sure they are concerned, than having to come in on a day off and spend 5 hours waiting to prosecute a traffic violation. As a practical matter, police officers are not going to summons people to court for going 6 or 7 miles over the limit. They are not going to use their limited time in that fashion. It is for that reason that the suggestion that we effect a minimum or a moderate hike from \$25 to \$50 for speeding on the Maine Turnpike, is simply not going to be an effective deterrent to the people who choose to speed. I do have some questions which I would like to pose through the Chair to any one who would care to respond, and specifically to members on the Transportation Committee. I would wonder whether the Committee has adopted some type of a protocol by which we will be able to observe speeding patterns in Maine, over the next 12 months, so we can make an informed decision on whether or not there has been significant increases in speeding, if we do, in fact raise our speed limit. I would also inquire whether consideration was given, not to affecting a moderate or a minor enhancement in the minimum fine for speeding, but rather consideration was given to increasing the number of points which would be debited against the motorist for speeding violations.

I ask this question, because it seems to me, the affluent motorist who is a hurry to go to Portland for a business meeting, certainly will not mind paying a minor fee, if he or she knows there is more at stake in terms of getting to his or her meeting in a hurry. I think a moderate fine will have no deterrent at all. The possibility of losing ones license will have a very significant deterrent. So I will ask that question. It also seems to me, somewhat arbitrary for us to simply to assess an additional \$25 fine for people who happen to speed on the Interstate System. There are many other speeding violations, which I personally view much more serious.

For example, a person who is speeds 10 miles over or 20 miles over, in an area near a school where our children are, in my view, it is an offense against public safety and far more serious than speeding 15 miles over or 10 miles over on the Maine Turnpike or I-95.

It is to these reasons, although I respect the arguments that are advanced for affecting a minor increase in minimum finds for speeding, we ought not to delude ourselves. This measure may or may not have some very short term symbolic validity in terms of attempting to send a message to the public that we're going to get tough on people who speed in our State. As a practical matter, it will have no effect whatsoever. We simply are not going to change the behavior of police officers. We're not going to have police officers prosecuting more diligently or more vigorously speeding infractions. As a practical matter, even with the limited number of officers that we have in this State, I can not find fault with police chiefs who direct their officers to investigate and enforce other more serious violations of our law. It is to these reasons that I find myself in support of the good Senator from Aroostook, Senator Theriault, and I would endorse his proposed amendment. Thank you.

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

Senator DILLENBACK: Thank you, Mr. President and ladies and gentlemen of the Senate. It seems to me the question here and the major importance of this Bill is the 65 miles speed limit. That is what we're

debating and that is what we're talking about. These amendments don't seem to make any sense to me at all. I don't know any of my friends who have received a ticket and received a \$25 ticket. The charge has usually been \$50 to \$70 or even \$100. I don't think we should confuse the debate over a \$25 item one way or the other. I don't care if you put it on or if you take it off. Let's vote on the 65 mile speed limit. That is what we're here for. Thank you.

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

Senator BALDACCI: Thank you, Mr. President. Mr. President and members of the Senate. We have debated this issue for quite a period of time. We had a very eloquent speech from the good Senator from Aroostook, Senator Theriault, about those illusive expert speeders. We had a very eloquent speech by the good Senator from Androscoggin, Senator Gauvreau, as to what takes place in the court room in the real world, as far as speeders are concerned. The fact of the matter, the point of the issue, is that we are raising the speed limit from 55 to 65. We're concerned about safety on the roads. We're concerned about using more energy on the roads by raising it to 65. We're concerned about people getting killed at higher rates of speed, in cars that may not be built for those higher rates of speed, in collisions. We're concerned about that.

The State Government Committee, in the confirmation of Colonel Demers, who took Colonel Alan Weeks' position, was asked about increasing the speed limit and about the amount of mileage over that speed limit that they will be enforcing. The new Public Safety Commissioner, John Atwood, was there to discuss it, also. There is going to be stricter adherence to the speed limit. There should be an up in the base line from \$25 to \$50, as a base. It is now \$25 to \$100, they are increasing the base. I think that is the message that we are sending to the Maine motorist and people who drive in the State of Maine on the Interstate System, that we are concerned about safety and we are concerned about energy and we have a 65 mile per hour speed limit, if this Bill becomes law, then we would appreciate it if you would strictly adhere to that.

The reason is the fine base has been increased. The State Chiefs Association and the State Police Chief and the Public Safety Commissioner are going to be more strictly enforcing that 65 mile per hour limit than they have in the past at 55 miles per hour. So, I think it is very important to get this Bill out of there, as the good Senator from Cumberland, Senator Dillenback suggests. People have been waiting for this for a very long time. Not clog it down with amendments. This Bill has been reported out and hopefully we will be able to keep it in concurrence, so we can get this to the Governor's desk and signed into law, so the people of the State of Maine know that we want to do it and that we want to do it right. Thank you, Mr. President.

On motion by Senator BLACK of York, supported by a Division of at least one-fifth of the Members present and voting, a Roll Call was ordered.

THE PRESIDENT: The pending question before the Senate is the motion of Senator THERIAULT of Aroostook to ADOPT Senate Amendment "A" (S-131) to Committee Amendment "A" (H-212).

A vote of Yes will be in favor of ADOPTION.

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 ANDREWS, BERUBE, BRANNIGAN, BUSTIN, CLARK, GAUVREAU, KANY, MATTHEWS, PEARSON, THERIAULT, TUTTLE, THE PRESIDENT - CHARLES P. PRAY
 NAYS: Senators BALDACCI, BLACK, BRAWN, CAHILL, COLLINS, DILLENBACK, DOW, DUTREMBLE, EMERSON, ERWIN, ESTES, GOULD, KERRY, LUDWIG, MAYBURY, PERKINS, RANDALL, SEWALL, TWITCHELL, USHER, WHITMORE

ABSENT: Senators GILL, WEBSTER
 12 Senators having voted in the affirmative and 21 Senators having voted in the negative, with 2 Senators being absent, the motion of Senator THERIAULT of Aroostook to ADOPT Senate Amendment "A" (S-131) to Committee Amendment "A" (H-212), FAILED.

Senator USHER of Cumberland moved the INDEFINITE POSTPONEMENT of the Bill and all Accompanying Papers.

Senator CAHILL of Sagadahoc requested a Division.

On motion by Senator USHER of Cumberland, supported by a Division of at least one-fifth of the Members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes that same Senator.

Senator USHER: Thank you, Mr. President. Mr. President and members of the Senate. This issue was brought before the Legislature some 2 months ago and about every weekend that I went home, and I'm sure to you, everybody asked how I was going to vote on the speed limit. I told them that if I had to vote tomorrow, I'd vote to keep it the same way and that is what I had planned to do and that is still what I plan to do. I have gotten more responses on keeping it the same way at 55 miles per hour. I served 7 years on the Maine Highway Safety Commission and saw many videos, many movies, and safety is a very important thing. Also, I was here when we changed the speed limit from 70 to 55. We did it in the Longley Administration. At that time, all the vehicles on the highway were 4000 pound cars, heavier cars, big cars, everybody was in a panic. I recall, during the energy crisis, sponsored a Bill that was going to drill a hole into the ground so we could store oil in it. Everyone was in a panic that year. I sponsored a Bill, believe it or not, they were going to come in and drill a hole at Blue Rock quarry right by Vallee Steak House, to store oil, but it didn't come to it.

I have talked to 2 or 3 different mechanics and I have a close relationship with them, and I also have a good relationship with professional speed drivers. My brother-in-law is one of the top drivers at a speedway. They deal with speed all the time, but that is the proper place, on the race track, not on Interstate 95, not on the Maine Turnpike. When the crisis came to us in 1975 and 1976, all the automobile dealers responded by putting match boxes on the roads.

The mechanics call them match boxes because those little Chevettas and the little Escorts, they are nothing but match boxes. They are light so they can give you fuel economy. Everything is built lighter and smaller and the engines are smaller. We have great concern, and I have great concern among my constituents who bought those cars, because if you're going to run them 65 and 70 miles per hour all the time, and that is what we've been discussing the past few days, a speed limit at 70 miles per hour, we really have not been discussing a speed limit at 65, everybody is talking 70. Those little 4 cylinder cars are going to be going full bore. Are we concerned about our constituents? The Senator from Aroostook, Senator Theriault, has said it beautifully about the truckers going by you all the time. They

can go by you with a high speed because they have the biggest engines you've ever seen on the highway. They don't have 4 cylinders. I am concerned about my constituents who have the small cars and the unsafe practices also. This is a very serious piece of legislation. I realize that other states took action the day after the President okayed the speed limit. The states that took the action are the flat lander states, which we so call. Nebraska and states like that. You can't judge Maine like the other states. The terrain in Maine is different. It is harder on our vehicles, harder on everything, harder on our highways. That is why we have real bad highways, the weather is a major factor here. I can't imagine those little cars going 65 or 70 during the winter months. In my questionnaire, I received a lot of response to remain at 55. There is no use in sending out a questionnaire if you're not going to take a little guidance from it. You don't have to vote that way, but there is a little guidance. Every weekend I deal with people, a lot of people, and they tell me to stick with it. What is the big hurry? Everybody wants to go 65 to go no where.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Kerry.

Senator KERRY: Mr. President, ladies and gentlemen of the Senate. I want to commend the good Senator from Cumberland, Senator Usher, on an excellent speech. I think that one should listen very closely to what he has said. I know that over the past few days I have given various comments regarding energy savings, conservation and the saving of lives. I will have to say that the good Senator from Cumberland, Senator Usher has said it very distinctly and very well. I would make a point that the speed limit in the State of Maine is at the most appropriate speed right now.

I would like to second the motion to Indefinitely Postpone this Bill and all its Accompanying Papers, not withstanding the fine speeches by the good Senator from Aroostook, Senator Theriault and the good Senator from Androscoggin, Senator Gauvreau and the fine statement by the good Senator from Penobscot, Senator Baldacci. I think it is always very difficult to swim against the tide but in times of mass conformity, it is a necessity. I think the good Senator from Cumberland, Senator Usher said it well. When you vote on this, you should truly vote for your constituents. Not only the constituents that you have today, but the constituents that we all will have in the future, as well.

If we vote today because of expediency and for concerns that affect us at this moment, we will not be setting a prudent policy for the State. I consider this policy imprudent, if one were to raise the speed limit for the people of the State of Maine, will be assessed, as I stated the other day, at least \$57 million in additional costs. That is a major cost, not to mention the cost in the loss of lives.

It is very important that we know that we set the public policy agenda and we are not only sending it for the 1970's and the 1980's, we have to set it for the 1990's and the year 2000 and beyond. Senator Usher made a comment that perhaps we did not pick up on when he stated that we all were moving very fast but where are we going. He is right. We speed from Augusta to Aroostook, we speed from Augusta to York, we speed from York to Boston, to New York, Chicago and beyond. Where are we really truly going? We are depleting our resources, we're costing lives, we're setting a bad precedent. We don't have to follow the lead of the Federal Government. The Federal Government has abdicated its responsibility in the area of energy conservation. It is clear that the

State of Maine has always been in the fore front for a prudent and wise public policy. There is no reason why we can not set the stage for a more prudent public policy in the future. I think that one should not give in to the influences of those, and I would say it probably would be a minority of our population who want to increase the speed limit. Secondly, and for those who may want to increase it, it is our responsibility to do what is right and all of us know that we, in this chamber, believe that the current speed limit isn't being properly enforced. All of us know, not withstanding the statements of the Public Safety Commissioner, not withstanding the statement of the people, that people are going to be driving over 70 miles per hour. I would say that all we have to do is take a look at our highway. I know many times when I'm driving back and forth, I am passed by more State Troopers than I am by almost anyone else. Has anyone here really ever passed a State Trooper? Does anyone really dare? I think that is important. More importantly, I think you have to take a look at the realistic aspect, that the Troopers themselves, are going beyond the speed limit. I think that is the message we want to send to Public Safety people. I think that is the message that we want to give to the people of Maine. I think that the Senator from Cumberland, Senator Usher said it well. We're going somewhere fast, but really, where are we going? Thank you.

Off Record Remarks

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

Senator THERIAULT: Thank you, Mr. President. Members of the Senate, I would urge you to vote against the pending motion.

This Bill needs to live. I am not here for my own purpose nor am I here for a higher calling. I am here to represent my constituents and my constituents want that speed limit raised to 65 miles per hour. We live 300 miles from Augusta, in case you have forgotten. As far as I know, unless something has happened in a work session that I did not attend, the Maine Highway Safety Council supported the increase to 65 miles per hour for their own reason, but I think primarily because those that travel at lower speeds, are more hazardous than those that travel at higher speeds. It seems like that, in statistics, at least. Which brings up a good point. The good Senator from Androscoggin, Senator Gauvreau, mentioned something that really hit home. He asked us if we had any records or any statistics on speeding violations. If there were, I really did not see them, or at least I did not have the opportunity to study them. Then he went on to say that possibly there are other ways of enforcing the law that is more effective than just reaching into someone's pocketbook. What I would like to see and what I would like to do is to see this Bill live until its final reading and that time, I think I would do something about the good suggestions from the good Senator from Androscoggin, Senator Gauvreau. So, I hope that you vote against the pending motion. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Cahill.

Senator CAHILL: Thank you, Mr. President, men and women of the Senate. In response to the good gentlemen from Aroostook, Senator Theriault, that is indeed fact that the Commissioner of Transportation supported this legislation, the Commissioner of

Public Safety supported this legislation, and the Maine Highway Safety Committee supported this legislation. I would like to remind everyone that we are simply asking for an increase in the speed limit on portions of Interstate 95 and the Maine Turnpike. Those roads are the best built and best maintained highways in the State of Maine.

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

Senator BALDACCI: Mr. President and members of the Senate. I would like to thank the good Senator from Cumberland, Senator Usher, for presenting a very good and effective argument against raising the speed limit.

The only problem with the argument is it is my understanding that most of the accidents occur, remembering the seat belt debate we have had in years gone by, was within a 25 mile radius of an individual's home, not necessarily on the Interstate System, which was built and maintained for 70 miles per hour, and is probably one of the safest interstate systems in the country. I had thought that is where most of the accidents occurred. The other situation that has developed, and I think it is an important thing to be brought out, is an economic argument, also. To a lot of people in Northern and Eastern Maine, where it is a great distance between points, where there are facts of boredom that do set in, that there are possibilities of more accidents because of that.

It is an economic argument in Northern and Eastern Maine, to get around. As the good Senator from Aroostook, Senator Theriault has pointed out, it is 300 miles to Augusta from Fort Kent. It is a long way. Everything is not as close together as it is in the Southern part of the State. This is going to help out economic development in Northern Maine and in Eastern Maine by making it easier for the transportation of goods, the transportation of people to be able to be moved around at a more equitable speed. The speed limit was 70 and it was changed in 1973. The Interstate System was built for that and it is very well maintained. I submit to you, that it is a lot safer to drive on Interstate 95 at 65 miles per hour than it is on Rt. 1 at 55 miles per hour. There is more likelihood for accidents in that area and it is much safer having 2 lanes of traffic going north and 2 lanes of traffic going south on the Interstate System, and accidents are not likely to happen. It was the Safety Council that had suggested within a 35 miles radius of an individual's home, that most of the accidents had occurred.

I would think it would be very imperative, not necessarily swimming against the tide, but you have to make sure that you're in the right river first.

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

Senator USHER: Thank you, Mr. President. In response to the good Senator from Penobscot, Senator Baldacci. I don't know what river the good Senator was in. He made a comment in regards to Aroostook County. Well, I have been in Aroostook County a couple of times, maybe quite a few times, fishing, visiting and stuff. I only recall Interstate 95 going into Houlton. I spent 3 or 4 days up in that area before and we could not find Rt. 95. Most of our traveling was done on Rt. 161 and Rt. 1. We would have to abide by the present speed, the way I see this law going into effect. It only pertains to Interstate 95 and I don't see how that could really help the Aroostook County people who are shipping potatoes out there, or getting home very quickly. The speeders would probably be down in the Southern part of the State a little bit more because we have

Interstate 95 down here and we have the Maine Turnpike down here, we have a very congested area down here. York County is probably the most congested area in the whole State. I just can't understand why Aroostook County would really, really benefit from this whole piece of legislation.

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

Senator THERIAULT: Thank you, Mr. President. It is with real reluctance that I stand this time, but you have kind of forced me to. First, I want to thank you, Senator Usher, for a good geography lesson on my own area. Second, I want you to realize that everything from where I live is south. Every direction that you can go is south. Consequently, the Interstate extends to Houlton, but do you realize that is 200 miles from here? So, 2/3 of the trip is pretty good. Thank you.

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

Senator DILLENBACK: Thank you, Mr. President. Ladies and gentlemen of the Senate. I do have to answer the Senator from Cumberland, Senator Usher, because I happen to be in the grocery business, and believe it or not, people in Aroostook County eat. They also drink. The products have to get our warehouse in Presque Isle. It is a great advantage not only to haul products into Aroostook County, where people have to live, but it is a great advantage to haul potatoes out of Aroostook County. So, I am surprised that you think those people up there don't use the Interstate. It is the greatest thing that ever happened to Aroostook County. Thank you.

THE PRESIDENT: The pending question before the Senate is the motion of Senator USHER of Cumberland to INDEFINITELY POSTPONE the Bill and all Accompanying Papers.

A Roll Call has been ordered.

A vote of Yes will be in favor of INDEFINITE POSTPONEMENT.

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 ANDREWS, BERUBE, BUSTIN, CLARK, DOW, GAUVREAU, KERRY, THERIAULT, TWITCHELL, USHER, THE PRESIDENT - CHARLES P. PRAY

NAYS: Senators BALDACCI, BLACK, BRANNIGAN, BRAWN, CAHILL, COLLINS, DILLENBACK, DUTREMBLE, EMERSON, ERWIN, ESTES, GOULD, KANY, LUDWIG, MATTHEWS, MAYBURY, PEARSON, PERKINS, RANDALL, SEWALL, THERIAULT, WHITMORE

ABSENT: Senators GILL, WEBSTER

11 Senators having voted in the affirmative and 22 Senators having voted in the negative, with 2 Senators being absent, the motion of Senator USHER of Cumberland, to INDEFINITELY POSTPONE the Bill and all Accompanying Papers, FAILED.

Committee Amendment "A" (H-212) ADOPTED, in concurrence.

(See Action Later Today)

Out of order and under suspension of the Rules, the Senate considered the following:

COMMITTEE REPORTS

House

Ought to Pass in New Draft