

April 30, 1973

SENATOR CARPENTER: Well, Mr. President, I think we have to realize that these rights and these whole modification and laws are maximum. We're getting forth in this bill maximum conditions which cannot be altered above what they are in this bill by any local subdivision of government as I understand it. And I don't think we ought to have this bill so tight that people on the local level don't have anything to say about what happens. Now I, as I understand it the exception is in the area of speed as an illustration that the State Highway Department upon their wisdom they can arrive at a different rate of speed than this body might seem desirable to accept. And I don't buy that either because we meet every year. They also say as an illustration on the Interstate at night you're down to 65 miles an hour which I think is asinine. They've got these speed limits and in the business district 20 miles. You'd arrest every man that's on any main street of any town in this state. Residential districts 25. This is the state law, this is not subject to change except by the Highway Department. Now we've got to show some tendency to be reasonable to let those people believe in local control and some area of viability in order to do what they want to do. Once you put it in the state law this is it and I don't think you can in this law set the speed limit for the 93 counties and every subdivision of government within it. I think there has to be some leeway because this again is the state law, it's not subject to modification except by the one exception by the State Highway Department and what gives them any greater knowledge of speed than we have as a legislative body? I presume this committee heard their position on these things and I presume to some unknown extent the provisions in the area of speed and the chief executive of this office, he'd like to have everybody get down and to crawl and I don't buy that either. I think we have to be reasonable because speed within itself is one of the minor reasons of a cause of death and the other things that happen on the highways all the time. I don't want to get into that but I think you must realize that all the sections of this bill for all practical purposes, they are maximum in which the cities

(End of Belt #16)

(Begin Belt #17)

cannot go above and you can tie this state up I think in my judgement, I say this not, realizing that Senator Barnett knows more about this bill in a minute than I know all day. I'm only picking out one or two things that I think you have to realize, this is a bill in which the state sets and says to the local, you can't go above this amount. And I don't think we ought to do that. We ought to set reasonable limitations and then let every subdivision within the government within those limitations do as they think their own people want them to do.

SPEAKER: Senator Goodrich, do you care to close?

SENATOR GOODRICH: No, the subject matter has been decided, I mean discussed thoroughly, I think we're ready for a vote on this amendment.

SPEAKER: Question has been called for. I think a voice vote is sufficient. Those in favor say aye, those opposed say no. The motion carries.

CLERK: Motion on the desk, Mr. President.

SPEAKER: Read the motion.

CLERK: I move we adjourn until 9:00 a.m. Signed, Senator Mahoney.

SPEAKER: Is there anything on the desk, Mr. Clerk?