

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

1st Special Session

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume II

MARCH 7, 1974 TO MARCH 29, 1974

Index

Legislative Ethics Committee Report

The Order was read.

Thereupon, tabled under the rules pending passage.

On motion of Mr. Simpson of Standish, the House voted to take from the table the following Unassigned matter:

Joint Order (H. P. 2025) Relative to Legislative Council Study of Utilizing the Women's Correctional Center at Skowhegan for a Veterans Home.

Tabled—March 15, by Mr. Simpson of Standish

Reading—Further consideration

(Read and passed in the House on March 8. Indefinitely postponed in the Senate)

On motion of Mr. Simpson of Standish, the House voted to recede and concur.

The Chair laid before the House the following tabled and later today assigned matter:

Bill "An Act to Change Weights and Related Provisions for Commercial Vehicles" (H. P. 1789) (L. D. 2261) Report A, "Ought to pass" in New Draft (H. P. 2059) (L. D. 2591); Report B "Ought to pass" in New Draft (H. P. 2061) (L. D. 2593); Report C "Ought to pass" in New Draft (H. P. 2060) (L. D. 2592); Report D, refer to 107th Legislature. Tabled pending acceptance of any Report.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker, I move that we accept the "Ought to pass" majority report, which is Report C.

The SPEAKER: The gentleman from Brooks, Mr. Wood, moves that the House accept Report C.

The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: This report out of the Transportation Committee looks like kind of a confusing report. There is A, B, C, and D. Would someone mind telling me what the difference is between A, B, C, and D?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, poses a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from East Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: It is my understanding that Report A increases the weights on two-axle vehicles from 32,000 to 34,000 and increases the weights on six-axles from 73,280 to 100,000. Report A does nothing for axles 3, 4 and 5. Also in Report A, you have a provision in here for double funds, which is one of the reasons that I didn't sign Report A. The other reason on Report A that I didn't sign is because there was no help for the 3, 4, and 5 axles.

Report B does basically the same thing as Report A, except there are no provisions for double-bottom.

Report C to me is the best report of the three, outside of Report D, which refers it to the 107th Legislature, which I feel is the escape route. I couldn't go along with that.

Report C that I came out of the Committee with and signed it, increases two-axle vehicles from 32,000 to 34,000; three-axle vehicles from 51,800 to 54,000; four axles from 66,000 to 72,000; five axles from 73,280 to 86,000; and six axles from 73,280 to 100,000, with no provisions for double bottom. I believe today if we are going to pass a report, Report C is the only report to pass. It is the only report that we have before us that is going to do anything for the small truckers.

Granted, there is going to be arguments that these increased weights are going to do damage to our highways. We hear this every day. I can't say it is going to do any more damage, because in the hearing, the boys that testified on this hearing are hauling these weight limits now. They are not asking for any increases. This is what they are doing. The only thing they want to do is do it legally.

Also in Report C, you do have the increase in the registration fees for \$15 for every thousand over the old laws. You also have provisions on the fine penalties. I hope today that we will accept Report C.

The SPEAKER: The Chair recognizes the gentlewoman from Union, Mrs. McCormick.

Mrs. McCORMICK: Mr. Speaker and Members of the House: There were only two of us that signed Report B, and

basically the reason I signed it was because of the double bottoms, which I have always objected to and didn't feel that this year I wanted to give in.

Mr. Strout has mentioned that Report C is the only one that raises all the truck weights by raising three-axle trucks by 2,200 pounds, four-axle trucks by 5,700 pounds, and five-axle trucks by 2,720 pounds. He claims that truckers are already hauling this and all they want to do is make it legal. These weights still will not satisfy the truckers. They said they won't satisfy them. They are still going to overload them. The fine is only \$210, no matter how much you are overloaded. So if they are going to overload, they are not going to overload by a little bit but a whole lot.

These weights, if we put them through, there are going to be many bridges in the State that are going to be posted. Not only that, but by the adding of this extra weight to the number of axles that are here, we are going over the tire weight that is safe. Our roads are already going to pieces, and we all complain about them. That is extra weight, even though they are doing it now and it's illegal, making it legal is not going to help them, it's going to hurt the bridges. The truckers will never, never be happy. They have proved that through the years and we have the highest truck weights in the states now. They came in here and said, "Look, we want these weights, we are going to run these loads, whether you give it to us or not." They have bought bigger trucks and now they figure that if they can get this, they will be happy. They will be happy until next year. They will be back again and they will want more. Personally, I just can't see it at this time. As I say, it's not just the weights, it's the fact that they have made the weights so high that the trucks will no longer be safe. We are creating one hazard by trying to do something else that hasn't been given that much consideration. Probably we should have all referred it to the 107th, but they said, "well, that is the escape route," so it came out with four reports, three of them are all Ought to pass, but you be your own judge. Do you want to get behind one of those trucks or in front of one of those trucks with the excess

weight, knowing it is not safe to be on the highway?

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I move that this bill and the four reports be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: I don't know, really, where to start on this. But I guess everybody in the House sometime or other has a pet bill and I guess this is mine. It is the only bill I have in the Special Session and I feel very strongly that the people in my section need what we are trying to do here. We have truckmen in Rumford, Belcher's, Dionn's, Sterling Mills from Bryants Pond, Ronald Emery in West Peru, people like this who truck for a living, that are paying fines. They are not asking to haul any more load as some people have said, and, in fact, I guess they couldn't haul any more load because of the wires and the bridges, you just can't get under them with any more load than they are hauling now. But I really feel that this is a bill for the people in my area. And I would like to address myself, possibly, to a statement that was put on a desk this morning, from the gentleman from Pittsfield, Mr. Susi. I would read:

"It is quite apparent that the Maine Municipal Association and Representative Susi did not bother to take the time to read L. D. 2592 before preparing the fact sheet that has been distributed by Mr. Susi. The document is filled with false and inaccurate statements and I would like to compare the sheet to the provisions of L. D. 2592.

"Paragraph 3 is absolutely untrue since the Bill increases tandem axle weights from 32,000 to 34,000 pounds. There are several bills pending in the United States Congress, some of which would increase tandem axle loads to an amount far greater than what is proposed in this Bill.

"The reference to double bottom trucks in paragraph four is absolutely

improper since there is no way that this Bill can be interpreted to allow the operation of double bottoms during winter months or any other time of year.

"Paragraph five is also a false statement. Section 1652, of paragraph two, limits the weight under which vehicles may be registered to that which is certified by the manufacturer. The present law does not contain this highway safety provision and clearly the Maine Municipal Association did not bother to analyze this provision carefully.

"Paragraph six is untrue.

"Paragraph seven is also false since Section 1652, paragraph four, retains this provision.

"Paragraph eight is also untrue since the fines have been substantially increased to \$2.00 for each 100 pounds in excess of 5,000 pounds overweight on six or more axle vehicles.

"Paragraph nine is also untrue as this provision is not repealed by L. D. 2592.

"It is quite apparent that the Maine Municipal Association and the Department of Transportation either did not want to or deliberately intended to mislead and mis-inform the Legislature in the preparation of this document."

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I am Representative Susi from Pittsfield; I hope you will accept the accuracy of that statement.

I would like to give you a little background on this sheet here. The Maine Municipal Association people are apparently very concerned about this bill, and in reflecting this concern, people from the Maine Municipal Association Office went to the Department of Transportation and they, working with the people in the Department of Transportation, compiled this information. This sheet, I understand, was given to several of you prior to general distribution; it was also given to me. And I was impressed by the information in the sheet. At the time, when I called Roger Mallar, and asked him the origin of this information, and he confirmed to me that he, working with others on his staff, had compiled the

information on this sheet. He had no objection to this fact being known, that he had opposed this bill in the hearings and it was a matter of public record; and that the Maine Municipal Association also had opposed the increase in weight for the various reasons set forth in the fact sheet which I had distributed over my name. I feel that I acted responsibly in dealing with responsible people. And you will have to make your own judgment on this. I, as an individual, and aside from the fact sheet, do have some reaction on this bill, as I do on most. My sympathies are certainly with Representative Rollins. I had pulp trucks; I know what those who operate pulp trucks are up against. It is impossible. I survived it and having attained that, everything else has been downhill ever since. It has just been a siege. If you can survive a couple of years in the pulp business, you just got it made from then on out. It is an impossible situation that these fellows live in.

I would like to offer an idea that I haven't heard anyone else suggest. It has been widely stated by these men who have these pulp trucks, that they just can't survive; they can't make their payments operating legally; they have to break the State laws every day of their lives, in order to survive. This was written up in the Sunday paper. Maybe many of you have read this account in the Sunday paper. They were telling the absolute truth. They can't survive without breaking the law every day. Yet, we do nothing about it. Now, supposing someone were advertising in the papers that they would buy new passenger car tires at \$5.00 apiece and they were openly doing a big business, with people carrying in tires, you know that the only way that these people can acquire these tires are costing them the minimum of \$10.00, and they are selling them for \$5.00, is that they are doing something illegal. Wouldn't we do something about this? I think there is something needs to be done in this area of pulp operations. I don't think this is the answer. Because I guarantee that if you give the benefit to these fellows, who need all the help in the world, that this would immediately, whatever gain you give them, will

immediately be absorbed by the companies and they will be right back in the bankruptcy situation within a matter of months. You aren't going to do a thing for them. You will be subsidizing companies, that the last time I checked their profits run into the hundreds of millions of dollars. This is no exaggeration. It is just that they have these people right under their heel, there is no other place they can go, it is the only business they know. This bill is not going to do it. I am going to support indefinite postponement and I hope that you do.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I am in conflict of interest on this bill but I would like to explain a few things and when it comes time to vote, I won't vote because I would be in conflict of interest beyond a doubt.

The SPEAKER: The Chair feels that if the gentleman thinks he is in conflict of interest on the issue then he should not be attempting to sway others.

Mr. FINEMORE: Couldn't I explain some things that I don't own a ———.

The SPEAKER: The Chair is going to rule that if he feels he is in conflict of interest, he should not be debating the rest of the bill.

Mr. FINEMORE: I will withdraw that because I don't own anything anymore.

The SPEAKER: The gentleman is not in conflict of interest then. The gentleman may proceed.

Mr. FINEMORE: Well, ladies and gentlemen, I don't own anything any more. I am out of it, thank God, because it is a back-breaking job. What I can't understand what, and the gentleman from Bangor and I, when we entered here in 1969 was the very best of friends, and I hope we stayed that way in every sense, and I hope we still will. But I can't understand anyone moving for indefinite postponement of a bill before they hear some of the points on the bill. I was very disturbed about this.

The gentlewoman, Mrs. McCormick, from Union, who has said that we are fined \$210.00 is very incorrect. The fines go as high as \$500.00. And there are lots

of \$500.00 paid on trucks overloaded. Not once, but two or three times a week, that is up to the Judge. Report C, can and will, if it could get its first reading so we could have a second reading, can and will be amended down to a considerable amount. It would be amended down so it could then, maybe, on these pulp trucks, it would give them the additional weight of the load that they are hauling, which would mean quite a thing. That loader is coming out, they are loading now. I would, furthermore, also like to explain to the gentlewoman, Mrs. McCormick. I wonder if she realizes that there has never been any increased weight on these trucks since 1948. In 1948, we were using trucks, ten wheelers, that is three axle trucks, I might explain it that way, that had a hundred and fifty drive-lines, two hundred and fifty motors, two and a half inch to four inch brakedrums, and motors of two-fifty; today, we are using trucks that have eight and a quarter tires, these trucks are almost all diesel with diesel motors, in-line sixes and bigger, and they have 10 04 to 11 00 tires, they have 250 drivelines and everything you can find to go with them. These trucks are capable of hauling twice the load they were hauling but we are held down by the law to the same load. I am not going to get up and fight this bill any further than the floor. I will sit down and keep quiet but I do hope that you would vote against indefinite postponement and possibly let this go into, have its first reading and there be amended, and then again pass upon the amendment. At that time if the amendment is not acceptable and you feel it should be indefinitely postponed, I would agree to it.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Speaker, at the risk of getting the gentleman from Bridgewater, to a point where he does not vote with me anymore, I do want to point out one thing, though. Mrs. McCormick was right about the fine schedule. It was lowered to \$210.00 maximum. It was my bill that did it about four years ago. It used to well be \$500.00, and those were excessive, and as a matter of fact, I

remember the debate fully on this floor. On the first initial vote it was won by one vote. And I don't think I will ever forget that debate or that vote as long as I am a member of the legislature.

I would like to tell you just a little story, to confirm the remarks of the gentleman from Bridgewater in reference to the problems of weight to the new trucks. A friend of mine, or at least an acquaintance in Ashland, has an oil delivery service, and over the years he has acquired new trucks to take care of his business. As you know, at this time of the year, during the spring thaw, an attempt is made to put a ban on the roads, when the temperature goes below twenty degrees in order to protect, at least, the pavement of the road. These acquired trucks, which have increased in weight a great deal, and so the other day he was informed, and when he was weighed by the State Police when they were up there during the ban, that it would be very difficult for him to carry the oil around. So he went to a local trucking firm and found out that he could take his truck over that road without any problem at all provided he did not exceed 80 gallons of fuel oil on the vehicle. 80 gallons of fuel oil. Anything above that 80 gallons he would then be in violation. So, he informed State Police that he would not break the law, and that it was up to them for them to figure out a way to get the oil from Ashland to Masardis. So the State Police got very concerned because they well realized that if the oil didn't get to the other end of the community a number of people would be very concerned and start screaming and he would just refer the calls to the Maine State Police and Department of Transportation. So finally they sort of worked out accommodation for the State Police that would ignore the provision of the law because there was no way that the oil would be delivered. You can well imagine in this situation today of the way we heat our homes what the problem that would be caused as a result of that.

That is one of the problems that we face in the wood industry. That is one of the problems that the people that I represent face because they are faced

with a situation of buying an unsafe truck and taking it over the highway, and hauling 60,000 pounds without any problems at all. If they buy a safe truck that weighs 40,000 or 50,000 pounds then they can't put any weight on there because if they do they are in violation of the weight laws and they get hauled into court.

I have some of my friends, in order to break even, have to go above the weight level that is allowed by law. And they just assume that they are going to get caught three times a week and that is \$600, and they just have to work on that basis.

That to me is a poor way of having to handle a situation. I am not saying that Report C is the best thing in the world. But it is a starting point. And if we want to is work it down then we can.

I have one comment to make about the fine distribution of the Maine Municipal Association. I must admit I checked also. I don't find the figures wrong at all or the facts wrong in the article to disagree greatly about it because I haven't personally looked into each one. But I did ask MMA how many people on there represented Aroostook County, when the vote was taken. And I find there one, the town manager of one town, who knows nothing about it. To me he certainly can't be speaking for the representatives of the people of all of Aroostook County. I don't think that we ought to take the action of the executive board of the MMA on this issue as the final word. I think it is that simple. So I would ask you to vote against the motion of indefinite postponement, I have pity for the railroad, but I do also have pity for the people who have to make a living in the woods.

As a matter of fact, in my case, in the terms of as far as the railroad is concerned, who are obviously opposed to the bill and have approached me and we have discussed the problem; it is a different situation in my area because they would kind of like to help, because all the wood that they haul they haul, in most cases, to the railhead for then distribution to the mill. It is not direct hauling to the mill. But they can't help us, because if they help us they are going to hurt themselves in a near haul where

it is going to be cheaper to haul it by truck to the mill than it is to haul it by the railroads. So I would ask you today, to vote against the motion of indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: We are speaking about this entire bill, but actually the motion before the House is the acceptance of the Majority Report, which is Report C, and that is the report I signed. I am in agreement with many things that have been said here this afternoon, and those of the gentleman from Dixfield and also those from the gentleman from Eagle Lake, Mr. Martin.

The reason I signed that is because in our area, as mentioned by Mr. Rollins, there are many truck drivers and they are the ones who buy these safe trucks that have already been mentioned. The trucks weigh more than half of what they are allowed to carry and, of course, if they are loaded up they are overloaded, which they do. And they have been hauling over these roads. And I don't believe that hauling over those roads legally is going to hurt the roads any more than hauling illegally and paying fines. They never have to pay more than \$210; that is the legal limit.

In this report there is also a provision after the increased weight, if they are still overloaded, they still pay \$210. But they also have to pay an extra \$15 for every thousand they go over that. So that is better than what the condition is now, because by paying \$210 now they can put 50,000 pounds overweight and the fine will still be \$210. With this report C this can't be done. Because the more they carry the more they will pay. I think it is possible for this bill to be amended, I am sure it will be before it is through. It also contains a tolerance. I am not too fussy about that. I think that tolerance could be removed, and the truck drivers would be happy with 100,000 pounds.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I would make an inquiry. You double as Speaker

as well as being the Chairman of the Legislative Ethics Committee. Would I be in conflict of interests on this bill.

The SPEAKER: The Chair would rule that you are not in conflict of interest merely because you are an officer of a railroad. This law applies generally throughout the State. There is no specific application to the particular railroad by which you are employed.

Mr. JALBERT: Frankly, I am delighted, Mr. Speaker, because I only wanted to make one comment.

I have been known at times to have a fairly good memory, and I am not a bit afraid that the gentleman from Bridgewater, Mr. Finemore, if I comment on his comments, will vote against me on some other bill because we are pretty close friends. I was here in 1948 and I well remember when this bill came up and we raised the limit. And if he will check the record he will find they said loud and clear if you give us this hike, we will never come back here as long as we live.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Willard.

Mr. WILLARD: Mr. Speaker, Ladies and Gentlemen of the House: I hope we don't die and indefinitely postpone this bill, because it means a lot to me and my people. They live in the wood industry and, in fact, we have in my home town, we have three dowel mills and three long lumber mills and a panel mill that makes that pressed, glued wood for making table tops out of hardwood. Of course, they use a lot of wood, besides. It is only 26 miles to the Oxford Paper Company and 30 miles to the Brown Company so you can see they use vast quantities of wood. So, this is very important to my people.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: There is very little left to say on this that hasn't been already said.

The gentleman Mr. Martin, has just about given the true facts about what we are talking about here. It has been a long time since 1948, since the laws were set on truck weights. There has been a lot of change in the times. There has been a lot of change in how much it costs to get a

living. There has been a lot of change in the kinds of trucks that are being used on the road. The trucks today are larger and weigh more. You can't buy a truck but what weighs more than it did in 1948. And if they are hauling the same load on it we know it takes away from the income of the people that are using those trucks.

These people that are asking for this relief, and I consider it to be emergency now, not a year from now, the people that are working darn hard to get a living in the business they are in. The amount of load that they can haul to and from the pulp mills has got to be increased for them to be able to pay for these higher cost trucks, for the higher cost of gasoline, the higher costs of all of the other things that they have to buy in order to operate. These people are proud people. They are not on relief at the present time. They want to get a living. They are asking us today to give them some little relief so they can make enough money so they can pay for these high cost trucks and high costs of operations and continue to stay off relief. And I hope that we will accept this report. And if it has to be amended we will amend it and try to give them some relief right now while they need it.

The SPEAKER: The Chair recognizes the gentlelady from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you don't postpone this bill today. There is need of some of these weights being made higher. The present law doesn't take into consideration anything beyond a five-axle truck. It doesn't take in consideration the six-axle truck. And so I think this should be considered.

I did sign Report A which has double bottoms and increases the two-axle trucks and the six-axle trucks. But I am sure we can come to some agreement where we can amend some more of these weights. I would like to see this bill passed so that we could do so.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to rebut the remarks made by my good friend, Mr. Jalbert, I am sorry

he went out. He said something about

The SPEAKER: The Chair would inform the gentleman he is standing in the back of the House.

Mr. FRASER: The gentlemen who made the remarks back in 1948 said if they were granted what they asked for they would never come back. Well, these same gentlemen probably never will come back because they are out, 26 or 27 years old, and they are another generation.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker and Members of the House: Considering the year 1948, I would almost imagine that the trucks back in those days were probably hauling three cord of wood, or perhaps maybe four. But today these trucks are hauling eight and ten cord of wood. You know the bridges, the very bridges that you and I drive over in the State, a lot of them were built in 1940 and 1950 and some of them even in 1960. So in my opinion, I doubt, really if — they are kind of rusty, you know, and they are getting weak. I am not so sure they can stand this weight.

Mr. Martin of Eagle Lake requested a roll call vote.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Briggs,

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House; Who, I wonder, is going to speak for the passenger cars? Who seems to me to be paying a very excessive amount of the costs of the construction and the maintenance on the highways? I have noticed about in the corridors there has been quite an extreme amount of activity represented by the agents for this legislation. And I suppose they are very anxious to foist this thing upon us.

Now, I haven't the slightest doubt that there may be some need for certain adjustments in certain of these vehicles. But I doubt if any among you have the slightest doubt that among certain of the vehicles there is no justification for the adjustment that is being sought.

It seems to me that from the experience that I have on the highway in

dealing with these rubber tired freight trains every week for great distances, that to permit the 65 foot length that is being sought for double bottoms or an equivalent length or just because it is a wood truck of that same 65 foot length, and you can't pass the vehicle length that they have got on the highways now, you don't dare pass them going up hill, you can't pass them, usually, going down hill because they are going so fast. If there is any light snow on the road it is almost impossible to see whether or not you can pass them because all those wheels are just churning the snow up to such a great extent that it really places your life in great jeopardy, in my opinion, many times to be able to pass.

So, there are many aspects that I think deserve to be taken into consideration beside the mere fact that someone is not paying enough for the hauling of pulpwood, or spruce logs, or hardwood logs, or whatever kind of logs you are concerned about. The main amount of revenue that is received by the gentlemen who own and operate these expensive vehicles, these trucks, should be furnished by the person whose service they are doing. There is not the slightest question of doubt but what the additional weight which is being sought will take a fierce toll upon your highways, not to mention the bridges that are totally inadequate for the weights that are being requested, as I understand it.

I know that in looking at the surfaces of the roads, as an example, the surface of the road around Newport, between Bangor and Augusta, it is just a constant series of waves like this, which is caused by nothing at all except that the surface being broken down by excessive weight. Once those waves start going and the load keeps moving into that, it just keeps them going all the time until they correct it with a new surface.

It is too bad, in a way, that I found it necessary to stand on this question today. Because up in my county, we have thousands of truckers, in fact, we have a famous road there, Mr. Speaker, there was a famous song about it, "Trucker Every Mile", you have probably heard of it. I know that I don't really understand these particular truckers who carry a large amount of

our produce, who are seeking an additional amount of weight for a vehicle. Their present gross weight load right now is, as I understand it, is 84,000 pounds. Well, it's not very far from that. My gross weight is 3,000 pounds, and I think I make a very poor match for them. I would make a poor match for them under any circumstance.

The problem, it seems to me, results in the fact that, as I recall it, from 1955 along, there has been a constant series of increases of weight and exceptions allowed on these weights, mainly those, as I recall it, carrying wood products. Now there is every manner of request in this bill. The bill would have the most signers on it — I was looking at it a while ago, but my mind has been occupied with so many things since, that I don't recall, but I think there was six signers on the committee amendment C or Report C of the bill. This bill has every manner of damaging the thing, I believe, to allow which will work as a detriment to the average passenger car motorist, and certainly will be more damaging to the highway system and its bridges.

As I said when I commenced, I have not the slightest doubt that there is some adjustments that need to be made. The trucks are better, bigger, stronger. The tires are bigger, the braking system is better — in some cases. But in other cases, the weights being sought actually exceed the safe vehicle weights specified by the manufacturer in this very bill. I don't think that this should receive any hasty passage. If it does I think it will not be in the interest of the majority of the citizens of this State. You can make your own choice. If it is in the interest of the majority of your constituents, you can support it. Possibly it is, but I don't think it is in the interest of the majority of the citizens of the State of Maine. I hope that the motion to indefinitely postpone will prevail.

The SPEAKER: The Chair recognizes the gentlemen from Dixfield, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: If all we had to haul in these wood trucks were butterflies, then we could get along with the weight we have now. Mr. Briggs, from Caribou, has mentioned about

gross vehicle weights. And on page two, Legislative Document 2592, it says at the bottom of the page, all six-axle vehicles, based and operated under this section shall not be registered or operated for a gross vehicle weight that exceeds the gross vehicle weight as certified by the manufacturer. I hope that Mr. Briggs will read this, as it is stated very plainly.

As far as bridges are concerned, last Fall, I needed a bridge in my woods operation. And in half a day, my son and I hauled in some logs, built a bridge, and we have been hauling over it with these trucks that we are talking about with a full load. I haven't seen any indication that it would go down with us. We certainly, no truckman wants to go over a bridge and break it. He certainly would hurt himself more than he would hurt the Transportation Department. The Transportation Department, in my opinion, in the last few years have been very remiss in their duties in not coming forth with some changes. I think they like to make the policies over there rather than over here. I believe it is time to rebel a little bit in this House, during this Legislature, and make a little policy for them and let them carry it out.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. McNally.

Mr. McNALLY: Mr. Speaker, Ladies and Gentlemen of the House: I had an altogether different idea than, I guess, the rest of the members of the Committee. Because I repeatedly stated that what was good for the pulpwood truck people, was good for all the trucks. I thought the bill should have the tolerance removed from it; the extra fifteen percent removed from it; and limits stated as we have in C and go along with that. But I was told by members of the Transportation Department that you couldn't do that, because if all the trucks were able to do what the pulpwood trucks are doing that we surely wouldn't have any roads and we wouldn't have any bridges. I could say to Mr. Kelleher that I can look back at a bridge that I was on in 1923, it is the main one we have in Ellsworth, and we don't ever expect to ever get another one. And I know of several others that occurred around the twenties that is

being used, they are quite long ones and they will be quite expensive when something happens to them. Of the three things, or, say, there was four, but of the three ones, the ones that seem to suit as well as anything was this C-1, where you did not have the double bottoms in it, then I can say to my constituents, which I have had at least twenty letters on, advising me that they hoped I would have sense enough to not at this time vote for double bottoms, that would frighten all the lady drivers down in Hancock County, and so I have been able to go along with that idea. And I had hoped that maybe, if there was opposition to it, that maybe before this bill was done, I might somehow slip in an amendment to remove that fifteen percent extra weight they can have, now over these limits that you see under C. And that being the case, everybody can be used alike.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: I merely wish to answer a couple of remarks made by Mr. Briggs; when he said the cost of operating these highways was borne by the people who drive cars. And to a large extent, that is true.

From the fees and licenses and all the taxes paid by the trucking industry, it pays about thirty-five percent of the cost of our entire highway system. There is only twenty percent of traffic untouched. So I think they are doing their share.

He also mentioned the fact that he wouldn't like to see sixty-foot trucks on the highways. Report C does not call for sixty feet. It doesn't call for lengths of trucks from what we have now, at all.

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Stillings.

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: If I understand Report C correctly, and as many members of the House have indicated this afternoon, the bill does much more than increase the maximum weight for which a vehicle can be registered from 73,280 pounds to 100,000 pounds.

The gentleman from Pittsfield, Mr.

Susi, when he sent his fact sheet around, mentioned that it would be possible for a pulp hauler to carry 126,000 pounds. And it would be as I read Report C. The vehicle could be registered, the six-axle vehicle, could be registered for a 100,000 pounds; there is an additional ten percent tolerance, which would allow it to carry 110,000 pounds provided he were registered for 100,000 pounds. Under the little special exception, that the gentleman from Caribou, Mr. Briggs, mentioned a moment ago, the forest products permit, during the months of December, January and February can carry fifteen percent of the maximum gross and axle weight limits by paying a fee of \$25.00 per month. Now that adds up to 126,500 pounds.

Now, if you take another look at Section 1654 of Title 29, it says that unless intent can be proved, he gets another 2,000 pounds. So that makes a total of 128,500 pounds, that only pulp haulers would be hauling on roads that we, I think, most of us at least would agree, are not designed to carry 128,500 pounds. I think this bill is unfair in its approach. I think it is unfair to the rest of the trucking industry. And I certainly hope that you would vote to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House: I realize it is awful late and I will be very quick, sir. If we put the basis, if I may say to the gentleman from Mexico, Mr. Fraser, on the basis of the ton mile, I think the inequity that there is in the paying towards the construction maintenance of the roads would be very, very evident. In other words, if the heavy-weight vehicles paid on the basis of the tons that they carry, the same as the passenger cars paid on the basis of the ton they carry, it would be very much out of proportion. I think they do a great deal more damage.

The most important thing I have is for my friend from Dixfield, Mr. Rollins. And as I say, I know the hour is late; but he mentioned that if they were only carrying butterflies with he and his son, then they would have no problems. It

reminds me of years ago of seeing this man going up a hill, a long hill, and every once in awhile the driver would get out with a big piece of two by four and pound on the side of the van. Go along a ways and go up another hill; stop the whole rig. Part way up the hill pound on the side. So I got out and asked him, "What in the devil was he doing that for?" There must be some very important, suspicious, reason. And he said the reason is, "I have a whole truckload of canaries and I have to keep them all flying so I can make it over these steep hills."

The SPEAKER: The Chair recognizes the gentleman from Union, Mrs. McCormick.

Mrs. McCORMICK: Mr. Speaker, Ladies and Gentlemen of the House: I surely can't top that one.

Mr. Rollins mentioned before that this sheet that was distributed by Mr. Susi, and went on to say that paragraph four, five and six, etc., were not true. And I would just like to call to your attention, Report C, which is L. D. 2592, on Page 2, Paragraph 2, states that when a load consists of forest products a loaded vehicle cannot exceed 65 feet in overall length. And I think that is what paragraph four says. I didn't bother to look up at the others to see whether they were or were not correct. Mr. Fraser also mentioned that they couldn't be 65 feet. But yet in L. D. 2592 it states 65 feet. All the trucks in the State of Maine have to be 56 and a half and I think that is enough length. In order to get the 65 feet length anyhow, your logging trucks hook onto small trailers behind them in order to get that length. So, in effect, you do have double bottoms when you come to logging trucks. I would just like to point out. It is in the L. D., it's the last two lines of paragraph 2, and you can look it up for yourself.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I am not going to try to debate the bill, but I want to bring up a few things here that should be told here today. It is a little different than the gentleman from Caribou, who had never done a day's work with his hands, who

has never worked to gain where he is today. He can criticize us little fellows, he can criticize the pulp man who is trying to pay for his truck, but this is true. I don't care what he says, it is quite a lot different.

I would like to explain to him further and to him alone, that we pay 40 times to register a 72,000 truck what he pays to register his car. The average truck today pays \$2,244 to fuel tax to the State of Maine — that is the average pulp truck pays that to the State of Maine — \$2,244 tax. I wonder if he pays that for a gas tax. We buy one of these trucks and we pay fifteen to seventeen hundred dollars sales tax on one of these trucks to buy it. I wonder if he pays that on his car? We pay \$600 fee to license a 72,000 pound truck. — registration fee. I wonder if he pays that to license his car? The 15 per cent overload that the gentleman Mr. Stillings has brought up so graciously is only for three frozen months a year. It is for January, February and March, and you shouldn't be misled. Any other month of the year, this 15 per cent isn't available.

The 10 percent tolerance is only hauled on regular roads. It is not hauled on 95. You can't come on it.

Mr. Briggs has mentioned the road north of Newport, I believe. Pulpwood isn't hauled over the road north of Newport. There is no reason to haul it over. We don't haul on 95, very little of it. Mr. Martin has so well entered the fact that the railroads handle some of our pulp. The pulp coming out of Aroostook County now that ordinarily was hauled into Millinocket is hauled to Oakfield. It is piled down and later put on the railroad and hauled into Millinocket and other places. And as far as I am concerned, this bill isn't going to help me too much nor my son too much, because our pulp is hauled into Canada. It is not hauled into the State of Maine, it is hauled into Canada where we have a special license all our own where we pay another road tax, 23 cents per gallon for what gas we use. Again, all you are mentioning here is trucks, pulp trucks. There are very few actual pulp trucks.

You go up in Aroostook County and you can stand a day on the Ashland Road and if you see one or two six-axle trucks, you

are seeing a lot. The 100,000 pounds doesn't enter into Aroostook County. Most of our trucks up there are 72,000 pound trucks, at the present, 66,000. That is with everything, the 15 per cent for your three frozen months and everything is 66,000 pounds, and in the summertime and the other nine months it is approximately 61,800 or something like that.

We are not asking for something that they don't need. And I will tell you another thing that I would like to mention here that the gentleman from Caribou, Mr. Briggs, has mentioned about crowded on the roads. I don't believe that anyone ever was crowded on the road by a pulp truck. They are the most courteous people, truck drivers are, that you find on the road. Maybe you find a gypsy trucker once in a while, I noticed when Mr. Good and I were coming down Monday. There were four girls with a flat tire on the road. A truck driver had pulled his rig off the road and was changing the tire for them. You don't find a more courteous bunch. They will swing out and let you by. They will do most anything, and that is the way they study it. They tell the drivers they don't want them to do anything discourteous to the public. They want them to stay in line. We want to pay the taxes. They want to pay these sales taxes. I might also mention, most of these trucks cost you anywhere from a thousand to seventeen hundred dollars insurance to put one of these trucks on the road. I think they are paying their share.

I would like to mention again, tell you that this 2592 isn't going to stay the way it is. There are going to be some amendments on it. I can't talk on an amendment, but I will say one thing on the 72,000. It will be cut back to 69,000 if the bill is passed. That is only 3,000 pounds more than it is now. I hope you go against the indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I seem to be picking on my good friend from Bridgewater, Mr. Finemore, but I enjoy a repartee with him. I know he likes

facts as I do. I know that he goes to the lovely Town of Bridgewater quite often. Within 10 or 12 miles from Bridgewater there is a little place called Blaine, Maine, which I think has more gypsy trucks parked there at one stage of the game, practically every day of the week, than there is in the whole of New England.

Let's face it just as it is. Whether I was in conflict of interest on this bill or not, I was told by the Chairman of the Legislative Ethics Committee, who doubles as the Speaker, was told that I was not. I want to give my personal opinion of this thing.

When I see one of those mammoth affairs going down the road, I get scared to death. I am not allowed to drive an automobile very often, and you just imagine in your own mind passing A, B or C, whatever you want to do and in January or February or March, using the terminology of the time of Mr. Finemore, with about 10 cord of pulpwood on that truck and another truck that is barreling down, and they are quite apt to stay together, these gentlemen, they are polite on the road and they stick together on the road, like 30, 40 or 50 feet, and you come along with a Volkswagen, you get caught in between them, and you are apt to go flying somewhere. I think the gentleman from Bridgewater, Mr. Finemore, would have to agree with me. There have been thousands and thousands of deaths.

Of course, the gentleman from Caribou, Mr. Briggs, does not pay as much as that truck does, but he doesn't make as much money with his automobile as the truck driver does either.

Mr. Mills of Eastport moved the previous question.

The SPEAKER: For the Chair to entertain a motion for the previous question, it must have the consent of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken, and obviously more than one third of the members present having expressed a desire for the previous question, the

motion for the previous question was entertained.

The SPEAKER: The question now before the House is, shall the main question be put now. This is debatable for no more than five minutes by any one member. Is it the pleasure of the House that the main question be put now?

A vote of the House was taken. 66 having voted in the affirmative and 10 having voted in the negative, the main question was ordered.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that L. D. 2261 and all accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Binnette, Bither, Boudreau, Briggs, Bunker, Bustin, Carey, Clark, Conley, Connolly, Dam, Donaghy, Dow, Drigotas, Farnham, Fecteau, Genest, Goodwin, H.; Goodwin, K.; Hoffses, Hunter, Jackson, Jalbert, Kauffman, Kelleher, LaCharite, Lawry, Lewis, J.; Littlefield, MacLeod, Maddox, McCormick, McKernan, McTeague, Merrill, Morin, V.; Parks, Peterson, Pratt, Simpson, L. E.; Stillings, Susi, Trask, Twitchell, Tyndale, Webber.

NAY — Ault, Berry, G. W.; Berry, P. P.; Berube, Birt, Bragdon, Brown, Cameron, Chick, Cressey, Curran, Curtis, T. S., Jr.; Davis, Dudley, Dunleavy, Dunn, Emery, D. F.; Evans, Farrington, Faucher, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Good, Greenlaw, Hamblen, Hancock, Herrick, Hobbins, Immonen, Kelley, Keyte, Kilroy, LaPointe, LeBlanc, Lewis, E.; Lynch, Mahany, Martin, Maxwell, McHenry, McMahon, McNally, Mills, Morton, Mulkern, Murchison, Murray, Najarian, Norris, Pontbriand, Rolde,

Rollins, Shaw, Silverman, Smith, D. M.; Smith, S.; Soulas, Strout, Talbot, Theriault, Tierney, Trumbull, Walker, White, Whitzell, Willard, Wood, M. E.

ABSENT — Albert, Brawn, Carrier, Carter, Chonko, Churchill, Cooney, Cote, Cottrell, Crommett, Deshaies, Dyar, Farley, Gauthier, Huber, Jacques, Kelley, R. P.; Knight, Morin, L.; O'Brien, Palmer, Perkins, Ricker, Ross, Santoro, Sheltra, Shute, Snowe, Sproul, Tanguay, Wheeler.

Yes, 47; No, 71; Absent, 31.

The SPEAKER: Forty-seven having voted in the affirmative and seventy-one in the negative, with thirty-one being absent, the motion does not prevail.

The question now before the House is the motion of the gentleman from Brooks, Mr. Wood, that the House accept Report C. Is this the pleasure of the House?

(Cries of Yes and No)

The Chair will order a vote. All in favor of accepting Report C will vote yes; those opposed will vote no.

A vote of the House was taken.

59 having voted in the affirmative and 42 having voted in the negative, the motion did prevail.

Thereupon, the New Draft was read once and assigned for second reading tomorrow.

The Chair laid before the House the following tabled and later today assigned matter:

Bill "An Act Relating to the Dredging, Filling or Otherwise Altering of Rivers, Streams and Brooks" (H. P. 2053) (L. D. 2588)

Mr. MacLeod of Bar Harbor offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-773) was read by the Clerk.

Mr. MacLEOD: Mr. Speaker and Members of the House: In this bill that has to do with the dredging, filling or otherwise altering of rivers, streams and brooks, we had a section in it which we thought we had the verbiage okay and all right as far as water companies were concerned. All we are doing in this amendment is putting in coverage for any municipalities that might own water companies. We had included the word

"company or a district" and we are putting in the word "municipality" after the word "company", because we had covered any water districts or private companies which were in a municipality, that they would get notification from the Department of Fish and Game in case there were to be any changes that would affect any of their water supplies, whether it be a river, stream or a brook.

Thereupon, House Amendment "A" was adopted.

Mr. Palmer of Nobleboro offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-775) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker and Members of the House: I wonder if the gentleman from Nobleboro, Mr. Palmer, would explain his amendment.

The SPEAKER: The gentleman from York, Mr. Rolde, poses a question through the Chair to the gentleman from Nobleboro, Mr. Palmer, who may answer if he wishes.

The Chair recognizes that gentleman.

Mr. PALMER: Mr. Speaker and Members of the House: I am a little bit unprepared here, but I will be with you in just a second. Prior to this legislative document, 2588, the existing statutes went into exemptions for the public works department of the state, allowed the public works department to alter up to 200 feet along the shoreline of streams, measured from the thread of the stream which, in effect, gave them 400 feet, 200 on either side. This bill changed the wording so that it includes — you have to count both sides of the stream and the footage, thereby making this 100 feet, as this bill calls for in 2888. You are, in effect, allowing the public works department only 50 feet on either side in the construction of roads and bridges and so forth. So this amendment merely changes the figure 100 to 300, which in effect gives them 150 feet on either side of the road, which is still 50 feet less than we have at the present time.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker and