

# 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**

Perhaps I could make the motion for reconsideration and someone could table that motion for a moment. I so move.

The SPEAKER: The gentleman from Portland, Mr. O'Brien, moves the House reconsider its action whereby this Bill was passed to be engrossed yesterday.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I wonder if I could be so bold as to ask the gentleman from Portland, Mr. O'Brien, what the amendment does.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question through the Chair to the gentleman from Portland, Mr. O'Brien, who may answer if he wishes.

The Chair recognizes that gentleman.

Mr. O'BRIEN: I am sorry, Mr. Martin, I actually intended to look at the amendment, but I forgot to.

For the most part, the type of legislation that we are presenting here has been called the commercial credit code, or the Triple C bill. My amendment is asking that this bill be known as the Maine Commercial Credit Code.

Thereupon, on motion of Mr. Kelleher of Bangor, tabled pending the motion of Mr. O'Brien of Portland to reconsider and later today assigned.

(Off Record Remarks)

On motion of Mr. Simpson of Standish, Recessed until the sounding of the gong.

**After Recess**  
**10:30 A.M.**

The House was called to order by the Speaker.

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

Bill "An Act to Authorize Interagency Transfer of the Supervision and Control of Public Lands" (H. P. 2073) (L. D. 2600)

Tabled — March 21, by Mr. Martin of Eagle Lake.

Pending — Motion by Mr. Mills of Eastport that the bill be indefinitely postponed.

Mr. Rolde of York offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-792) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: Briefly, to explain this amendment, it requires that any transfer of land between agencies would be subject to the approval of the legislature, which was the objection of the gentleman from Eastport. I believe this amendment satisfies his objections.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker and Members of the House: This covers the objection I had the other day. I move passage.

Thereupon, Mr. Mills of Eastport withdrew his motion to indefinitely postpone.

House Amendment "A" was adopted. The Bill was passed to be engrossed as amended and sent to the Senate.

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

Bill "An Act to Change Weights and Related Provisions for Commercial Vehicles" (H. P. 2060) (L. D. 2592)

Tabled — March 21, by Mr. Birt of East Millinocket

Pending — Passage to be engrossed.

Mr. Silverman of Calais offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-780) was read by the Clerk.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Would the gentleman from Calais mind explaining his amendment?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, poses a question through the Chair to the gentleman from Calais, Mr. Silverman, who may answer if he wishes. The Chair recognizes that gentleman.

Mr. SILVERMAN: Mr. Speaker, Ladies and Gentlemen of the House: If

we are to pass a bill to change weights and related provisions for commercial vehicles, up in my area there is an eight mile stretch where Georgia-Pacific Company who drives their tractor trailers to Canada and New Brunswick, and in New Brunswick, one tractor can pick up two of these trailers and drive on to St. John, where they go to foreign markets. This amendment would allow them, under vested interest to the State, to be able to use on this eight-mile stretch, say, if the road was proper, this is a brand new road, but if the safety conditions were right and it was not abusing the road, it would allow them to be able to use one tractor to haul these two loads.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: If I understood the gentleman from Calais correctly, then he must be talking about double bottoms. That is something I am certainly opposed to. It is hard enough to drive on the roads in this State now and go by these truck bodies without trying to go by a piggyback or whatever else they want to call them. I move for indefinite postponement of this amendment.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves for indefinite postponement of House Amendment "A".

The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to Mr. Silverman. It is my understanding, sir, that these are back roads, that they only go through the woods from the property of Georgia-Pacific to the Canadian line.

The SPEAKER: The gentleman from Eastport, Mr. Mills, poses a question through the Chair to the gentleman from Calais, Mr. Silverman, who may answer if he wishes.

The Chair recognizes that gentleman.

Mr. SILVERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I don't know if I can correctly answer your question, Mr. Mills. The problem they are having there, the laws in New Brunswick read different from the laws

in Maine, because of being in Maine, it adds that much expense to get these woodloads or craftloads to their destination at the Canadian point. Therefore, they would like the vested interest, and this is not for all over the State of Maine. They would like invested in the Department of Transportation that if the roads were proper, safety conditions were proper, weather conditions were proper, that they be allowed to get a permit and that permit is each time they make a trip. It will also cost \$10 and they have to notify them each time they make a trip. They would like this permission, if possible.

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

Mrs. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to Mr. Silverman. I would like to know if these would be double bottoms or would they be the tag-along trailers that some pulp dealers are now using?

The SPEAKER: The gentlewoman from Madison, Mrs. Berry, poses a question through the Chair to the Gentleman from Calais, Mr. Silverman and he may answer if he wishes.

The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I am not very well versed on this this morning, but it is my understanding in previous discussions with people from up in that area that these trucks would be used on the backwoods roads, that is, not of Georgia-Pacific, where they are cutting, that the double bottoms are allowable in Canada and wouldn't be coming out on Maine highways at all. They would be going through the woods and over the line into Canada, proceeding on to St. John. Unless this is a change of plans, I think that is what they intend to do.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I will try to enlighten you a little on this. They are not woodroads, because the woodroads are private roads. They do want a special interest law and it would

be for them and them only. It wouldn't be for anybody else.

In New Brunswick, you can haul the double bottoms and a tag-along trailer and what they are doing now is making two trips to get the same load to the boundary line as they would be using for one. If road conditions are proper, safety conditions are proper, this bill would probably be okay. We have them in Michigan, we have got them in a lot of states over the United States where they go as high as 120,000. Some states go to 138,000 on special permits. These permits are, as the gentleman from Calais said, Mr. Silverman, they go for \$10 where you can buy a permit for 30 days, and they are supposed to notify the State Police the time they are moving under this special permit. But whether they would have a blanket permit or not, I don't know.

It is a special interest bill and it is a bill, I think, that probably would be properly taken care of by the Georgia-Pacific and it probably would save them some money. This is as near as I can explain it, and if there are any further questions, I will try to explain it a little further.

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

Mr. McNALLY: Mr. Speaker, Ladies and Gentlemen of the House: I am afraid I am kind of speaking in the dark, because part of this row here hasn't had any distribution of that amendment to start with, but it looks to me like nobody has said how long is this going to be? Is it going to be a total of 65 feet length? What is the length eventually going to be? We have another amendment coming on here, whereby, we have got to reduce the load limits in order to get it by the Senate. I am not so sure that if you pass this amendment that your going to kill the whole bill.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Hoffses.

Mr. HOFFSES: Mr. Speaker, Ladies and Gentlemen of the House: Judging from the testimony that we have heard here from the gentleman from Calais, in particular, it would indicate to me that these are public roads and not private

roads, because if they are private roads, there would be no need for any permits or any of the other requirements which are necessary to go over the public roads. In effect, I would say that this was opening the door to double bottoms.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I would try to explain New Brunswick to you. New Brunswick has the highest possible weight law of 125,000 pounds, and that 125,000 pounds in Canada requires an eight-axle truck. By having an eight-axle truck, you have got to have a full trailer behind. It is quite impossible to have it any other way, so these are double bottoms.

As I understand it, I hope I am not misleading you in any way, shape or form, they are coming out on U.S. 1, traveling the seven or eight miles to get on another road. I hope I am not misleading you. This is the way I understand they are doing it. As Mr. Hoffses has so capably said, if they were on a private road, like the Great Northern Paper does up in the Ashland District and the Realty roads, they are all private roads and, therefore, you don't have to have any registration or any widths or any heights. I think that is what they are doing; it is special interest bill.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I don't view this as a serious amendment, not serious as far as the roads are concerned, because basically we have the same thing now. In moving heavy equipment now, you can buy a permit and it is good just for the day you buy the permit, and you can't purchase one on a holiday or on Sunday. And if it is bad weather, they won't issue it. This type of thing we already have all over the State.

If I understand the amendment right, they pay \$10 each time they move a vehicle and it is a lot of red tape to go through. I don't think it will be used that much. In other words, they are not going to go in every time, every day, and buy these permits. It is on special occasions

and special loads, and we do that now on moving bulldozers and moving shovels and other heavy equipment. If Great Northern wants to move in a heavy roll to a paper machine, they get a permit to bring it from Kittery to Millinocket, Maine, and the permit is good on a certain day for certain mileage and it costs \$10 I think. The State Police have the right to tell them what day they can move it on, can't move it on a holiday or rainy day or Sunday, and I presume this amendment does the same thing only extends it to this one area and another thing that might involve wood products or something. But I don't view the thing as bad or would hurt the conditions of the bill or anything.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Hoffses.

Mr. HOFFSES: Mr. Speaker, Ladies and Gentlemen of the House: I have, as I have sat here over the years, heard fellow legislators accuse the press, the news media, of dictating the policies of this legislature. Now, I am not going to discuss that one way or the other. What I am going to say is, is this legislature going to act and be dictated by the weight limits on the roads of the Province of New Brunswick or are we going to act upon our own?

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen of the House: I sympathize with the problem of the gentleman from Calais, Mr. Silverman, and I wish there was something we could do to help that out, but I would call your attention to this amendment. It is a double bottoms bill, and it will affect every nook and corner of this State on the permit system. What you do, if you vote for this amendment, is to allow double bottoms to come into your legislative district under the permit system. I don't think I am in a position to come back to my people and justify that. I don't know about the rest of you, but I would be in a pretty bad bind if I try to do it, because I know they don't want to be faced with this situation on the roads of my district, permit system or otherwise.

The SPEAKER: The Chair recognizes

the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: If you will look at House Amendment "A" it says the jurisdiction is vested in the Department of Transportation to grant permits upon proper applications in writing to move objects having a length, or width, or height, or weight greater than specified in this title for a combination of vehicles otherwise permitted in this title over any way or bridge maintained by the Department of Transportation. It doesn't say any particular area. I am diametrically against double bottoms in this form or any other form, and when the vote is taken, I request the yeas and nays, and I hope you defeat this amendment.

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

Mr. McNALLY: Mr. Speaker, Ladies and Gentlemen of the House: The main thing that bothers me about the whole deal is, how long are these trailers that they are going to hook on behind? Right now the pulpwood people have a right to hook a tag-along trailer on, as long as they don't exceed the limit of 56½ feet, but this might be two trailers of equal length. You want to remember that we have never had a double bottom bill that extended the length beyond the 65 foot length. I think it is a bad thing. I think it is one of the worst amendments I have seen in here. If you want to kill the bill, this is what you want to vote for.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Bridgewater, Mr. Finemore, because I think he could answer it. I would like to have him explain to me, what is the difference between a double bottom and the tag-along trailer system?

The SPEAKER: The gentleman from Skowhegan, Mr. Dam, poses a question through the Chair to anyone who may answer if he or she wishes.

The Chair recognizes the gentleman from Bridgeport, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker,

Ladies and Gentlemen of the House: Mr. McNally hit it on the head almost to the point. A tag-along if you can stay within the 56½ feet length, you can haul a four wheel trailer behind a pulp truck or anything as far as that is concerned. You can take a trailer behind your car, four wheel trailer, house trailer, or anything, as long as you stay within the 56½ feet length but just the minute you go over that you are outside the law. Well, this right here is a tag-along trailer, apparently to that extent, not a double bottom but it is going to be more than 65 feet long, considerably more than 65 feet long. This is where the sticker comes in, and Mr. McNally hit it just right.

I don't want to see the bill lost. I sympathize with them. This is a special interest bill. You are just doing it for one group, and I wonder if this is what we want to do, the sponsor of this bill or the people fighting for it, this is what we are going to do, because that is what is going to be. It is going to be one that is too long. I have read to you what New Brunswick law is. I told you that the weight is, 125,000 pounds, but I have told you that it takes eight axles. Well, eight axles is quite a truck. It is quite a setup.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAUN: Mr. Speaker, Ladies and Gentlemen of the House: If some of you live on these narrow roads, as some of us do, just take the Airline Road that heads downeast, and you get a double bottom ahead of you and it is loaded, how are you ever going to get by? If there are two of these trucks and they are tail-gateing each other, they could never let you by in the world, and it would be a dangerous thing and I hope it never passes.

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

Mrs. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I think that was a pretty poor explanation of a tag-along and a double bottom truck. A double bottom truck doesn't necessarily have to be over 65 feet. However, I am opposed to this. The Report A had a clause in it for double bottoms and that was just for a two-lane or four-lane

highway. Then there was a five mile limit of which they could get off 95, four lanes, to get to a warehouse. This wasn't for any type of road. But a double bottom truck, double bottoms have an altogether hitch, it is like a fifth wheel, where a tag-along has an altogether hitch, like a trailer hitch, a special hitch. They could be much less than 65 feet.

Mr. McNally of Ellsworth was granted permission to speak a third time.

Mr. McNALLY: Mr. Speaker, Ladies and Gentlemen of the House: This is not restricting it to one area in the State of Maine, there is nothing said about this is going over Route 1 up near Calais or anywhere else. This is all over the State the way this amendment reads. Mr. Kelleher advised you to please notice that.

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 House Amendment "A" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Albert, Ault, Baker, Berry, G. W.; Berube, Birt, Bither, Boudreau, Brawn, Briggs, Brown, Bunker, Bustin, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Cottrell, Cressey, Crommett, Curran, Dam; Dow, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Faucher, Ferris, Flynn, Gahagan, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Herrick, Hobbins, Hoffses, Hunter, Immonen, Jackson, Jacques, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan,

McMahon, McNally, McTeague, Merrill, Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, O'Brien, Palmer, Parks, Peterson, Pontbriand, Pratt, Ricker, Rolde, Rollins, Ross, Shaw, Shute, Simpson, L. E.; Smith, D. M.; Smith, S.; Snowe, Sproul, Stillings, Strout, Susi, Talbot, Theriault, Tierney, Trask, Twitchell, Walker, Wheeler, White, Whitzell, Willard, Wood, M. E.

**NAY** — Berry, P. P.; Davis, Finemore, Fraser, Good, Lewis, J.; Mills, Silverman, Tanguay, Trumbull, Webber.

**ABSENT** — Binnette, Bragdon, Conley, Curtis, T. S., Jr.; Deshaies, Donaghy, Farley, Fecteau, Garsoe, Huber, Norris, Perkins, Santoro, Sheltra, Soulas, Tyndale.

Yes, 122; No, 11; Absent, 16.

The **SPEAKER**: One hundred twenty-two having voted in the affirmative and eleven in the negative, with sixteen being absent, the motion does prevail.

Mr. Strout of East Corinth offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-791) was read by the Clerk.

The **SPEAKER**: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. **DYAR**: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to the gentleman from East Corinth, Mr. Strout, on just how much he is reducing the weight limit and what it would be over the present weight limit?

The **SPEAKER**: The gentleman from Strong, Mr. Dyar poses a question through the Chair to the gentleman from East Corinth, Mr. Strout, who may answer if he wishes.

The Chair recognizes that gentleman.

Mr. **STROUT**: Mr. Speaker, Ladies and Gentlemen of the House: What this does, in reply to his question, is that on four axles, the present law is 66.8 and we had asked for 72. What this amendment does, it reduces it to 69,000. On five axles, the present law is 73 to 80 and we had asked for 86,000 and what this amendment does is to reduce it to 80,000.

The **SPEAKER**: The Chair will order a vote. The pending question is the adoption of House Amendment "B". All in favor of House Amendment "B" being

adopted will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Hoffses of Camden requested a roll call vote.

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 East Corinth, Mr. Strout, that the House adopt House Amendment "B". All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

**YEA** — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Bither, Boudreau, Brawn, Brown, Bunker, Bustin, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Cottrell, Cressey, Crommett, Curran, Dam, Davis, Donaghy, Dow, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Evans, Farnham, Farrington, Faucher, Ferris, Finemore, Fraser, Gahagan, Gauthier, Good, Goodwin, H.; Goodwin, K.; Hamblen, Hancock, Herrick, Hobbins, Hunter, Immonen, Jackson, Jacques, Kauffman, Kelleher, Kelley, R. P.; Keyte, Kilroy, Knight, LaPointe, LeBlanc, Lewis, E.; MacLeod, Maddox, Martin, Maxwell, McCormick, McHenry, McKernan, McNally, McTeague, Merrill, Mills, Morin, L.; Morton, Mulkern, Murchison, Murray, Najarian, O'Brien, Palmer, Peterson, Pontbriand, Pratt, Ricker, Rollins, Ross, Shaw, Shute, Simpson, L. E.; Smith, D. M.; Smith, S.; Snowe, Sproul, Stillings, Strout, Susi, Talbot, Theriault, Tierney, Trumbull, Twitchell, Walker, Wheeler, White, Whitzell, Willard, Wood, M. E.; The Speaker.

**NAY** — Birt, Briggs, Emery, D. F.; Flynn, Genest, Hoffses, Jalbert, Kelley, LaCharite, Lawry, Lewis, J.; Littlefield, Lynch, Mahany, McMahon, Morin, V.; Norris, Parks, Rolde, Silverman, Tanguay, Trask, Webber.



ABSENT — Binnette, Bragdon, Conley, Curtis, T. S., Jr.; Deshaies, Farley, Fecteau, Garsoe, Greenlaw, Huber, Perkins, Santoro, Sheltra, Soulas, Tyndale.

Yes, 112; No, 23; Absent, 15.

The SPEAKER: One hundred twelve having voted in the affirmative and twenty-three in the negative, with fifteen being absent, the motion does prevail.

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

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: I might explain very briefly what this amendment might do. I talked to you the day before yesterday about the possibility of a six axle rig running in Maine and carrying 128,500 pounds within immunity, and I won't bore you again with that aspect of this bill, but with this amendment, even though there is the appearance of reducing weights, let me tell you what this reduction would allow a vehicle to carry legally in the State.

Reducing the 72,000 to 69,000 would allow 75,900 pounds, and during the months of December, January and February, when they could buy the special forest products permit, it would allow them to carry 86,250 pounds, and if no intent could be proved, another 2,000 pounds.

The second portion of the amendment which reduces 86,000 to 80,000 pounds under present law, with this maximum there, they could carry 88,000 pounds with immunity, and during the forest products permit months, they could carry 90,000 with immunity, and again, if no intent were proved, another 2,000 pounds.

I think, also, it might be appropriate to speak of some of the other items that are in this L. D. 2592. First of all, even though there is one little section there that says that six-axle vehicles will have an additional penalty for over-weights of \$2 for each 100 pounds in excess of 5,000 pounds. It is only the six-axle vehicle that this applies to. No other vehicle operating over weight would be fined under the law more than \$200. That doesn't seem to me to be very fair.

There is, I think, another very significant change in this law. In Section

5 of the bill, if you want to look at L. D. 2592, section 1652 is repealed and replaced, and there was one sentence left out of the present law, which says that the operation of the vehicle shall be prima facie evidence, that said operation was caused by the persons, firm or corporation holding the permit or certificate for said vehicle from the Public Utilities Commission. The elimination of this sentence from the law means that the driver of the vehicle in all cases is the individual who is going to be arrested and responsible for paying the fine. I don't know what that means to you, but I think that if I had several trucks and had to hire union truck drivers, I doubt that very many of them would get in the vehicle and turn the key if they knew they were going to be arrested and be responsible for paying the fine.

We have been talking about double bottoms this morning. If you will turn to Section 7 of the L. D., in the second and third lines it adds some new language, "or truck tractor, semitrailer and full trailer," and, ladies and gentlemen, that is a double bottom. So we are giving to the forest products industry double bottoms.

Did you look back in Section 5 again, in the new version of Section 1652, subsection 4? The words are used again, "truck tractor, semitrailer and trailer combinations." These are double bottoms. They are not tag-alongs; they are double bottoms. And if you go back to Section 2 of the L.D., the last portion allows these vehicles to be 65 feet overall in length. That is the double bottom length.

I think this is a terrible bill. I have told you that before. Mr. Speaker, I move its indefinite postponement.

The SPEAKER: The gentleman from Berwick, Mr. Stillings, moves the indefinite postponement of this Bill and all accompanying papers.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I am going to try to be as brief as possible, knowing that many of us want to leave to go long distances. I do feel, however, I have to respond to some of the comments made by the gentleman from Berwick.

This bill hasn't changed since it was before us, except for the amendment offered by the gentleman from East Corinth, Mr. Strout. I think it is important to keep in mind that double bottoms, per se, are not allowed. What we are simply talking about is what is presently allowed for forest products industry, and that hasn't changed, and this bill doesn't change that. At least that is my knowledge of it.

I think what we are having here is an attempt to try to kill this piece of legislation that is badly needed, and I would certainly hope that you would vote against the gentleman. When the vote is taken, I would ask for a roll call.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I would like to explain a few things that Mr. Stillings has said, that he didn't read too carefully. He said they were allowed 65 feet. But the last part of that paragraph says, "and semitrailers exclusively engaged in transportation of motor vehicles, except when a load consists of forest products, the load and vehicle combination shall not exceed 65 feet." I don't agree with 65 feet. I think it is too long. But he also said that this was double bottoms. The woods have already got double bottoms. They have got 56 feet, as I have told you.

The gentlelady, Mrs. Berry, said this morning that I didn't know what a double bottom was. A double bottom is a four-wheel trailer for the second trailer, because you can't have two hookups with two fifth wheels. I never saw one, at least. I have been out in the West where they haul with these other ones. Most of them are, as she said, semitrailers, plus the double bottom hook behind, which is a four wheel trailer behind. That makes a double bottom. And we have already got these in the woods with a limit of 56½ feet. The interpretation is that 65 feet should be amended out of there. I will agree with Mr. Stillings, it should be amended out if it is 65 feet, because I don't believe we should go over 56½ feet on these roads.

I would like to state a little further here that the two-axle truck in this bill

goes from 32,000 to 34,000 pounds. That is only 2,000 pounds increase. The three-axle truck, I believe they are asking under this amendment 51, which is really 48 right now, but the 100,000, I think it would be killing — I guess I should leave that out, because I can't mention the other body. But I am not in total agreement with the 100,000 pounds. I am against that because the bill makes a big increase in our weight. Again, I would go back to the point that Mr. Stillings has said, if he really interprets the way it reads, 65 feet overall, I am against that. It should be amended out of the bill, because 56½ feet is plenty long enough on the road for any woods vehicle that I have seen operated on the road.

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

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to suggest that the new language — and this is new language — is an exception. And it says quite clearly, "except when a load consists of forest products, the load and vehicle combination shall not exceed 65 feet overall." That means that the load can't extend beyond 65 feet, but the vehicle combination which is referred to here is the combination of truck tractor, semitrailer and trailer, which is double bottom.

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

Mr. FRASER: Mr. Speaker and Members of the House: I have to oppose this motion to indefinitely postpone. We have had all kinds of scare stories here this morning — this is dangerous and that is dangerous. I am sure you all know that you can't drive your own car out of your own driveway without some element of danger. There is danger every time you get behind the wheel of a car.

We have had circulated this morning by my very good friend, Mr. Lawry, a picture of a pulp truck that has tipped over and, as he says here, they walked away. This picture doesn't tell me whether or not it was the proper type of truck to be driven for that kind of a load. That is the problem here. We are not allowing these people to use the right

type of a truck because when they do have the right to it, it already is half the gross weight. In order to get around that, they buy a lighter truck and drive it dangerously. If these trucks are proper, they can be loaded up to this amount and they are safer than smaller trucks that are overloaded.

There have been some stories about double bottoms — I personally don't think they are that dangerous. There are a lot of people who are afraid of ghosts, too, and there aren't any ghosts.

I hope you won't indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I, too, hope you don't indefinitely postpone this bill. Some of the things about extending the length, it is a misconception. The truck is no longer, but what it has done, we will say a truck with a load of cars coming into Maine, you are allowed a certain length. Sometimes the new type bumpers they have had to put on to comply with some of the laws we made in this House, they have to have a bumper that will stand such an impact, so they had to put a spring behind the bumper. This made it so the bumper of the car now protrudes out further on the load behind than it did before, enough so that all of their rigs will be obsolete, and I think it is kind of mean. We passed a law requiring this shock-proof bumper, and this extends on the load. Now when they load cars, they overhang a few inches out behind farther, just enough so it won't comply with the law.

These people with these trailers hauling automobiles are not going to buy another trailer this long, because this is to take care of the overhang. The same thing applies to people in my area hauling logs. Once in a while a log, the trailer length is so far, once in a while the log will stick out a little further behind and they want this law to take care of it. I don't think it is an unreasonable thing.

I view this piece of legislation really and truly as a safety measure, and I will tell you why. What you are going to do if you don't pass this, you are forcing them to use obsolete equipment. All this does,

it doesn't increase the load one bit. It increases what their truck rate has gone up. For instance, a man buys a new car, or a new Mack, and he is trying to have safety on the road with air brakes, with all the modern equipment, but when you add all this modern equipment and all these modern devices, they do weigh. They are made of metal and they weigh. So what has happened, when this man goes in to buy a new truck, the weight of his vehicle has increased just about the amount that we are giving him here. We are not giving him any more load. We are allowing him to buy a new piece of equipment which will be safer on the road, and this little bit of allowance will merely extend practically what the extra weight on the truck is by him going into new equipment. Now the reason he is going into new equipment, he wants safety on the highway. His neck is involved. He doesn't want to break his neck with this obsolete equipment, with brakes that are not adequate.

This picture on our desks, I can see by the looks of it that that is what the trouble was. This truck was obsolete. It didn't have the proper brakes. They were only four inches wide and the new ones are about ten inches wide. When you go into a ten-inch brake surface, you are going into a lot of extra weight. So I do hope, for the sake of safety, that you will go along with this bill and not indefinitely postpone it. In my opinion, it doesn't increase the weight of the load; it only increases the quality of the truck. I hope you will bear that in mind. If you had a chance two or three days ago when they were parked across the street, you could have seen that the old truck didn't weigh anywhere near as much as these new ones do with all these modern devices on them. I do hope you will consider this when you vote and do not indefinitely postpone this. In my opinion, this is a safety measure.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I have talked with quite a few of you members, and I have told you I know nothing about trucks, and I don't. The only thing I know actually is a pickup truck and a dump truck. That is about as much as I can

distinguish between trucks. Many times on the floor of this House I have talked about the State Highway Commission and their big trucks and their huge ones — I call them huge because they have the exhaust going up the side and are picking up the trash beside the road. So that is about as much as I know.

But in answer to Mr. Dudley and his obsolete truck, it just so happens that this truck may be obsolete because it was bought last year. And I am sure that many members of the legislature are driving obsolete automobiles, myself included, because they are more than a year old. And it just so happens that the owner of this truck is one of the people that has been distributing the literature to the members of this legislature asking for the increased weight limits.

In the part under the picture that Mr. Lawry had reproduced and distributed, it said the trailer jackknifed, and this truck was owned and driven by Douglas Campbell of Anson. I am sure if you will look back through your papers of the information that has been distributed lobbying for increased lengths and increased truck loads, you will find that name appearing on some of those papers. So if a truck is obsolete because it is a year old, then I am sure the State of Maine or everybody in the United States is in bad shape, because the majority must be driving obsolete vehicles. I don't think when they are a year old they are that obsolete.

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

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: I guess I am in a fortunate position this morning, because I am one of the people who does know something about trucking. I have been in the trucking business since 1930. I started in with a pickup truck at that time, hauling apples to a canning factory, six barrels at a time. I have gone full-cycled through the trucks, hauling wood and everything, and I am back to the pickup truck again, hauling wood and I use it in heating my home. I really believe this is a necessary bill for the truckmen in this State, something that we have to have. A good many of them are going out of business.

I know Mr. Campbell very well. I had the good fortune to scale at Oxford Paper Company for four years, Mr. Campbell came in many times, he and his sons. He is a very capable man and does a very good job, and I don't except anyone in having an accident at one time or another. The people that I have associated with while I was scaling for those four years were some of the finest people that I have ever known. I am here today trying to help them, and I would like to read just one paragraph of an editorial in the Lewiston Sun this morning, which says, "modern trucks are a big improvement over those of even a decade ago. But the Maine law has not kept pace. As a result, truckers must choose between using their truck capacity at the risk of being arrested for overloading, or making their runs with unfilled space. Either way, it is expensive and unnecessarily so."

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

Mr. WILLARD: Mr. Speaker, Ladies and Gentlemen of the House: I hope you don't vote to indefinitely postpone this bill, because there are a lot of truckers, as I have said the other day, in my area and we need this increase in weight.

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

Mr. McNALLY: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to correct one little statement that Mr. Stillings made. He said that the trucks and trailers — it doesn't say that, it says, the load and vehicle combination shall not exceed 65 feet, which goes along with what Mr. Dudley says, in case the load sticks out over the last trailer; it can't be 65 feet overall in the end event.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: When I made mention of this picture here, all I said was that it doesn't look to me from the picture — I can't tell whether or not that truck was built to carry that kind of a load. And as the gentleman from Skowhegan, Mr. Dam, said, a truck a year old is not necessarily obsolete. Maybe it is obsolete for the purpose which it was bought. They will be buying

a new truck and over-loading it beyond the capacity of which it was intended. I am not saying that this was the case in this case, I am just saying trying to describe what I saw in the picture.

As far as danger is concerned on trucks, if you will read this morning's Portland Press Herald, there was a school bus run off the road yesterday loaded with children. Fortunately, none of them was hurt. A school bus is supposed to be a safe vehicle. If it can happen to a school bus, it can happen to my vehicle.

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

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House: I am concerned about the increase in weight as compared to the average weight of the average motor vehicle. I think when you get a moving mass, weighing 80,000 or 90,000 to 100,000 pounds, compared to a moving mass opposing it weighing 3,000 or 4,000 pounds, that the opportunity for survival for the person in the lighter moving mass is very small indeed. Further, I regard this as class legislation designed exclusively for one particular class of operator, represented here in many cases, I think, by people who are in that business. It fails to take into account entirely people who are hauling butterflies or canaries or things of that nature. Therefore, I hope the motion for indefinite postponement will be fortunate enough to prevail.

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

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: We all have this printout on our desks from Representative Lawry from Fairfield, and it reminds me, back in 1945 when the war was over, a young fellow from New Sharon came back, he had survived the war, and he had been back about a week.

His people had always been truckmen, so he took a load of pulpwood to Rumford. When he came down a hill into Dixfield, one of these cars backed out into the road in front of him. This young fellow did not hit that car, he turned his truck to the right into a little brook that was there and killed himself to save the car.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker, Ladies and Gentleman of the House: Yesterday, we indefinitely postponed the Maine Public Transit bill, which I think was introduced in recognition of difficulties in public transit in the State of Maine. I think most of you would recognize that in the transportation of goods and merchandise in the State of Maine, there is a lack of good transportation. The railroad system is somewhat limited, it is going to be more limited as time goes on. Trucking is going to be and is a very important factor in this State. I think we have to make the most economical use of the trucking facilities. We are at the end of the pipeline. I don't think we ought to compound our difficulties and increase the cost of living in the State of Maine by imposing restrictions that I don't believe are reasonable.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker, Ladies and Gentlemen of the House: I think the original intent of this legislation was not to increase truck weights of loads being hauled in the State of Maine, which would legalize being hauled.

The gentleman from Caribou this morning mentioned butterflies and canaries. I think that is a small part of the segment of the industry in the State of Maine. I think the pulpwood industry is the big industry in this State, and the men hauling the pulpwood to the mills certainly have an impact on that industry. I would urge you this morning to vote against the motion on the floor. I think it is going to have a very heavy impact on our economy. For those who might insinuate the railroads might be going back into the woods and hauling this wood out I think is more or less a fallacy.

The gentleman from South Berwick, Mr. Stillings, has referred to double bottoms time after time here this morning. I think tag-alongs have been used on pulp trucks in the State of Maine for the last several years and it has created no problems. I think the definition for a double bottom, as he might refer to it, would also include the

pickup truck hauling a ten foot camper-trailer. I am quite sure that if we banned these in the State of Maine, we might have a lot of reaction from not only people in this State but out-of-staters.

I think this is really a very strong economic problem this morning. We have many people in this State with high investments, thousands and thousands of dollars in the pulpwood hauling industry, and I certainly hope that you will go along with this bill and not indefinitely postpone it. I think we have done enough to the industry by cutting back the weight limits presently restricted in this bill, and we should realize that these weights have been hauled on the highways in the State of Maine for the past few years and they will probably still be used, due to the economic factor involved.

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker, Ladies and Gentlemen of the House: Frankly, I don't know too much about trucks and trucking, but I am learning all the time. Believe me, in the district in which I live, there is a great deal of interest in this bill. I am here just to speak for them this morning and hope that we will pass it and give them the extra weights that they feel very strongly they need and would be hurt without.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: The part of the message I am trying to get to you is not reaching you, because what I am trying to say — I will try to say it this way. This is the year, we will say, 1974, and you can buy a brand new truck, and this truck could be designed to haul soda crackers or maybe potato chips, it will be a brand new truck as of this year. Now this truck doesn't weigh anywhere near as much as the trucks of these boys who want this increase. They want to buy that same truck but they want all these devices on it and it will weigh a lot more — bigger brakes, bigger frame, bigger everything. So this truck that they buy to haul pulpwood has been increased in weight so much that this is

what this bill is for. We don't want them to use the truck that was designed to haul soda crackers or designed to haul potato chips, or maybe something to stuff a mattress with. We want it made safe with heavier brakes, heavier front end, bigger tires and all these things, and when you do this, you increase the amount of the weight by about the amount that we are giving them after this amendment is put on.

I do hope that this message you have got it straight, and I do hope that you will go along and pass this bill as amended.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I would be remiss if I didn't stand up in support of this bill. I come from an area, some of my constituents, for example, are Read-Mix Incorporated in Wilton, International Paper Company in Chisholm, one of my towns, the town that I live in, in fact, and these people all need and want this legislation; it is that simple.

The gentleman from Bridgewater, Mr. Finemore was granted permission to speak a third time.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: After talking with Mr. Stillings, if someone could table this bill, I certainly would make an amendment to take out the 65 feet overall, because I am not in agreement with it in any way, shape or form. I think 65 feet is too long. The way it is written, it can be interpreted two ways, but after you read it carefully and slowly, you can find that Mr. Stillings is correct. So I believe it should be taken out. If someone would be kind enough to table it for one day, I would try to have an amendment ready to take out the 65 feet overall and then, if anyone else has any objection to the wording to this, why I would be perfectly willing to go along.

Mr. Stillings of Berwick was granted permission to speak a third time.

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to point out that under the definition of semi-trailer, the tag-along is included. Let me read the definition just so we understand the terms. "Semitrailers shall mean any vehicle

without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so designed that some part of its weight and of its load rests upon or is carried by such motor vehicle and shall include pole-dollies, pole dickies, so-called, and wheels commonly used as a support for the ends of los or other articles." Under our definitions, trailer shall mean any vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle not operated on tracks and so constructed that no part of its weight rests upon the towing vehicle."

Now, I would simply point out to you again that the language of this L. D. allows what is commonly called a double bottom, a truck tractor, semitrailer and full trailer combination.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, I move this matter lie on the table one legislative day.

Thereupon, Mr. Dudley requested a vote on the tabling motion.

The SPEAKER: The pending question is on the motion of the gentleman from East Millinocket, Mr. Birt, that this matter be tabled pending the motion of Mr. Stillings of Berwick to indefinitely postpone and specially assigned for Monday, March 25. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

75 having voted in the affirmative and 16 having voted in the negative, the motion did prevail.

By unanimous consent, all matters acted upon in concurrence and all matters requiring Senate concurrence were ordered sent forthwith to the Senate.

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

Bill "An Act Creating the Maine Consumer Credit Code" (H. P. 2043) (L. D. 2582) (H. "A" H-777) (H. "B" H-778) (H. "C" H-779) (H. "E" H-784) (H. "G" H-786)

Pending—Reconsideration.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. O'Brien.

Mr. O'BRIEN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to make a very passionate plea for the motion to reconsider whereby this bill was passed to be engrossed to bring it back to the position of second reader, the only position in which any amendments may be offered.

I would call your attention to the fact that this bill was before us in the second reader only for a matter of hours. It is a 68-page bill, and I would like to compliment the young ladies in the Research Office and also the people who have reproduced the amendments that have been offered. Many amendments were quickly drafted and in their haste, mistakes were made in some of them, mine included. The rush of getting such a large bill down the road too fast could be a very dangerous precedent, and I would urge you that you extend me the courtesy of putting this bill back into second reader.

While I am on my feet, should this courtesy not be extended to me, I would hope that the members of this House, over the weekend, and I am still discussing the bill, would make contact — don't bother to read the bill, there are too many pages — but at least read the section dealing with the rates and make contact with John Quinn, the Assistant Attorney General in the Consumer Fraud Division, contact Mr. Richard Poulis, the Judge, the Referee in Bankruptcy, contact Mrs. Weil. All these people feel that these rates do need improvement. So I hope you will give me the courtesy of reconsideration.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Trask.

Mr. TRASK: Mr. Speaker, Ladies and Gentlemen of the House: I hope we vote not to reconsider this bill today. We had it before us yesterday, and there were some eight or ten amendments offered, some accepted and some rejected. I think it had quite a good going over.

I know we can't discuss the amendments that perhaps are to be offered, but it is my understanding that the amendments that will be offered