

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second  
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Friday, April 30, 1965

Senate called to order by the President.

Prayer by Rev. Paul Keirstead of Gardiner.

On motion by Mr. Manuel of Aroostook, the Journal of yesterday was Read and Approved.

On motion by Mr. Harding of Aroostook,

Out of order and under suspension of the rules,

ORDERED; the House concurring that when the Senate and the House adjourn, they adjourn to meet on Tuesday, May 45h. (S. P. 528)

Which was Read and Passed and sent forthwith to the House for concurrence.

**Papers From the House****Non-concurrent matter**

Bill, "An Act Increasing Salaries of Official Court Reporters." (S. P. 164) (L. D. 494)

In Senate, April 27, Passed to Be Engrossed As Amended by Committee Amendment "A" (S-151)

Comes from the House, Recommitted to the Committee on Judiciary in non-concurrence.

In the Senate, on motion by Mr. Violette of Aroostook, the Senate voted to recede and concur.

**House Papers**

Resolve, to Reimburse Delmont R. Hawkes, of Standish, for Well Damage. (H. P. 1098) (L. D. 1501)

On motion by Mr. Harding of Aroostook, the resolve was tabled pending reference to a committee.

**Reports of Committees****House****Leave to Withdraw**

The Committee on Legal Affairs on Bill, "An Act Revising the Laws Relating to Fire Protection and Prevention." (H. P. 834) (L. D. 1061) reported that the same should be granted Leave to Withdraw.

The Committee on Appropriations and Financial Affairs on Bill, "An Act Providing for Lease of Moosehorn National Wildlife Refuge, Washington County." (H. P. 722) (L. D. 960) reported that the same should be granted leave to withdraw. Covered by other Legislation.

**Ought Not to Pass**

The Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Financial Assistance to Institutional Teachers in Obtaining Professional Credits." (H. P. 681) (L. D. 918) reported that the same Ought not to pass.

(On motion by Mr. Dunn of Kennebec, tabled pending acceptance of the report and especially assigned for one week from today.)

The same Committee on Bill, "An Act Appropriating Moneys for Construction of a Reception Diagnostic Treatment Center for Persons Committed to any Penal Institution." (H. P. 721) (L. D. 959) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Cost of Relocating Water Utility Facilities in Federal Aid Highways." (H. P. 881) (L. D. 1178) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Providing for State Contributions to Industrial Pollution Abatement." (H. P. 791) (L. D. 1068) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to Development of a Day Care Project in Bangor." (H. P. 723) (L. D. 961) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Providing for a State Government Information Bureau." (H. P. 986) (L. D. 1349) reported that the same Ought not to pass.

The Committee on Judiciary on Bill, "An Act to Provide for Review and Fact in Appeal Cases under Workmen's Compensation Act." (H. P. 639) (L. D. 864) reported that the same Ought not to pass.

The same Committee on Bill, "An Act Relating to a Power of Sale in a Mortgage and Sale Under a Power in a Mortgage. (H. P. 923) (L. D. 1251) reported that the same Ought not to pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Taxes Paid by Town of Wells to Ogunquit Village Corporation." (H. P. 435) (L. D. 564) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

The Committee on Towns and Counties on Bill, "An Act Creating a Second Assistant County Attorney for Androscoggin County." (H. P. 867) (L. D. 1164) reported that the same Ought not to pass.

Mr. JACQUES of Androscoggin: Mr. President, I rise to move to substitute the bill for the report. Our Senate delegation has met with two House members and it was agreed that this bill ought not to pass. Since then we have had more information on it. The County Attorney at the present time has an assistant but he needs a second one. He has a court in Brunswick to take care of and he also has to run down to Livermore Falls and that makes an average of a few hundred miles that he has to travel every week and with the case load that he has in Lewiston and Brunswick it is almost impossible to do it and practice law at the same time. At this time I move that we substitute the bill for the report.

On motion by Mr. Moore of Washington, the bill was tabled until Tuesday, May 4th pending the motion of Senator Jacques of Androscoggin to substitute the bill for the report of the committee.

#### **Ought to Pass**

The Committee on State Government on Bill, "An Act Increasing Salary of Legislative Finance Officer." (H. P. 252) (L. D. 320) reported that the same Ought to Pass.

Which report was Read and Accepted in concurrence, the Bill Read Once and tomorrow assigned for second reading.

#### **Ought to Pass—As Amended**

The same Committee on Bill, "An Act Increasing Compensation of Members of Personnel Board." (H. P. 253) (L. D. 321) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-262)

The same Committee on Bill, "An Act Increasing Salary of the Adjutant General." (H. P. 544) (L. D. 716) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-260)

The same Committee on Bill, "An Act Increasing Salaries of Members of Harness Racing Commission." (H. P. 545) (L. D. 717) reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-261)

(On motion by Mr. Smith of Cumberland, tabled pending acceptance of the report and especially assigned for May 6.)

Which reports were Read and Accepted in concurrence, Committee Amendments "A" were Read and Adopted in concurrence, and the Bills, as amended, were Read Once and tomorrow assigned for second reading.

#### **Senate**

#### **Leave to Withdraw—Covered by other Legislation**

Mr. Casey from the Committee on Towns and Counties on the following Bills:

Bill, "An Act Increasing Salary of County Attorney and Assistant County Attorney of Penobscot County." (S. P. 103) (L. D. 270)

Bill, "An Act Increasing Salaries of Judge of Probate and Register of Probate of Penobscot County." (S. P. 102) (L. D. 269)

Bill, "An Act Increasing Salaries of Certain County Officials of Hancock County." (S. P. 49) (L. D. 220)

Bill, "An Act Increasing Salaries of Certain County Officers of Waldo County." (S. P. 273) (L. D. 821)

(On motion by Mr. Glass of Waldo, tabled pending acceptance of the report.)

Bill, "An Act Increasing Salary of Deputy Clerk of Courts of Cum-

berland County." (S. P. 330) (L. D. 1052)

Bill, "An Act Increasing Salaries of County Officials of Androscoggin County." (S. P. 387) (L. D. 1314) reports that they should be granted Leave to Withdraw as they are covered by other Legislation.

(On motion by Mr. Girard of Androscoggin the above bills, with the exception of Item 6-20, were tabled pending acceptance of the committee reports and were especially assigned for May 4.

#### Senate

##### Ought to Pass

Mr. Glass from the Committee on Judiciary on Bill, "An Act Relating to Election of Directors of Corporations." (S. P. 116) (L. D. 379) reported that the same Ought to pass.

The same Senator from the same Committee on Bill, "An Act Relating to Indemnification of Directors of Corporations." (S. P. 118) (L. D. 344) reported that the same Ought to Pass.

Mr. Violette from the same Committee on Bill, "An Act Relating to Time of Terms of the Superior Court in Certain Counties." (S. P. 355) (L. D. 1119) reported that the same Ought to pass.

Which reports were Read and Accepted and the Bills Read Once and tomorrow assigned for second reading.

##### Ought to Pass — As Amended

Mr. Brown from the Committee on Appropriations and Financial Affairs on Bill, "An Act Increasing Retirement Allowances of State Employees Retired on Council Orders." (S. P. 334) (L. D. 1079) reported that the same Ought to Pass — As Amended by Committee Amendment "A" (S-166)

Mr. Harding from the same Committee on Bill, "An Act Relating to Retirement of Justices of the Supreme Judicial Court and Superior Court." (S. P. 347) (L. D. 1114) reported that the same Ought to Pass — As Amended by Committee Amendment "A" (S-167).

Which reports were Read and Accepted. Committee Amendments "A" were Read and Adopted, and the Bills, As Amended were Read Once and tomorrow assigned for second reading.

The Majority of the Committee on Legal Affairs on Bill, "An Act Providing for a New Charter for the City of Lewiston." (S. P. 230) (L. D. 767) reported that the same Ought to Pass.

(Signed)

Senators:

SHIRO of Kennebec  
JACQUES

of Androscoggin

Representatives:

CONLEY of Portland  
LIBHART of Brewer  
BAKER of Orrington  
WHEELER of Portland  
BOISSONNEAU

of Westbrook

HUNTER of Clinton

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

(Signed)

Senator:

SPROUL of Lincoln

Representative:

COTE of Lewiston

Mr. JACQUES of Androscoggin: Mr. President, I move acceptance of the Majority report.

Mrs. SPROUL of Lincoln: Mr. President, as a signer of the minority report I feel I should explain why I did this.

The only proponents that spoke for this particular bill were the Senator from Androscoggin and Mayor Cyril Joly who said that this charter was modeled after the one that Waterville worked on for some time, but inasmuch as Waterville did not adopt the charter I do not consider that that is much of a proposal for this particular bill. There was opposition to it from the League of Women Voters, members of the Board of Finance, from Corporation Counsel, the Executive Secretary of the Chamber of Commerce and firefighters. I feel that a proposed charter change should

come from the people and I do not feel there is much support for this charter change. I well recognize this is not my county and I do not intend to debate it further but I would hope that the Senate would accept the minority report.

The PRESIDENT: The motion before the Senate is the motion of Senator Jacques of Androscoggin, to accept the Majority Ought to pass report.

A viva voce vote being had the report was accepted, the bill read once and tomorrow assigned for second reading.

The Majority of the Committee on Legal Affairs on Bill, "An Act Repealing Law Regulating Business on Sundays and Certain Holidays." (S. P. 165) (L. D. 495) reported that the same Ought not to pass.

(Signed)

Senators:

SPROUL of Lincoln  
JACQUES

of Androscoggin

Representatives:

WHEELER of Portland  
LIBHART of Brewer  
BAKER of Orrington  
COTE of Lewiston  
HUNTER of Clinton  
CONLEY of Portland  
BOISSONNEAU

of Westbrook

The Minority of the same Committee on the same subject matter reported that the same Ought to pass.

(Signed)

Senator:

SHIRO of Kennebec

Mr. SHIRO of Kennebec: Mr. President, I move that we accept the minority report and I would be satisfied with a voice vote.

Mrs. SPROUL of Lincoln: Mr. President, I would hope that the Senate would accept the majority report. This bill in one form or another has been before the legislature and this is now the third session. Certainly at the hearing the Senator from Kennebec will agree that the opponents to that particular bill far outnumbered the

proponents. The consensus of opinion seems to be that people would like to have one day a week when they can stay at home and relax, go to church or whatever they wish to do. I would hope that the Senate would accept the majority report of the committee.

Mr. VIOLETTE of Aroostook: Mr. President and members of the Senate: It is my considered opinion that this bill is not in the best interests of the people of our state and I hope that the motion of the Senator from Kennebec, Senator Shiro, does not prevail and I ask for a division.

Mr. JUTRAS of York: Mr. President, As I recall on this day that hearing was so one-sided that the meeting opened with two opponents speaking against the bill, myself and Senator Stern.

The PRESIDENT: The motion before the Senate is the motion of Senator Shiro of Kennebec to accept the minority ought to pass report. A division has been requested.

A division of the Senate was had.

Two having voted in the affirmative and 25 opposed, the motion did not prevail.

Thereupon, the Majority Ought not to Pass report was accepted.

Sent down for concurrence.

## Second Readers

### House—As Amended

Bill, "An Act Permitting Municipalities to Designate Historic Areas." (H. P. 1008) (L. D. 1340)

Which was Read a Second Time and Passed to Be Engrossed as amended, in concurrence.

Bill, "An Act Increasing Certain Fees to Town Clerks." (H. P. 869) (L. D. 1166)

On motion by Mr. Carter of Kennebec, the Senate voted to reconsider its former action whereby it adopted Committee Amendment "A"; and on further motion by the same Senator, Committee Amendment "A" was indefinitely postponed and the bill was passed to be engrossed in concurrence.

Bill, "An Act Authorizing Public Utilities Commission to Require

the Interchange of Electric Energy." (H. P. 846) (L. D. 1147)

Which was Read a Second Time and Passed to Be Engrossed, in non-concurrence.

### Senate

Bill, "An Act Revising the Minimum Wage Law." (S. P. 526) (L. D. 1504)

Which was Read a Second Time.

On motion by Mr. O'Leary of Oxford, tabled pending passage to be engrossed and especially assigned for Wednesday next.

### Enactors

**The Committee on Engrossed Bills reported as truly and strictly engrossed the following Bills:**

Bill, "An Act Relating to Equipment and Inspection of Motor Vehicles." (H. P. 671) (L. D. 898)

Bill, "An Act Relating to Remedy for Paupers' Refusal to Be Removed." (H. P. 902) (L. D. 1212)

Bill, "An Act Relating to Public Notice in Probate Proceedings." (S. P. 294) (L. D. 909)

Bill, "An Act Relating to Organization of Loan Companies." (S. P. 509) (L. D. 1479)

Which Bills were Passed to Be Enated.

### Orders of the Day

The President laid before the Senate the 1st item of Unfinished Business (S. P. 96) (L. D. 263) Senate Report, Ought Not to pass from the Committee on Legal Affairs on Bill, "An Act Permitting Municipalities to Raise Money for Blood Service Programs"; tabled on April 22 by Senator Shiro of Kennebec pending acceptance of the report.

Mr. O'LEARY of Oxford: Mr. President, on this item and the next one I am defeated and I know it and I don't expect to win them all, however this L. D. 263 just provides that the municipalities will be allowed to raise money to support a blood donor service program. I am not going into a lot of the prepared talk I had on this and the other bill but I would like to read some of the statements from this town report that I have never read to you

before. This is from the town of Dixfield and it contains a report given by Mr. George Brown in connection with his blood service program.

It says: "During 1964 the Blood Donor Service Program received a total of 283 requests for blood donors; 252 of these requests came in at all hours of the day and night from the Community Hospital at Rumford. Eighty per cent of all blood used by patients in the Community Hospital in Rumford was supplied by this centralized blood donor recruiting service, not only for patients from the supporting towns of Dixfield, Peru, Carthage, Canton, Andover and Hanover but also for patients from the non-supporting towns of Rumford, Mexico, Bethel, Weld, Sumner, Hale, Roxbury, Newry, Bryant Pond and Southington, Conn. Our records show that replacements were made for 165 patients from the area who used 576 pints of blood at hospitals in Rumford, Lewiston, Portland and Boston. Only 54 of the patients were from member towns. Our lowest month we recruited 19 donors and the highest month 87 were recruited, giving the Blood Donor Service Program an average of 48 donors a month. This strongly indicates there is a definite need for our services and we are in the process of constructing this program to make it a permanent organization not attached to any hospital." I will skip over some of the rest of this and come down to what I believe should bear a little bit upon this. "Our directors felt that if we could temporarily obtain these insurance benefits which are not paid to the policyholder in most cases, the patients from the nonsupporting towns would at least be carrying their own weight — as they would prefer — and it would place our program in a better financial position than it is at present time with a balance of \$3.57 and a host of unpaid accounts totaling in excess of \$300.

"We must now allow any patient to pay for blood out of his own pocket; in fact to the best of our knowledge we have saved the insurance companies and the

patients in excess of \$32,975 since the inception of this blood program. This perhaps is minor compared to the lives that have been saved and the anguish that people normally would have gone through in an attempt to locate blood donors of a specific blood type, when a member of their family is in desperate need of blood."

Now I would like to read here a letter from Dr. George O. Chase, a medical doctor and pathologist, and it is addressed to Mr. George T. Nilson, Field Director, Department of Health and Welfare, Bingham Associates Fund, Augusta, Maine:

"Dear Mr. Nilson:

The Maine Pathological Society deliberated on Mr. George Brown's proposal for organizing walking blood banks. The following is a consensus of opinions expressed and I have been instructed to forward these to you by our President, Dr. Wakefield.

1. The Society congratulates Mr. Brown for his excellent work and single-mindedness of purpose in the organizational work he has done to date.

2. The Society approves the organization of walking blood banks in rural areas in these particulars:

- A. Recruiting and typing potential donors.

- B. Maintaining donor lists.

- C. Directing donors to the hospitals.

The Society should be informed of the expansion and activities of this organization on a continuing basis and pathologists in hospitals serving areas being organized should be contacted for their assistance in organization.

Sincerely,

GEORGE O. CHASE,  
M.D. Pathologist.

The pathologists are well aware of this program and they are working closely with Mr. Brown in this. Although we know it is almost impossible for this man to become incorporated we would only ask that the legislature grant them the right to be supported

through appropriations from their towns.

In the back of this town report, I will tell you that in the town of Dixfield in 1964 they raised a total of \$696.90 and the budget committee was recommending for 1965 once again \$696.90. I believe that the supporting towns in this area in Oxford County have raised roughly around \$1700 a year to help this man keep this man going, and, as we know, some of the non-supporting towns who are using this service would like to belong but in order to comply with the law do not dare to raise the money through their town meetings, and they only request that, through this piece of legislation, that you grant them that opportunity.

Mr. SHIRO of Kennebec: Mr. President, I would like to state in opposition to the motion by the Senator from Oxford, Senator O'Leary, that I think this is one of the three methods used by this individual, the founder and executive director of this program, so if he cannot get in the front door perhaps he might be able to get in the back door, and this would be the back door to effectuating one of his programs. I would like just to substantiate one of the points I would like to make. I do not want to belabor the issue here because I think we have covered most of the main points yesterday in regard to these matters. I think the danger is inherent in this particular bill, as simple as it may seem, as it is in the other bills which are quite a bit more complicated. In the letter which I referred to yesterday which I received from Mr. Brown, just to show you that this is an endeavor to have these communities contribute to the program — it is dated March 22, 1964, and in there he suggested that we, the committee, make an amendment to this bill because the present bill reads that the municipalities may be permitted to raise money for blood service programs. Now he wanted us to change that so that it would be an act permitting municipalities to raise money for the blood donor service program. That is



his program. Well, actually in effect that is what would take place if this particular bill authorizing municipalities to raise money for blood donor service programs were passed, and in effect we would be validating what he has been doing, apparently, in the past. Right now some of the communities in his area are, I assume, contributing to his particular program but they are not doing it lawfully. I would simply state again that no community in any portion of the State of Maine has written or contacted the committee, not even the communities that are supposedly being serviced by this program. They have not even suggested to the committee that we support this legislation. As I pointed out before, the communities can now work through their own hospitals in having a blood donor service. So I state that the danger is inherent in this bill as well as it was in the other two bills. I would say this: that possibly the blood obtained by this particular type of program instituted by Mr. Brown might be free from impurities but I think that it is not free from certain potentially dangerous economic bacteria, and I think we owe it to our citizens as well as to our municipalities to protect them. I hope that the motion made here to substitute the bill for the committee report will not pass.

The PRESIDENT: The motion before the Senate is the motion of the Senator from Oxford, Senator O'Leary to substitute the bill for the committee report. A division has been requested.

A division of the Senate was had.

Two having voted in the affirmative and twenty-five opposed. the motion did not prevail.

Thereupon, the Ought not to pass report of the committee was accepted.

Sent down for concurrence.

The President laid before the Senate the 2nd item of unfinished business (S. P. 120) (L. D. 487) Senate Report, Ought not to pass from the Committee on Legal Af-

fairs on bill, "An Act Relating to Non-profit Blood Donor Service Corporations"; tabled on April 22 by Senator Shiro of Kennebec pending motion by Senator O'Leary of Oxford to substitute the bill for the report; that Senator withdrew his motion and the Senate voted to accept the Ought not to pass report of the Committee.

Sent down for concurrence.

The PRESIDENT: The Chair would like to recognize in the Senate balcony a group of 5th and 8th grade students from the Chelsea Elementary School with their chaperones Mrs. Beverly Berry and John Bernier. We welcome you here this morning and hope that you enjoy and benefit from your visit. Since Chelsea is in the county of Kennebec, the Chair would like to introduce to you the Senators from that County—Senator Dunn, Senator Shiro and Senator Carter. (Applause)

The President laid before the Senate the 3rd item of unfinished business (S. P. 425) (L. D. 1360) Bill, "An Act Regulating Fly Fishing in Certain Portion of Kennebec River"; tabled on April 22 by Senator Manuel of Aroostook pending adoption of Senate Amendment "A".

Mr. MANUEL of Aroostook: Mr. President, I would like to speak briefly on this if I may.

The PRESIDENT: The Senator may.

Mr. MANUEL of Aroostook: I think this is the third time that we have discussed this bill here in the Senate but, in order to refresh your memories I would like to point out the following facts.

First, this bill had a unanimous report out of our committee of "Ought not to pass." The reason for this report is simply that the biologists do not want to open up fishing in the State of Maine during the spawning period. This would be very much the same as opening up the deer season in the spring of the year when the deer are having their fawns or opening up the partridge hunting season when they are nesting on their

eggs, and the same way with pheasants. Now when wild life is reproducing it seems that it is contrary to all conservation programs to either fish during that period or hunt during that period. This is the reason why the department is very much against this bill and this is the reason that the Fish & Game committee is very much against this bill, and certainly it is the reason why I am against it, being conservation minded. Therefore I would move that this bill and all accompanying papers be indefinitely postponed.

Mr. CARTER of Kennebec: Mr. President and ladies and gentlemen of the Senate: As Senator Manuel has pointed out, we have debated this bill three different times in the past, and I am sure that we have debated the merits of the bill pretty well. I would like to take one exception to the remarks of Senator Manuel. He has stated that the report of the committee was unanimously "Ought not to pass." If my recollection is correct it was a divided report. As I pointed out before, the rainbow trout spawn in the spring during the time that the general season opens and the biologists are not concerned at all about this problem. The bill itself, as I pointed out previously, is a good conservation effort and it is a sound business investment for the State of Maine. I would request that the motion made by Senator Manuel be defeated and I would request a division.

Mr. CAHILL of Somerset: Mr. President, I have to agree with everything that everyone has said and that is bad. Senator Carter is right in saying it has nothing to do with the rainbow trout because they spawn in the spring. The yellow perch, the pickerel, the bass and suckers all spawn in the spring. Our native trout and salmon spawn in the fall. I hope that the motion to indefinitely postpone prevails.

Mr. JUTRAS of York: Mr. President, as I recall it was on April 22nd that we had this little debate here and we talked about the word "Vacationland" being

embossed on the number plates of our automobiles inviting people to come to Maine. After we extend the invitation are we to deny these people an extra privilege, a little bit of recreational facilities? We should think of this very seriously before we vote on this motion. I believe we should have fishing available at this time.

The PRESIDENT: The motion before the Senate is the motion of the Senator from Aroostook, Senator Manuel to Indefinitely postpone the bill and all accompanying papers. A division has been requested.

A division of the Senate was had.

Eleven having voted in the affirmative and seventeen opposed, the motion did not prevail.

Thereupon, Senate Amendment "A" was adopted and the bill as amended was passed to be engrossed and sent down for concurrence.

The President laid before the Senate the 4th item of unfinished business (H. P. 886) (L. D. 1183) House Report, "Ought to pass" as amended by Committee Amendment "A" from the Committee on Inland Fisheries and Game on bill, "An Act Relating to Closed Season on Bear" tabled on April 23 by Senator Bernard of Penobscot pending acceptance of the report; and on further motion by that Senator, the report was accepted, the bill read once, Committee Amendment "A" read and adopted and the bill as amended was tomorrow assigned for second reading.

The President laid before the Senate the 5th item of unfinished business (H. P. 1089) (L. D. 1481) bill, "An Act Relating to Appointments to the Maine Motor Vehicle Dealer Registration Board"; tabled on April 27 by Senator Mendell of Cumberland pending passage to be engrossed; and that Senator moved the pending question.

Thereupon, on motion by Mr. Stern of Penobscot, the bill was retabled, pending the motion by

Senator Mendell that the bill be passed to be engrossed.

The President laid before the Senate the 6th item of unfinished business (H. P. 1024) (L. D. 1387) bill, "An Act Relating to Registration Fee for Motor Vehicles Operated Exclusively on Certain Islands"; Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on April 27 by Senator Snow of Cumberland pending acceptance of either report; and that Senator yielded to the Senator from Cumberland, Senator Mendell.

On motion by Mr. Mendell of Cumberland, the bill was recommitted to the Committee on Transportation in nonconcurrence.

Sent down for concurrence.

The President laid before the Senate the 7th item of unfinished business (H. P. 158) (L. D. 181) bill, "An Act Relating to Penalty for Weight Violations of Trucks"; tabled on April 28 by Senator O'Leary of Oxford pending adoption of Committee Amendment "A"; and on further motion by the same Senator, Committee Amendment "A" was indefinitely postponed, House Amendment "A" was read and adopted; and the bill was tomorrow assigned for second reading.

The President laid before the Senate the 8th item of unfinished business (H. P. 1100) House Joint Order Relative to Appointment of Assistant Legislative Finance Officer; tabled on April 29 by Senator Brown of Hancock pending passage.

Which Order received a passage in concurrence.

The President laid before the Senate the 1st tabled and today assigned item (H. P. 814) (L. D. 1257) House Reports from the Committee on Natural Resources on bill, "An Act Requiring Landowner's Permission to Trap Beaver"; Majority report, Ought to pass; Minority report, Ought not to pass; tabled on April 23 by Senator Moore of Washington pending that Senator's motion

to accept the Minority Ought not to pass report; and that Senator moved the pending question.

Thereupon, the Ought not to pass report was accepted.

The President laid before the Senate the 2nd tabled and today assigned item (S. P. 411) (L. D. 1307) Senate Report, Ought not to pass, from the Committee on Business Legislation on bill, "An Act Relating to Advisory Board on Examinations of Life Insurance Agents"; tabled on April 23 by Senator Mendell of Cumberland pending acceptance of the report; and on further motion by the same Senator, the bill was retabled.

The President laid before the Senate the 3rd tabled and today assigned item (H. P. 503) (L. D. 656) House Reports from the Committee on Labor on bill, "An Act Relating to Minimum Wages for Firemen"; Majority Report, Ought to pass; Minority Report, Ought not to pass; tabled on April 23 by Senator Norris of Oxford pending motion by Senator O'Leary of Oxford to Accept the Majority Ought to pass report; and that Senator moved the pending question.

Thereupon, the Majority Ought to pass report was accepted and the bill read once, House Amendment A was read and adopted, and on further motion by the same Senator, the rules were suspended, the bill read a second time and passed to be engrossed as amended in concurrence.

The President laid before the Senate the 4th tabled and today assigned item (S. P. 225) (L. D. 684) bill, "An Act Exempting Boats and Boat Motors from Property Tax"; tabled on April 23 by Senator Violette of Aroostook pending assignment for second reading; and on further motion by the same Senator, the bill was retabled and especially assigned for the next legislative day.

The president laid before the Senate the 5th tabled and today assigned item (S. P. 300) (L. D.

914) Senate Reports from the Committee on Transportation on bill, "An Act Relating to Length of Certain Motor Vehicles"; Majority Report, Ought to pass in new draft; Minority report, Ought not to pass; tabled on April 23 by Senator Smith of Cumberland pending motion by Senator Mendell of Cumberland to accept the Majority Ought to pass in new draft report; and Senator Smith of Cumberland yielded to Senator Mendell of Cumberland.

Mr. MENDELL of Cumberland: Mr. President, I would like to speak briefly on this legislative document 914, An Act Relating to the Length of Certain Motor Vehicles. Ladies and gentlemen of the Senate, I would like again to call your attention to a bill that was reported out of the Transportation Committee nine to one Ought to Pass — and that is L. D. 914.

The Committee heard all the testimony on this bill, which was well presented, and the many problems involved were thoroughly considered. We are talking about increasing the overall length of trucks in the State of Maine from fifty-five feet to sixty feet. One of the important purposes of this bill is to allow automobile haulers to lengthen their vehicle overhand on the front and after part of the truck five feet more than is currently possible. By doing this it will allow them to carry an extra automobile on certain types of hauling. As you can well imagine, this will reduce the cost of delivering automobiles to the Maine customers. However, there are many other industries that can use this extra length. The household moving industry is an example, also the petroleum industry, or practically any industry which must ship merchandise.

The safety factor of this was considered by the Committee and we heard detailed information on this and learned that at normal highway speed, it will only take a car another 25 feet to pass this vehicle. If you want to express it as a matter of time, it would take an extra 2-5 of a second. It

was felt that this was not an undue hazard. There are 18 other states that already have 60 feet lengths and all of the Canadian provinces have a maximum of 60 feet or more.

According to the evidence given to the committee, sixty feet seems to be the ultimate, since you get to a point of no return where it is difficult to back such a rig into a loading guide. I therefore urge passage of this important piece of legislation for the people and the industry of the State of Maine, and I move again that we accept the majority Ought to pass report.

Mr. CAHILL of Somerset: Mr. President, this is another of the truck deals we've been talking about all winter. We are going to go from fifty to sixty feet. We already have four and a half thousand pounds in extra weight and on your four axle trailer you went from 62,000 to 66 — ten per cent gives you up around 72,000 pounds and now you are going 5 feet longer. The vehicles will travel on any road except 95. If you travel roads other than 95 you are well aware of the fact that they are crooked in many places. You have many hills where you come in behind a trailer and you don't dare to go by. The extra load slows him down, making a hazard in itself. The extra length makes an additional hazard. The original bill was intended to give the automobile dealer a hauler, a chance to haul, to be precise, five Cadillacs instead of four Cadillacs and some other vehicle, the reason being that they didn't want to scratch the bumpers on the Cadillac so when you received a new Cadillac it would be spic and span.

Then of course everybody gets into the act and we all want five feet more. I asked one question at the hearing, if all of this meant, the weight and length, that the people of the State of Maine would get their freight cheaper. The person I asked the question to, immediately said, "Perhaps". And then he immediately said, "I'm not saying they will, but they might." There was one of the truckers who admitted that they

had decreased their cost of transportation of fuel oil in Aroostook County by 25 per cent, yet I have not heard anyone from Aroostook County say that they have received any reduction in their cost of fuel. I sincerely wonder just who this economy is helping.

I certainly hope that the motion to accept the Majority Ought to pass report does not prevail and I request a division.

Mr. MOORE of Washington: Mr. President, I have a question I would like to direct through the Chair to any member of the Highway or Transportation Committee who might be able to answer. I am under the impression at this time that the Highway Department now requests a certain permit to individuals who wish to move a certain length of load over the present Maine highways. I was wondering if anyone could give me the specific length, the minimum length which you can move over the highway. I believe it is fifty feet — anything over the fifty foot load, I am under the impression you have to have a special permit. Could anyone verify that fact?

The PRESIDENT: The Senator from Washington, Senator Moore, directs an inquiry through the Chair to any member of the Highway or Transportation Committee who may answer if they so choose.

Mr. MENDELL of Cumberland: The present law states 55 feet.

Mr. CAHILL of Somerset: Mr. President, when you get the 60 foot length, I am quite sure I am correct, I know that if you go over 60 feet, you require a police escort as well as a permit.

Mr. MOORE: Mr. President, was that 55 feet?

The PRESIDENT: The Chair understands that the answer given by Senator Mendell was 55 feet.

Mr. MOORE: Mr. President, I am to understand then that anything over 55 feet requires a state highway permit to carry over the Maine Highways. Is that correct?

The PRESIDENT: The Chair would inform the Senator that it is up to the other Senators to answer that.

Mr. CAHILL: Mr. President, I believe you can obtain a permit

to go from 55 to 60 feet and you do not require a police escort. Anything over 60 feet would require a police escort. I am quite sure of that.

Mr. HILTON of Somerset: Mr. President, I am opposed to any extra length in these vehicles. In my town we have a bridge which has been built since the early 1900's. Looking north on the bridge, it is difficult to see a vehicle coming down 201. You take these 60 foot vehicles or the 55's — I have been caught with them having to cut that corner so, to get on to that bridge and I'd be too far ahead for them, and the mills letting out and a whole line of cars behind you — I think 55 feet is enough on that kind of a road. I hope that the extra length is denied.

Mr. HARDING of Aroostook: Mr. President, on my calendar, it doesn't show the number of the new draft, and I would like to see that before we vote on this matter.

The PRESIDENT: The Chair would inform the Senate that the new draft is L. D. 1452.

The PRESIDENT: The motion before the Senate is the motion of Senator Mendell of Cumberland to accept the Majority Ought to pass in new draft report.

Thereupon, on motion by Mr. O'Leary of Oxford, the Senate Recessed for five minutes.

#### After Recess

The Senate was called to order by the President.

The PRESIDENT: The motion before the Senate is the motion of Senator Mendell of Cumberland to accept the Ought to pass in new draft report.

Mr. HARDING of Aroostook: Mr. President, this new draft incorporates a new concept and I wish it would be possible as far as I am concerned, to discuss this with some of the people in my bailiwick. I think there is possibly a motion that someone could make that would make this possible.

Thereupon, on motion by Mr. Hilton of Somerset, the bill was

tabled pending the motion of Senator Mendell of Cumberland to accept the Majority Ought to pass in new draft report; and was especially assigned for Tuesday next.

The PRESIDENT: The Chair at this time would like to recognize in the back of the Senate Chamber, the wife of one of our Senators, Senator Violette of Aroostook. Would Mrs. Violette please stand and be recognized this morning. (Applause).

The President laid before the Senate the 6th tabled and today assigned item (H. P. 763) (L. D. 1000) bill, "An Act Increasing Fees of Registers of Deeds"; tabled on April 28 by Senator Sproul of Lincoln pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

Senate Amendment A (S-169) was read and adopted, and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the 7th tabled and today assigned item (H. P. 261) (L. D. 331) House Reports from the Committee on Towns and Counties on bill, "An Act Relating to Compensation of and Per Diem Fees of Deputy Sheriffs"; Majority Report Ought to pass as amended by Committee Amendment A; Minority Report, Ought not to pass; tabled on April 29 by Senator Bernard of Penobscot pending acceptance of either report; and on motion by Mr. Smith of Cumberland, the bill was retabled and especially assigned for the next legislative day.

On motion by Mr. Stern of Penobscot, the Senate voted to take from the table the 41st tabled and unassigned item (S. P. 211) (L. D. 592) Senate Report, Ought to pass in new draft (S. P. 514) (L. D. 1486) from the Committee on Judiciary on bill, "An Act Providing for Additional Trial Term in Penobscot County"; tabled by

that Senator on April 27 pending acceptance of the report; and on further motion by the same Senator, the report was accepted, the bill in new draft read once.

The same Senator presented Senate Amendment "A" and moved its adoption.

Which amendment (S-162) was read and adopted and the bill as amended was tomorrow assigned for second reading.

On motion by Mr. Jutras of York, the Senate voted to take from the table the 44th tabled and unassigned item (H. P. 578) (L. D. 770) bill, "An Act Relating to Funeral Expenses of Recipients of Aid to the Aged, Blind or Disabled"; tabled by that Senator on April 28 pending assignment for second reading; and on further motion by the same Senator, the bill was read a second time and passed to be engrossed in concurrence.

Mr. MENDELL of Cumberland: Mr. President, may I inquire if L. D. 1489, H. P. 1093, bill, "An Act to Clarify the Motor Vehicle Laws" is in the possession of the Senate?

The PRESIDENT: The Chair would inform the Senator that it is, having been requested by the Senator.

Thereupon, on motion by Mr. Mendell of Cumberland, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed, and the same Senator presented Senate Amendment "A" and moved its adoption.

Which amendment (S-165) was read and adopted, and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Harding of Aroostook, the Senate voted to take from the table the 50th tabled and unassigned item (H. P. 825) (L. D. 1258) bill, "An Act Relating to Legal Fees in Court Proceeding for Benefits under Employment Security Law"; tabled by that Senator on April 28 pending adoption of House Amendment "A"; and the same Senator pre-

sented Senate Amendment "A" to House Amendment "A" and moved its adoption.

Which amendment (S-164) was read and adopted, House Amendment "A" as amended by Senate Amendment "A" was read and adopted, and the bill as amended was tomorrow assigned for second reading.

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On motion by Mr. Shiro of Kennebec, the Senate voted to take from the table the 19th tabled and unassigned item (S. P. 488) (L. D. 1451) bill, "An Act Relating to Discontinuance of Highways and Town and County Roads"; tabled by that Senator on April 13 pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed and sent down for concurrence.

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On motion by Mr. Norris of Oxford, the Senate voted to take from the table the 6th tabled and unassigned item (H. P. 396) (L. D. 508) House Reports from the

Committee on Claims on Resolve to Reimburse William Young of Alton for Well and Other Property Damage Resulting from Highway Construction; Majority Report Ought to pass in new draft same title (H. P. 1033) (L. D. 1402); Minority Report, Ought not to pass tabled by that Senator on March 19 pending motion by Senator Jutras of York to accept the Minority Ought not to pass report.

Thereupon, Senator Jutras of York withdrew his motion to accept the Minority Ought not to pass report; and on further motion by the same Senator, the Majority report, Ought to pass in new draft, was accepted, the bill in new draft read once and tomorrow assigned for second reading.

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The adjournment order having been returned from the House, read and passed in concurrence, the Senate

Adjourned until Tuesday next at ten o'clock in the morning.