

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

VOLUME II

1955

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, May 4, 1955

Senate called to order by the President.

Prayer by the Reverend S. George Bovill of Ellsworth.

Journal of yesterday read and approved.

Mr. Reid of Kennebec was granted unanimous consent to address the Senate.

Mr. REID of Kennebec: Mr. President and members of the Senate, it would seem that if we proceed in an orderly fashion, there is a good prospect that some time next week, certainly not later than the end of next week, we might conclude our duties for this session. With that in mind, I would like to suggest to the Senators the following: That we use most of the afternoon for executive session in those committees where there are bills not yet reported out, with the hope that they may be reported out this afternoon or as early thereafter as possible and come back in session at four o'clock.

I would read off the number of bills still remaining in committee:

Agriculture — 3
 Appropriations and Financial Affairs 80, and of course we all understand the reason for that.
 Business Legislation — 2
 Claims — 1
 Correctional Institutions — none
 Education — 1
 Highways — 22
 Inland Fisheries and Game — 3
 Judiciary — 5, and I can promise you that those will all be reported out this afternoon.
 Labor — 9
 Legal Affairs — 7
 Liquor Control — 1
 Natural Resources — 1
 Public Health — 1
 Public Utilities — 1
 Retirements and Pensions — 60, and we understand the reason for that.
 Sea and Shore Fisheries — 2
 Taxation — 1
 Towns and Counties — 10
 Transportation — 2
 Veterans and Military Affairs — 1
 Welfare — 1

I would like to suggest, Mr. President and members of the Senate that we do now recess for five minutes in order to enable the Chairmen of the various committees to write out messages to be sent forthwith to the House so that those messages can be read some time this morning in the House, announcing executive sessions sometime around 1:30 or 2:00 so that you may spend with your committee two or two and a half hours this afternoon in order to report out bills.

Mr. Boucher of Androscoggin was granted unanimous consent to address the Senate.

Mr. BOUCHER of Androscoggin: Mr. President and members of the Senate, with the consent of the Senator from Kennebec, Senator Reid, I would like to change the order of that system he wants to perform. I would like to have the meeting of the Senate at 1:30 and the committee meetings at 4 o'clock so that those of us who do go home could go home early, those of us whose committee work is finished, and the others could function just the same. With his consent I would like to change the order of things and have the Senate meet at 1:30 or 2:00 o'clock and the committees meet afterwards.

On motion by Mr. Reid of Kennebec

Recessed for five minutes.

After Recess

The Senate was called to order by the President.

The President appointed as Senate conferees of the Committee of Conference on the disagreeing action of the two Bodies with respect to An Act Relating to Pensions for Dependents of Deceased Firemen of the City of Lewiston (S. P. 413) (L. D. 1176)

Senators WOODCOCK of Penobscot
 MARTIN of Kennebec
 LESSARD of Androscoggin

The President appointed as Senate conferees of the Committee of Conference on the disagreeing action of the two Bodies with respect to An Act Relating to Pensions for Dependents of Deceased Policemen of

the City of Lewiston (S. P. 163) (L. D. 357)

Senators WOODCOCK of Penobscot
MARTIN of Kennebec
LESSARD of Androscoggin

Papers from the House

Bill "An Act Relating to Rules and Regulations of the Department of Inland Fisheries and Game", (S. P. 180) (L. D. 432)

In Senate on March 23, passed to be engrossed.

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Carpenter of Somerset, that Body voted to recede and concur.

Bill "An Act Relating to Election of Chairmen of State Committees of Political Parties". (H. P. 1128) (L. D. 1326)

In Senate on April 8, passed to be engrossed in concurrence.

Comes from House, passage to be engrossed reconsidered; House Amendment A (Filing 310) adopted; bill passed to be engrossed as amended by House Amendment A in non-concurrence.

In the Senate, on motion by Mr. Sinclair of Somerset, that Body voted to recede and concur.

Bill "An Act to Revise the Laws Relating to Loan and Building Associations." (S. P. 368) (L. D. 1064)

In Senate on April 28, passed to be engrossed as amended by Committee Amendment A (Filing 385).

Comes from the House, passed to be engrossed as amended by Committee Amendment A, and as amended by House Amendment A (Filing 401)

In the Senate, on motion by Mr. Cummings of Sagadahoc, that Body voted to recede and concur.

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Clarify the Liquor Laws." (S. P. 254) (L. D. 685) reported:

(1) That the House concur with the Senate in the indefinite postponement of House Amendment A.

(2) That the House adopt House Amendment B (submitted therewith).

(3) That the Senate adopt House Amendment B.

(4) That both branches pass the bill to be engrossed as amended by Committee Amendment A and House Amendment B.

Comes from the House, report accepted and the bill passed to be engrossed as amended by Committee Amendment A (Filing 173) and House Amendment B (Filing 406)

In the Senate, the Committee of Conference report was read and accepted and the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; House Amendment B was read and adopted in concurrence, and the bill as amended by Committee Amendment A and House Amendment B was passed to be engrossed in concurrence.

House Committee Reports Ought Not to Pass

The Committee on Highways on Bill "An Act Relating to the Relocation of Water Pipes in State and State Aid Highways." (H. P. 877) (L. D. 985) reported that the same Ought not to pass.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Agriculture on Bill "An Act Providing for a Bounty on Porcupines." (H. P. 1158) (L. D. 1376) reported that the same Ought to pass.

Comes from the House, recommitted to the Committee on Agriculture.

In the Senate.

Mr. FULLER of Penobscot: Mr. President, this bill was reported out of committee inadvertently. An Amendment is being prepared today which will enable the committee to report the bill out tomorrow. I move that the Senate concur with the House.

Thereupon, the bill was recommitted in concurrence.

The Committee on Claims on "Resolve in Favor of John J. McDonough of Westbrook." (H. P. 96) (L. D. 1511) reported that the same Ought to pass.

Which report was read and accepted in concurrence, resolve read once and tomorrow assigned for second reading.

The Committee on Judiciary on bill "An Act Relating to Standard Time." (H. P. 596) (L. D. 652) reported that the same ought to pass.

Which report was read and accepted in concurrence and the bill read once.

Mr. BOUCHER of Androscoggin: Mr. President, I would like to offer an amendment to this bill. I want to explain that the amendment is for the purpose of correcting the bill as far as the liquor industry is concerned. This bill is a little different from what we had before with so-called daylight time. This makes daylight time standard time now, so that legally it would be Eastern Standard Time at the fast time.

In order to protect the industry around summer resorts and other such places, following custom which we have used for years under fast time, they were allowed to stay open until midnight standard time and this amendment is for that purpose and only follows custom.

Mr. CRABTREE of Aroostook: Mr. President, it is a very real pleasure for me to find an area of thought in which the good Senator from Androscoggin and I are in entire agreement and I am in agreement with this amendment. It takes nothing away and adds nothing to the present situation and I am very glad to go along with Senator Boucher.

Thereupon, on motion by Mr. Boucher of Androscoggin, reading of Senate Amendment A was dispensed with, Senate Amendment A was adopted and under suspension of the rules, the bill as amended was given a second reading and passed to be engrossed.

Sent down for concurrence.

The PRESIDENT: The Chair would note at this time that at this point in the legislative sessions, it would be quite normal for the Chair to gavel under suspension of the rules bills in their first reading where there apparently is no objection. The effect of that is getting them to the engrossing department a day earlier.

Certainly the Chair does not intend to do that where there is any question and whenever the Chair does do that if there is any question

whatever, he will abandon that effort. It is only an attempt to get the bills down to the engrossing department which is a time consumer so far as the session is concerned.

Ought to Pass—N. D.—Same Title

The Committee on Transportation on Bill "An Act Relating to Overweight of Motor Vehicles." (H. P. 1115) (L. D. 1294) reported that the same Ought to pass in New Draft (H. P. 1212) (L. D. 1483), same title.

Mr. COLE of Waldo: Mr. President, in order that I may present an amendment, I move that this bill lie upon the table and be especially assigned for tomorrow.

The motion prevailed.

Ought to Pass—As Amended

The Committee on Labor on Bill "An Act Amending the Maine Employment Security Law as to Advisory Council." (H. P. 671) (L. D. 747) reported that the same Ought to pass with Committee Amendment A (Filing No. 387)

The Committee on Legal Affairs on Bill "An Act Creating a Board of Assessment Review for Town of Brunswick." (H. P. 1000) (L. D. 1148) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 390)

The Committee on Towns and Counties on Bill "An Act Increasing Certain Salaries in Androscoggin County." (H. P. 1050) (L. D. 1225) reported that the same Ought to pass as Amended by Committee Amendment A (Filing No. 368)

(On motion by Mr. Boucher, tabled pending acceptance of the report, and especially assigned for tomorrow.)

Which reports were severally read and accepted in concurrence and the bills read once. Committee Amendments A were read and adopted in concurrence, and, under suspension of the rules, the bills were given a second reading and passed to be engrossed as amended, in concurrence.

Majority — OTP
Minority — ONTP

The Majority of the Committee on Claims on recommitted "Resolve to

Reimburse George H. Morong of Portland." (H. P. 520) (L. D. 583) reported that the same Ought to pass.

(Signed)

Senators:

SILSBY of Hancock
LOW of Knox

Representatives:

ALDEN of Gorham
FULLER of China
JACK of Topsham
COTE of Madison

The Minority of the same Committee on the same subject matter reported that the resolve Ought not to pass.

(Signed)

Senator:

FOURNIER of York

Representatives:

COURTOIS of Saco
ANDERSON of Greenville
GETCHELL of Limestone

Comes from the House, reports and resolve indefinitely postponed.

In the Senate, on motion by Mr. Silsby, the resolve was indefinitely postponed in concurrence.

Mr. Crabtree of Aroostook presented the following order and moved its passage:

WHEREAS, the Joint Legislative Committee of the 97th Legislature on Education has become increasingly aware of the amount of research, work and time which Mr. Bion F. Jose, Town Manager of the Town of Milo, has devoted to the matter of a school subsidy plan, it is the purpose of this Joint Order to express to Mr. Jose their appreciation for the unusual effort which he has expended with the help and approval of the Town of Milo in this unselfish and public spirited work covering a period of many months; and

WHEREAS, Mr. Jose has on various occasions contacted educational leaders among the citizens of the State of Maine as well as the Department of Education, members of the State Board of Education and the Education Committee of the 97th Legislature in this work to insure that all phases of the complicated subject have complete consideration, it becomes increasingly evident that Mr. Jose has made a very real contribution to all of the citizens

of the State of Maine and to public school education; now, therefore,

BE IT ORDERED, the House concurring, that this 97th Legislature hereby expresses its deep appreciation to Mr. Jose for his most unusual effort in this matter and the Secretary of the Senate is hereby instructed to send a copy of this Joint Order to Bion F. Jose of Milo, Maine.

Mr. CRABTREE of Aroostook: Mr. President and members of the Senate, the Order explains itself but occasionally ones attention is called to a man who performs his duty and goes far beyond the call of duty and Mr. Jose of Milo, the Town Manager of Milo the past few years, has spent with the approval of the town of Milo a great many hours, days and weeks really, in attempting to formulate a subsidy plan. The fact that the Committee on Education did not feel it wise to accept that plan takes nothing away from the effort of this good man and his work in the respect of doing his duty as a citizen and it is only with that thought in mind that it seems to me that this 97th Legislature should express its thanks to a citizen who has given so much time to a very worth purpose.

A division of the Senate was had Twenty-nine having voted in the affirmative and none opposed, the Order received a passage.

Sent down for concurrence.

Senate Committee Reports Leave to Withdraw

Mr. Silsby from the Committee on Claims on "Resolve in Favor of Jim Adams, Inc. of Bangor." (S. P. 421) (L. D. 1170) reported that the same be granted Leave to Withdraw.

Which report was read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Parker from the Committee on Highways on "Resolve to Construct Part of East B Hill Road, Oxford County." (S. P. 443) (L. D. 1235) reported that the same Ought not to pass.

(On motion by Mr. Boyker of Oxford, tabled pending acceptance of the report.)

Mr. Butler from the Committee on Retirements and Pensions on

"Resolve Providing for an Increase in State Pension for Eunice Brackett of Clinton." (S. P. 197) reported that the same Ought not to pass.

Which reports were read and accepted.

Sent down for concurrence.

Ought to Pass—N. D.—Same Title

Mr. Fournier from the Committee on Claims on "Resolve Providing for Refund for Tobacco Tax Stamps." (S. P. 519) (L. D. 1414) reported that the same Ought to pass in New Draft (S. P. 565) (L. D. 1520), same title.

Which report was read and accepted, and under suspension of the rules, the resolve was given its two several readings and passed to be engrossed.

Sent down for concurrence.

Ought to Pass—N. D.—New Title

Mr. Jamieson from the Committee on Highways on Bill "An Act Repealing Obsolete Highway Laws." (S. P. 115) (L. D. 278) reported that the same Ought to pass in New Draft (S. P. 564) (L. D. 1521) and under a new title: "An Act Repealing Obsolete Highway Laws and Clarifying Project Completion Dates."

Which report was read and accepted and under suspension of the rules, the bill in new draft was given its two several readings and passed to be engrossed.

Second Readers

The Committee on Bills in the Second Reading reported the following bills and resolves:

House

"Resolve in Favor of Calais Armory Project." (H. P. 33) (L. D. 50)

"Resolve in Favor of Sanford Armory Project." (H. P. 87) (L. D. 98)

"Resolve in Favor of Westbrook Armory Project." (H. P. 88) (L. D. 99)

"Resolve in Favor of Fort Kent Armory Project." (H. P. 135) (L. D. 137)

"Resolve in Favor of Skowhegan Armory Project." (H. P. 336) (L. D. 377)

"Resolve in Favor of the Town of New Gloucester." (H. P. 573) (L. D. 633)

"Resolve in Favor of Houlton Armory Project." (H. P. 701) (L. D. 769)

"Resolve in Favor of Abigail D. Flynn, of Waldoboro." (H. P. 735) (L. D. 817)

Bill "An Act Increasing the Compensation of Aldermen of the City of Lewiston." (H. P. 933) (L. D. 1030)

Which were severally read a second time and passed to be engrossed in concurrence.

Bill "An Act Increasing the Salary of County Attorney of Franklin County." (H. P. 945) (L. D. 1048)

Which bill was read a second time.

Mr. Weeks of Cumberland presented Senate Amendment A and moved its adoption:

Senate Amendment A to L. D. 1048: "Amend said bill by striking out all of the title thereof and inserting in place thereof the following title: 'An Act Increasing Salaries of County Attorneys in Cumberland County and in Franklin County.' Further amend said bill by inserting before the headnote in the first line thereof the following: 'Sec. 1.' Further amend said bill by adding at the end thereof the following: 'Sec. 2. R. S. c. 89, Sec. 114 Amended. That part of Section 114 of chapter 89 of the revised statutes which relates to the salary of the County Attorney of Cumberland County is hereby amended to read as follows: 'Cumberland—\$4500.'"

Which amendment was adopted and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

Bill, "An Act to Incorporate the Town of Harpswell Neck." (H. P. 282) (L. D. 266)

Which bill was read a second time.

Mr. WYMAN of Aroostook: Mr. President and members of the Senate, I want to offer Senate Amendment A to L. D. 266, and move its adoption and in this connection I would say it pertains to the disposition of the town records of the town of Harpswell and both the opponents and proponents of the bill have agreed on the amendment.

The Secretary read the amendment: Senate Amendment A to L. D. 266: "Amend said bill by striking out all of Section 6 and inserting in place thereof the following section: 'Sec. 6. Town records. The books and papers and records of the town of Harpswell shall be retained by said town of Harpswell, but the town of Harpswell Neck shall have access to the same.' "

Which amendment was adopted and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

Bill, "An Act Increasing Salaries of County Officials of Penobscot County." (H. P. 1226) (L. D. 1507)

Which was read a second time and on motion by Mr. Farris of Kennebec, was laid upon the table pending passage to be engrossed.

"Resolve Classifying Road from Rockwood to Jackman as State Highway." (H. P. 1124) (L. D. 1322)

Which was read a second time.

Mr. BUTLER of Franklin: Mr. President, I move that this resolve be laid upon the table pending engrossing.

Mr. PARKER of Piscataquis: Mr. President, through the Chair I would like to ask if the Senator from Franklin, Senator Butler would state specific time that he would take this from the table.

The PRESIDENT: The Senator has heard the question and may answer if he wishes.

Mr. BUTLER of Franklin: Mr. President, I would move that it be assigned for later in today's session.

Thereupon, the resolve was laid upon the table pending passage to be engrossed and was especially assigned for later in today's session.

The PRESIDENT: The Chair would again note that if there are items to be tabled and if the Senators realize it as they are being read, it will greatly assist our efficient Assistant Secretary if the tabling motion could be made as the bills are given their second reading.

Bill, "An Act Increasing Salaries of County Officers of Oxford County." (H. P. 1054) (L. D. 1229)

(On motion by Mr. Boucher of Androscoggin, tabled pending passage to be engrossed.)

"Resolve in Favor of Auburn Armory Project." (H. P. 1059) (L. D. 1232)

"Resolve in Favor of Harold B. Gross, of Waldoboro." (H. P. 736) (L. D. 1437)

Bill, "An Act Relating to Pari Mutuel Pools at Harness Horse Race Meets." (H. P. 1222) (L. D. 1496)

Bill, "An Act Relating to Records for Running Horse Race Meets." (H. P. 1223) (L. D. 1497)

Bill, "An Act Relating to Discontinuance of Vaughan Bridge and Approaches Thereto as a Public Way." (H. P. 1225) (L. D. 1506)

Which were severally read a second time and passed to be engrossed in concurrence.

House — as Amended

Bill, "An Act Relating to Salary of Judge of Probate of Androscoggin County." (H. P. 565) (L. D. 613)

Bill, "An Act Relating to Funeral Expenses for Recipients of Old Age Assistance." (H. P. 571) (L. D. 631)

Bill, "An Act Relating to the Employment of Females." (H. P. 1173) (L. D. 1411)

Which were severally read a second time and passed to be engrossed, as amended, in concurrence.

Senate

Bill, "An Act Relating to the Reorganization of the State Board of Arbitration and Conciliation." (S. P. 559) (L. D. 1515)

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

Senate — as Amended

Bill, "An Act Revising the Laws on Civil Defense and Public Safety." (S. P. 159) (L. D. 353)

Bill, "An Act Providing for Pocket Supplements to the Revised Statutes." (S. P. 406) (L. D. 1120)

"Resolve to Purchase Additional Sets of the Revised Statutes of 1954." (S. P. 407) (L. D. 1121)

Which were severally read a second time and passed to be engrossed, as amended.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed, the following bills and resolves:

Bill "An Act Relating to Salary of Judge of Probate in Cumberland County." (S. P. 277) (L. D. 707)

An Act Increasing Salary of Sheriff of Cumberland County (S. P. 234) (L. D. 570)

An Act relating to Records of Unattended Deaths and Injection of Embalming Fluids Under Medical Examiner's Law (S. P. 399) (L. D. 1113)

An Act Clarifying Certain Sea and Shore Fisheries Laws (H. P. 165) (L. D. 156)

An Act relating to Construction of Entrances to Highways (H. P. 253) (L. D. 238)

An Act to Clarify Laws Relating to Bang's Disease (H. P. 286) (L. D. 299)

An Act relating to Employment of Minors (H. P. 306) (L. D. 282)

An Act to Amend the Bracket Schedule in the Sales and Use Tax Law (H. P. 564) (L. D. 612)

An Act relating to Motor Trucks Hauling Wood, Pulpwood, and other Forest Products (H. P. 952) (L. D. 1055)

An Act to Amend the Charter of the City of Bath (H. P. 1045) (L. D. 1220)

An Act relating to Blinker Lights on Plowing and Sanding Units (H. P. 1086) (L. D. 1247)

An Act relating to Rules and Blanks of the Courts of Probate (H. P. 1122) (L. D. 1320)

An Act to Incorporate the Westbrook Sewerage District (H. P. 1211) (L. D. 1382)

Resolve Authorizing Kenneth H. Boyington and Ernestine Y. Boyington of South Portland to Sue the State of Maine (S. P. 527) (L. D. 1455)

Resolve Providing for a Fish Screen at the Outlet of China Lake, in the Towns of China and Vassalboro, in the County of Kennebec (S. P. 549) (L. D. 1490)

Which bills were severally passed to be enacted and the resolves finally passed.

An Act Providing for the Uniform Trust Receipts Act (S. P. 438) (L. D. 1211)

On motion by Mr. Reid of Kennebec, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed; and on further motion by the same Senator, the bill was laid upon the table pending passage to be enacted and was especially assigned for later in today's session.

An Act Relating to Interstate Water Pollution Control (S. P. 450) (L. D. 1242)

On motion by Mr. Collins of Aroostook, the bill was laid upon the table pending passage to be enacted.

An Act Relating to Publication of Specimen Ballots (S. P. 464) (L. D. 1308)

On motion by Mr. Collins of Aroostook, the bill was laid upon the table pending passage to be enacted.

An Act Providing for Group Life Insurance for State Employees and Teachers (S. P. 525) (L. D. 1429)

On motion by Mr. Collins of Aroostook, the bill was laid upon the table pending passage to be enacted.

An Act Relating to Legal Investments of a Town's Sinking Fund (H. P. 178) (L. D. 185)

On motion by Mr. Cummings of Sagadahoc, the bill was laid upon the table pending passage to be enacted.

An Act Relating to Investment of Municipal Trust Funds (H. P. 408) (L. D. 455)

On motion by Mr. Cummings of Sagadahoc, the bill was laid upon the table pending passage to be enacted.

Resolve in favor of the Richmond, Maine, Camp Grounds of the Church of the Nazarene (H. P. 91) (L. D. 102)

On motion by Mr. Collins of Aroostook, the resolve was laid upon the table pending final passage.

Resolve to Reimburse Town of Washington for Support of Certain

State Paupers (H. P. 1192) (L. D. 1459)

On motion by Mr. Collins of Aroostook, the resolve was laid upon the table pending final passage.

Emergency

Bill "An Act Relating to Legal Obligations of the Town of Eddington School District." (S. P. 557)

Which bill, being an emergency measure, and having received the affirmative vote of 29 members of the Senate and none opposed, was passed to be enacted.

Emergency

Bill "An Act Relating to Determination of Physical Disability by Department of Education." (H. P. 979) (L. D. 1127)

Which bill, being an emergency measure, and having received the affirmative vote of 29 members of the Senate and none opposed, was passed to be enacted.

Orders of the Day

The President laid before the Senate the first tabled and especially assigned matter being Senate Reports from the Committee on Transportation: Majority Report, "Ought to Pass"; Minority Report; "Ought not to pass" on bill, "An Act Relating to Weight of Commercial Vehicles" (S. P. 452) (L. D. 1271) tabled on April 28 by the Senator from Waldo, Senator Cole, pending acceptance of either report.

Mr. COLE of Waldo: Mr. President, may I request that the Secretary read the reports.

The Secretary read the endorsements on the bill.

Mr. COLE of Waldo: Mr. President, I move that the Majority Report be accepted and I would like to speak to the motion. No one could logically dispute the simple fact that increased weight limits would make more efficient truck transportation. Resulting in reduced transportation costs to Maine shippers whether they haul their own produce or hire it hauled—a higher gross weight puts them in a more favorable competitive position in out of state markets; also more efficient from the angle of public policy, since the same amount of freight would be carried by less vehicles,

offset by a higher per vehicle registration fee.

L. D. 1271 would permit trucks to weigh up to 10,000 pounds more than the present 50,000 pound limit providing they had an extra axle. Thus part of this increase would be consumed by the addition of a 2000 pound tandem axle unit with 4 tires, making a total of eight; and part in a heavier engine to haul extra weight. But the additional braking and tire surface would result in more safety—always an important consideration these days when everybody seeks the answer to highway safety.

The question probably uppermost in everybody's mind and rightly so, when every session we consider highway finances and reconstruction is, "What would be the effect of this extra weight on the highways of this state?"

Some time ago L. D. 878, a similar bill, was introduced and as a House member of the Interstate Cooperation Commission, I was quite concerned because of this particular bill which didn't concern extra weight which I think we all should consider. So I contacted the engineers having in regard a uniformity of our truck laws due to the fact it was so much interstate, and they came up with this draft which is, I think identical to the laws in 38 other states. This being scientifically preferable to L. D. 878. The engineers explained that on this basis, the so called bridge formula now in effect in New York and Connecticut, and pending before the New Hampshire legislature, as its name implies protects bridges as they are now being designed by engineers.

You don't have to be an engineer to understand that adding an extra axle spreads the load over more wheels and imparts less weight through any one wheel to a given point on the highway. Under the present law, when you add one axle to a straight truck, making a ten wheel truck, you can haul 12,000 pounds more gross load. We are only asking the same consideration be given to an extra axle on a tractor or semi trailer, but we are only asking 10,000 pounds additional gross load.

Much talk has been made in this connection relative to our present

axle limit of 22,000 lbs. It is only fair to point out that all the northeastern states—New England, New York, New Jersey, Pennsylvania, Delaware, Maryland and District of Columbia—permit axle loads of this type. It is no coincidence that these states are adjoining and concentrated in one area. Economic conditions and our glaciated subsoil both justify and demand higher axle loads.

It is significant that the roads of New England have been carrying the heavier axle loads for many years, in some cases more than 25 years, with no premature deterioration. The fact that these states, including Maine, permit the higher axle loads is based up on an understanding by the highway engineers and the state legislatures of the basic economic, highway and traffic conditions involved.

But, whatever the verdict on the present axle limit, L. D. No. 1271 would further encourage the use of lighter axle loads, since no axle closer than 10' apart may weigh over 18,000 lbs., nor can the whole tandem weigh over 32,000 lbs., an average of 16,000 lbs.

The purpose behind L. D. No. 1271 is obvious—to encourage the use of tandem axles! Whereas L. D. No. 878 only deals with loads in excess of 50,000 lbs., L. D. No. 1271 changes the whole scale of weight limits down to a vehicle with only 14' between any group of axles. From there on up to the maximum length, 4-axle vehicles with same wheelbase are permitted as 38 other states to carry an average of 7500 lbs. more than 3-axle vehicles.

At the hearing on L. D. No. 878 a State Highway engineer said he was more concerned with axle limits than with the overall gross weight limit. It would be unrealistic and financially foolish to even consider changing the state axle limit now. No other state in this part of the country is even considering it, and Maine's motor transportation, both private and for-hire, is geared to it. But, in the meanwhile, what better way to effect the gradual transition of all truck trailers into these safer units, which are easier on the highway, than to pass this bill.

Many shippers testified at the hearing that they were entirely de-

pendent on trucks; others, that they had to have the flexibility of trucks to compete in out-of-state markets. A vote for L. D. 1271 is a vote for safety, the more efficient use of modern truck transportation equipment that's now offered our shippers, reduced road surface wear per wheel and a progressive and forward-looking incentive to our farmers and our industries.

Mr. President, I ask that when the vote is taken it be taken by division.

Mr. SILSBY of Hancock: Mr. President and members of the Senate, I think we are all mindful of our highway condition and the duty we are under to protect our highways and I am not an engineer and cannot talk the language of the engineers and probably many of you are likewise. But we must use our good common sense and I am interested wholly and totally in preserving the highways of this state and nothing else. I say to you, and to each of you, is it possible that you can increase the limits on the highways of the state of Maine, ten thousand pounds, that is, from fifty thousand to sixty thousand and not cause some particular damage or more strain on our highways? I think that answer is obvious. It has got to take more out of our roads and is bound to cost more for maintenance and repairs.

Now, I have looked into this matter rather carefully and I think you all have had some sort of Highway report. I believe it is under the date of March 31, 1955 when they wrote an explanation of engineering data in regard to L. D. 1179 and 1271. And if you have that in your possession I call your attention in particular to the paragraph where it says: "L. D. 1271 shows the effect of the increase in the gross vehicle weight from fifty thousand to sixty thousand pounds. It will be noticed that increasing the gross weight to sixty thousand pounds will have an adverse effect as compared to those vehicles not included in the 1951 law."

I also have here some information from an authority on Highway engineering and I refer to Professor Charles R. Breed of the Massachusetts Institute of Technology and to the memorandum he prepared on

March 28, 1955 in respect to this bill and this was prepared in conjunction with his associate, Associate Professor Alexander J. Bone and he points out that at present, Maine law is unusually liberal in the favor of heavy trucks in that it permits a maximum axle load of twenty-two thousand pounds. In this respect, the American Association of State Highway Officials recommend a maximum axle load of 18,000 pounds or two tons less than now permitted in Maine and this 18,000 pound recommendation has been adopted in 34 states of this nation. Five other states permit axle load of over 18,000 pounds but not over 20,000. Three states, including Maine, permit 22,000 pounds. Six states permit 22,400.

He points out also that we are fully aware that Maine has severe conditions of moisture and frost, probably as bad as any in the United States and considerably worse than in most states and that heavy wheels loads are particularly damaging on highways subject to such conditions and especially during periods of thaw and periods of heavy rain.

The significance of this is that if Maine had a limitation of 18,000 pounds for a single axle, then any truck trailer combination, carrying a gross weight in excess of 44,000 pounds would be obligated to have 4 axles instead of 3. That is important and also that any Maine trucker that carried more than 44,000 pounds gross weight is breaking the weight law when he enters any one of the 34 states in this country which has the 18,000 single axle weight law.

The tandem axle it is true, does distribute weight over a greater surface than does a single axle, but the tandem axle does not as is sometimes claimed, solve the problem of pavement failure. Application of 2 closely spaced axle loads causes a greater total deflection of the pavement than a single axle load.

Now taking this memorandum which was prepared in April, 1955 by the State Highway Commission and which is addressed to the Committee on Transportation, you will see that in the 11 northeastern states

on a 4 axle truck tractor semi-trailer outfit, that some of the states permit a gross weight load of only 40,000 pounds and that the average in the 11 state area is only 55,300 or 4,700 pounds less than asked for in this bill, and I might add and stress that for some unknown reason, the weight laws in the 11 northeastern states are the most liberal in the nation.

The State Highway Commission's comments are directed only to the state system. I call your attention to the fact that 50 per cent of the total mileage of all roads in the state consist of town ways and that these heavy trucks will be just as free to travel over those town ways and bridges as they are the state highways. We all know the present condition of those highways. Here is a bill that will benefit a very small percentage of our motoring public, the owners of about 6,300 trucks out of a total of 302,000 vehicles registered last year. We are now asked to unleash these 6,300 vehicles with an added weight of 5 tons and do so in the face of convincing evidence that they are going to do untold damage to the highways.

Now there are, as you have read, and I would like to quote for just a moment an editorial from the Lewiston Sun in which it says:

"The bill approved by the legislative Transportation committee last week, allowing increased weights of trucks and trailers, will cost Maine millions of dollars if enacted. We can't help wondering if the advice of the State Highway Commission was sought before the committee acted. It is incredible to us that the commission, knowing the damage done to highways by big trucks and trailers, would have approved increasing the current maximum weight from fifty thousand pounds to sixty thousand pounds as the bill provides.

"There is also this thought which may impress some members of the Legislature. Road building is growing more expensive year by year because highways must now be constructed to hold up these huge vehicles at all seasons of the year. It must be obvious that it will cost more to build roads capable of standing up under weights of 30

tons than if the 25 ton limit were maintained. When this bill comes up for debate, we would like to see someone arise in the House and ask its members if they wish to legislate more damage to our highways."

I also have here an editorial which appeared in the Sun and I will quote one sentence: "This truck and trailer bill is potentially dangerous". Let me say to you what is this bill accomplishing? Who is it helping? We all know that probably the rates of the truckers are predicated on its capacity to carry certain products and do you believe that the public in the State of Maine will get any less amount for their rates. Isn't it a fact that the extra five tons is practically greater and should we as citizens of this state and in the interest of our highways and in the interest of our people who patronize the trucking associations permit a five ton more weight when the only additional expense would probably be a little more for their gas and a little more for their oil.

I am sure that this is a bad bill and I urge you all that it should not pass and we should keep our limit at 50,000 pounds until such times as the highways are ready to take on the additional five tons.

Mr. BUTLER of Franklin: Mr. President, I rise in support of the Senator from Hancock, Senator Silsby. It is inconceivable to me looking back on April 19 when we at that time accepted an ought not to pass report to permit farmers to haul their farm products over our highways and if we looked around behind us on that date we would not have seen any group of people so desirous of putting that legislation upon the books as we are today.

If you will go through the bills which are before the highway committee and if you will review in your own mind that which we have characterized as dire and needy cases on our highways, you cannot help but realize if you are going to increase the load limit, you will increase the damage. And if you will review the particular resolves here before us by the towns, you will be decidedly aware that the roads are being damaged. If you will review the bills before us relative to the

character and purpose of the Highway Commission where we have consistently been trying to stymie them from doing what we told them to do, you will see that this piece of legislation is directly contra to what we originally intended to set up for this program. I hope that when the vote is taken, we can keep aware of the overall picture and not be swayed by the immediate issue.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate: Like all of you, I was seriously concerned as to what the damage might be to our highways with the enactment of such a bill. I have checked as far as possible with the engineers and frankly I am not too much convinced that it is going to create any great damage to the highways. The opinions seem to be fairly well divided. But I cannot help but be concerned, and I think all of us who have had the experience of driving on our highways and being held up on the curves and hills and grades due to the slow-moving speed of our trucks—I cannot help but feel that when we permit the extension of even five feet in length on these trucks that are traveling our highways that we are creating another danger to our highway operators and riders. Certainly we have seen in recent years the expanding problem of national safety and highway safety, and it well could be that just extending the trucks an additional five feet could mean the difference between life and death where the motoring public is concerned. For that reason, just as a safety factor, I shall support Senator Silsby's stand on this measure.

Mr. WEEKS of Cumberland: Mr. President, I too rise in support of the position taken by the Senator from Hancock, Senator Silsby, and I feel that the remarks made by him are unanswerable. I will add only one thing to what has been presented at the moment. I had an opportunity during the winter to confer with representatives from all the New England States on this very important problem of truck weights, truck lighting and axles and axle loads, and it was the consensus of opinion of all of the representatives of the states that there was no question about it that there would be severe

damage done to our highways and particularly in the State of Maine where our standards of construction possibly do not measure up to the standards of other states. We do have a road problem and I know it is going to be severely handicapped by further weights on the highway. I am particularly concerned with the remarks of the Senator from Kennebec, Senator Farris, about the danger of the increasing length. I am also informed by truckers in the State that they are not prepared at the moment to meet competition that would come from out-of-state truckers and that they would be severely handicapped for the time being at least and severely damaged in their financial condition by being forced to spend large sums of money to meet the competition. I sincerely hope that the motion of the Senator from Hancock, Senator Silsby will prevail.

The PRESIDENT: The question is on the motion of the Senator from Waldo, Senator Cole, that the Senate accept the majority "Ought to pass" report of the committee.

The Chair recognizes the Senator from Waldo, Senator Cole.

Mr. COLE: Mr. President and members of the Senate: I feel very humble as a small layman from a country town debating this issue with at least three of our top trial lawyers and I realize I am at a very great disadvantage. However, I will try to answer the Senator from Hancock, Senator Silsby that his editorial in regard to the truck weights is ill-advised because they do not take into consideration the extra axle and by including this extra axle you are decreasing your weight more than you are on the bills that passed in 1951, the so-called "farm bill" and the "pulp and paper bill."

Now Mr. Whitney has gotten out a very fine report on the effective weights on bridges, and this particular bill will do less damage than the present 50,000 pound limit would on the highways. For instance, on a bridge that has a span of fifty feet, taking an H-05 as a basis of 100 per cent, your pulpwood and tractor bill would increase this to 178 per cent as compared to 136 per cent on this measure, so I think their arguments there are not true.

In answer to the Senator from Kennebec, Senator Farris: Who does this help? This helps 95 per cent of the industry of the State of Maine.

Now in our hearings there were at least twenty or twenty-five different groups from every business in the State of Maine that were for this increase. Now who is opposed to it? Just one group, and that is the group that is in competition with the truckers. Now I realize that they have a right to oppose it and lobbied for it very heavily. I wonder why? Can't they meet competition, or what are they afraid of? I am certainly sold on the fact that this bill will help industry in the State of Maine especially the broiler industry and the potato industry in Aroostook County. In my own particular county the broilers have done much for our citizens and have brought in a weekly payroll in an amount that we never expected. It has done much for other counties in the state and it is broadening into almost every county in the State of Maine.

Now the railroads do get a good percentage of the broiler business; all the grain that is brought in is brought by the railroads and we are thankful that we have them to do this for us. But it is not feasible to use the railroads to ship out finished broilers; they must be transported over the highways quickly to our markets in the south and shipping them by rail would be almost impossible, in fact the railroads are not adapted to picking up this stuff. The same is true in Aroostook County on potatoes. At this very moment trucks are coming into Aroostook County and paying cash for potatoes, and due to the weakness of the market the growers do not dare to ship them by rail but they can clean up and clean up well by sending all these potatoes by trucks, or at least some of them.

Now in regard to the increased length: we are increasing the length in this bill only three feet and a half. I am sure you would all agree that three feet and a half is not a danger to any vehicle. As the law now reads, forty-five feet is the limit, but they do allow a tolerance of a foot and a half for the tail-gate. In this par-

ticular bill there is no allowance, whatever, fifty feet is the maximum length.

The Senator from Kennebec, Senator Farris, said, "Do we want these trucks on the highways that are so very hard to pass on the hills"? I say: "Do we want this State to be entirely Vacationland for visitors or do we want to help encourage industry?" I am sure that I am one of those who are willing to go along with revamping the Maine Development Commission. I think we need to help industry. We are spending money for that purpose and we have for the past years spent money to help industry. And now Senator Farris says they should be off the road because we cannot pass trucks on a hill. I think that is a weak argument.

Now in regard to the Breed-Bone brief, as was told to us by Senator Silsby it is true as stated in the Breed-Bone brief, that on April 1, 1946 the American Association of State Highway Officials adopted a set of recommendations including a recommended axle load of 18,000 pounds. It should be borne in mind, however, that this was a recommendation for the entire country, and necessarily took into account factors and considerations which do not necessarily apply to Maine.

It is no coincidence that these states are adjoining and concentrated in one area. Economic conditions and highway conditions both justify and demand the higher axle loads permitted in this area. The tremendous economy of this great area is geared intricately to highway transportation, and the motor trucks operating in these states have been carefully adapted to the needs and highway conditions of the area.

It is also significant that the roads of New England have been carrying the heavier axle loads for many years, in some cases more than 25 years, with no premature deterioration.

Against this knowledge and experience, the Breed-Bone statement offers partial and slanted facts gleaned from a road test conducted in the State of Maryland where the subsoil is very poor.

Highway Engineers generally were so certain that no broad generaliza-

tion could be made about all types of pavements such as was conducted down there in Maryland that they did not report on anything other than a concrete pavement. Research is now being made on black-top pavement in Idaho, and several other types pavement.

The authors, Breed and Bone, further continue by making statements about tandems that are based on the data concerning poor subgrade which they quoted about the single axles. It may be seen that if one follows this thinking and talks about the good subgrade instead of the bad, there would likewise be no damage to pavements resulting from the operation of tandems. If 30,000 pound single axles and 60,000 pound tandem axles do not cause distress on pavements on good subgrade, we question the cause for concern about 22,000 pound single axles which we have now, and even more the concern about 32,000 pound tandem axles. What this all boils down to is a confirmation of what Maine highway engineers have known for years. A pavement laid on good subgrade is little affected by axle loads, and pavements laid on plastic, water-soaked soils will fall under any axle load, 22,000, 18,000 or anything else.

It is interesting to note that in 1951, following the conclusion of the Maryland Road Test, there was a concerted attempt by some interests to institute an 18,000 pound axle load limit in the State of Maryland. Extensive legislative hearings were held in which the issues were debated and the findings of the Maryland Road Test were discussed and demonstrated with very extensive visual aids. After weighing all the evidence, the Maryland Legislature decided that not only should the 22,400 pound axle weight limit effective in the state be retained, but the "bridge formula" should be increased from 750 (L plus 40) to 850 (L plus 40).

Members of the Senate, I hope that the majority report is accepted.

Mr. SINCLAIR of Somerset: Mr. President and members of the Senate: I rise in support of the motion of my good fellow - Senator from Waldo, Senator Cole, primarily because I see the majority "Ought to pass" report came out of committee

with a nine to one vote. I have listened to the arguments here this morning, but I feel that this Committee on Transportation must have given this bill considerable thought and must have gone into axle weights, road limits and so forth and must have weighed all the evidence of the proponents and the opponents very carefully before they came out with a majority "Ought to pass" report, and therefore I shall support the motion of the Senator from Waldo, Senator Cole.

Mr. FULLER of Oxford: Mr. President and members of the Senate: I will be brief, but there is one comment that I would like to make in behalf of this bill and that is the growing problem that agriculture is facing because of the abandonment of branch-line railroads, and this perhaps would be a humble answer to the question as to whom might be benefited. It does seem that the opportunity to have trailer trucks to carry the increased load provided would be of distinct advantage to the farmers who are producing the truck garden crops as well as those who are raising apples. For that reason, I want to support the motion of the Senator from Waldo, Senator Cole.

Mr. COLLINS of Aroostook: Mr. President, I speak only as a layman as opposed to the opinions of the legal group, but the Senator from Waldo did mention Aroostook County and we do know that transportation is very vital to Aroostook County because it must carry the products from the county to market.

I think that the position of my constituents in Aroostook County is almost evenly divided: I have had reports and requests from both sides as to the merits of this particular measure, so that I fear I have to rely upon my own judgment and my own judgment is based on traveling the road between Augusta and Caribou most every week. I remember quite well a stretch of road there between Macwahoc and Houlton, a distance of some forty-four miles, in which the road, which is perfectly smooth in the summer-time, does not have a base that is sufficient, in my mind, to carry greater loads than the law now provides. It is for that reason,

because the great bulk of the transportation of potatoes and other products, products of the forest, have to come down over that stretch of road, that I believe it would be detrimental at this time and until the roads are in such condition as to carry the extra load, to approve the increase from 50,000 pounds to 60,000 pounds.

Mr. CRABTREE of Aroostook: Mr. President, it is odd and somewhat heartbreaking to find Aroostook divided, because we have no charters or anything to bother us and it is unusual, but inasmuch as my good friend Senator Collins has voiced his opinion it seems that I am almost forced to voice mine.

I too have heard from the people back home by telephone calls last night, and unlike Senator Collins' constituents they do not seem to be evenly divided. I seem to have a mandate from the potato growers of Aroostook, or that is my opinion. Therefore, taking due consideration of the statements we have heard this morning, plus the desires and wishes from the people back home whom I have heard from directly, I am going to support this measure and Senator Cole's motion.

The PRESIDENT: The Chair with some hesitancy at this time for the first time in the session will read Senate Rule 4: "The President, when he speaks to any member of the Senate, and the members, when referring to each other in debate, shall use in their addresses the title of senator, and by way of distinction name the county in which he resides."

Mr. SILSBY of Hancock: Mr. President and members of the Senate: I feel duty-bound to answer the Senator from Waldo, Senator Cole, in one particular. I am not concerned with the competitive aspects of this bill or other parties involved; it doesn't concern me in any particular and I am sure it doesn't concern any member of the Senate, but I want to call your attention to one matter which I think is very, very important. I think I can say without fear of contradiction that when we legislate in this body or any other body of this legislature that we are many times prompted by what we know are the

proven needs and I say to you: Is there any that the truckers have an increase of five tons? I will follow along with the dictates of your conviction. Should we saddle the people of this state with additional expense by submitting our highways as they are now constructed to five more tons? What benefit are the people as a whole, the majority of them, going to get out of it?

The PRESIDENT: The question before the Senate is on the motion of the Senator from Waldo, Senator Cole, that the Senate accept the majority "Ought to pass" report of the committee. The Senator from Waldo, Senator Cole, has asked for a division. Is the Senate ready for the question?

As many as are in favor of the motion of the Senator from Waldo, Senator Cole, that the Senate accept the majority "Ought to pass" report of the committee will rise and stand until counted.

A division was had. Nineteen having voted in the affirmative and eleven in the negative, the motion prevailed.

The bill was thereupon given its first reading and tomorrow assigned for second reading.

The PRESIDENT: The Chair lays before the Senate the second tabled and specially assigned matter (S. P. 167) (L. D. 364) Senate Reports from the Committee on Public Utilities on Bill "An Act Relating to Valuation of Property of Public Utilities for Fixing Rates," Report "A"—"Ought to pass—New Draft" "A"—Same title; Report "B"—"Ought to pass—New Draft" "B", same title, tabled on April 28th by the Senator from Kennebec, Senator Martin pending acceptance of either report, and the Chair recognizes the Senator from Kennebec, Mr. Martin.

Mr. MARTIN of Kennebec: Mr. President and members of the Senate, one of my committee colleagues, the Senator from Androscoggin, Senator Lessard, has asked that the debate on this matter be temporarily deferred, and out of respect for his wishes I will move that this matter be retabled and specially assigned for Friday, May 6th.

The PRESIDENT: The Senator from Kennebec, Senator Martin, moves that the bill and accompany-

ing papers be laid on the table pending acceptance of either report and be specially assigned for Friday next. Is this the pleasure of the Senate?

The motion prevailed and the bill was so tabled and specially assigned.

The PRESIDENT: The Chair lays before the Senate the third tabled and specially assigned matter, (H. P. 411) (L. D. 458) House Reports from the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Right of Officer to Kill Dogs," Majority Report "Ought to pass as amended by Committee Amendment 'A'"; Minority Report, "Ought not to pass," tabled on May 3rd by the Senator from Somerset, Senator Carpenter, and the Chair recognizes that Senator.

Mr. CARPENTER of Somerset: Mr. President, this bill, L. D. 458, "An Act Relating to Right of Officer to Kill Dogs," first I would like to read the bill:

"Any officer may kill any dog that he finds hunting, chasing, killing, wounding or destroying any moose, caribou, deer or elk at any time or any other wild animal in closed season or worrying, wounding or killing any domestic animal."

Now the amendment that is proposed is for the purpose of defining "enclosure." "For the purposes of this section 'enclosure' shall mean kennel, kennel-run or fenced-in area in which the dog is ordinarily confined. 'Immediate care' shall mean that the dog shall be close enough to the owner or keeper so that he can exercise and control the dog."

I do not like the bill and I do not like the amendment, and I will briefly state why I do not.

According to this bill, if a dog was found chasing a squirrel or a woodchuck or any animal across my field and his owner was not there and if the officer was present he would have the right to shoot the dog. That seems to me to be a little vicious legislation.

Many of you people here who have hunted behind hunting dogs know that occasionally when you are in the field, if you happen to be in deer territory they will occasionally bolt and get away from you and sometimes be gone at least half or three-

quarters of an hour. This doesn't too often happen and if an officer was there and found the dog had jumped a deer he would have a right to kill the dog.

I might cite a personal experience of my own some weeks ago. I own a couple of hunting dogs and on Monday night I let them out of the kennel for a short run. One of the dogs did not show up Monday night and I left Tuesday morning and called my home that night and the dog still had not showed up. I was quite concerned because he was what I term a fairly valuable dog. Going home from Augusta on Thursday night, half way between Augusta and Skowhegan, we discovered the dog along the road. How he ever got there I don't know, I presume he wandered away from home. It is the first instance I have ever known of him doing it.

I was relating this experience to a friend of mine and this friend said, "Perhaps he was on his way down to Augusta to help legislate some laws." I said, "That could be possible." He said, "Perhaps he could do almost as good a job as some of the legislators down there." I couldn't quite agree with that, gentlemen. However, he is a very intelligent dog.

I certainly do not want to go on record as favoring a bill of this type where it might mean some sportsman who had a valuable dog or some child who had a dog valuable to him that it might be killed by an officer just because of chasing perhaps a cat across someone's lawn. I think we have present regulations on our statutes that take care of any situation where any game warden or any officer finds a dog chasing or killing deer or moose or any wild animal. For this particular reason, while I dislike to go against my good friend, the Senator from Penobscot, Senator Hillman, I do hope that his motion does not prevail and when the vote is taken I request a division.

Mr. HILLMAN of Penobscot: Mr. President and members of the Senate: I think my good friend from Somerset, Senator Carpenter, is a little confused in regard to this bill. He talks about a dog chasing cats,

and the present law we now have on our statute books says "An officer may kill any dog which he finds chasing, killing, wounding or pursuing any moose, caribou, deer or elk at any time or any other wild animal in closed season, or worrying, wounding or killing any domestic animal." Now the officer already has that right. The only thing we want to do is to clarify the word "enclosure" and the words "immediate care."

It is my feeling that it was the intention of the legislature when they passed our present law on the right of an officer to kill dogs, that by "enclosure" they meant an enclosure of a type that would restrain a dog's freedom.

There is a point of law involved in that under common law a strand of wire around a farm constitutes an enclosure.

It is not the intention of the Warden Service to shoot dogs that may chase a deer a short distance, but the Service does feel that this law should be clarified by defining "enclosure" and "immediate care." This proposed change in the law would not affect the administration of the law in the slightest. It does not take care of an argument used by some attorneys that has proven to be expensive both for the Department of Inland Fisheries and Game and for dog owners. I mentioned one of these cases yesterday.

I have checked with the Warden Service and so far this spring they have knowledge of 73 deer that have been killed by free-running dogs. This would represent only a small portion of the total kill since it is impossible for the Warden Service to be aware of every deer lost in this way. Probably the most agonizing phase of this picture to people who are sincere in their desire to conserve and protect the deer herd is that the majority of the deer killed in this manner are does carrying unborn fawns—deer heavy with young and unable to outrun their pursuers. We have heard much about the bobcat, but in comparison to a free-running dog the bobcat is a clean killer. One bite behind the skull and the deer is dead and can be eaten at his leisure. With the dogs however—and any

warden will bear me out on this—the deer is dragged down from behind and the flesh torn from the living body.

The resolve which we have before us would certainly go far towards alleviating this situation. It does not in any way change the intent of the present law—it just clarifies the law by defining “enclosure” and “immediate care.” Surely no fair-minded dog owner sincerely interested in the welfare and conservation of the State’s wildlife would object to this.

Mr. President and members of the Senate, I hope my motion of yesterday to accept the majority report of the committee prevails.

Mr. HALL of York: Mr. President and members of the Senate: I want to go along with the motion of the Senator from Penobscot, Senator Hillman, and I hope that the “Ought to pass” report is accepted.

Mrs. LORD of Cumberland: Mr. President, I feel that I must speak against this bill. As a former owner of fox-hounds and bird dogs I realize that it is the nature of a bird dog or a hound to want to get away and to run, that is their nature, and I think it is wrong for the officer to shoot the dog without warning the owners of the dog.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Hillman, that the Senate accept the majority “Ought to pass” report of the committee.

Mr. CHAPMAN of Cumberland: Mr. President, as I understand this bill there are actually two elements to it, one relating to the feature of enclosure, in other words the fencing-in of an area in which the dog is permanently kept, and the other relates to the matter of care and supervision of a dog out in the field. I have a question which I would like to direct to the Senator from Penobscot, Senator Hillman, which he may answer if he cares to on behalf of the sponsors of the bill. The question is this: If this bill should receive passage by the vote to be taken are the sponsors willing to accept an amendment which will eliminate that feature of the bill relating to the immediate care and supervision?

The PRESIDENT: The Senator has heard the question and may answer if he wishes.

Mr. HILLMAN of Penobscot: I will answer that question with what authority I have. This is a department bill as I mentioned before, but I am absolutely aware of the objection you have, Senator Chapman, and I am sure that we could go along with that request and delete that part of the bill.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Hillman, that the Senate accept the Majority Ought to pass report. Is the Senate ready for the question?

A division of the Senate was had. Twenty having voted in the affirmative and twelve in the negative, the motion prevailed, the ought to pass report was accepted, the bill read once, Committee Amendment A was read and adopted and the bill was tomorrow assigned for second reading.

On motion by Mr. Lessard of Androscoggin, all bills that were passed to be engrossed in the Senate this morning, were sent forthwith to the engrossing department.

Mr. CHAPMAN of Cumberland: Mr. President, understanding that the Senate has in its possession a resolve relating to the temporary investment of state funds report in pursuance of Joint Order of yesterday, I would like to request the Secretary to read the report.

The SECRETARY: Senator Chapman of Cumberland, from the Committee on Appropriations and Financial Affairs, pursuant to Joint Order passed in the Senate on May 3rd and in the House on May 4, reported “Ought to pass” on bill “An Act Relating to Investment of Temporary State Funds.”

Which report was read and accepted and the bill read once and under suspension of the rules, the bill was given its second reading, passed to be engrossed and sent forthwith to the House.

The President laid before the Senate, the 4th tabled and especially assigned matter being bill, “An Act Relating to Delivery of Motor Vehicles Sold by State on Bids” (H.

P. 488) (L. D. 533) tabled by the Senator from Cumberland on May 3 pending passage to be enacted; and on motion by that Senator, the Senate voted to reconsider its former action whereby the bill was passed to be engrossed.

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

Senate Amendment A to Committee Amendment A to L. D. 533. "Amend said amendment by striking out in the 6th and 7th lines thereof the underlined words 'and shall be delivered to such purchaser within 14 days after such bid has been accepted by the state.' Further amend said amendment by inserting before the underlined words 'this section' in the 7th line thereof the following underlined sentence 'specific terms of delivery and terms of interim usage prior to delivery shall be stated to the prospective purchaser prior to the time that the state accepts any bid and such terms shall be complied with by agents or employees of the state having control of the disposition of such motor vehicle or vehicles after any such bids have been accepted.'"

Which amendment was adopted.

Committee Amendment A as amended by Senate Amendment A was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Reid of Kennebec, the Senate voted to take from the table bill, An Act Providing for the Uniform Trust Receipts Act (S. P. 438) (L. D. 1211) tabled by that Senator earlier in today's session pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

Senate Amendment A to L. D. 1211: "Amend said bill by striking out in the 4th line of subsection 5, Section 5, the underlined word 'along' and inserting in place thereof the underlined word 'alone.'"

Which amendment was adopted and the bill was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Cummings of Sagadahoc, the Senate voted to take from the table Senate Report from the Committee on Legal Affairs "Ought to pass" on bill, "An Act Creating the MacMahan Island Village Corporation" (S. P. 253) (L. D. 694) tabled by that Senator on March 15 pending consideration of the report; and on further motion by the same Senator, the report was accepted, the bill read once and Committee Amendment A read and adopted.

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

Senate Amendment A was adopted without reading and under suspension of the rules, the bill as amended by Committee Amendment A and by Senate Amendment A was read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Reid of Kennebec

Recessed until three o'clock this afternoon, E.S.T.

After Recess

The Senate was called to order by the President.

The President laid before the Senate, L. D. 1322, Resolve Classifying Road from Rockwood to Jackman as State Highway (H. P. 1124) (L. D. 1322) tabled earlier in today's session by the Senator from Franklin, Senator Butler, pending passage to be engrossed.

Mr. BUTLER of Franklin: Mr. President and members of the Senate: This is not a very important bill. Apparently it has met with everybody's approval in going along; it just simply does exactly what it pretends to do, and that is we were dissatisfied with what the Highway Commission was doing so two years ago we thought we would try to straighten that matter out and we decided that we would try to have a highway program maintained, but this year we somehow got the "Gimmes" and these "Gimmes" are getting the best of us and this is only the first "Gimme." That is why it is not very important. It is like the itch. You know it kind of starts in and it can get worse or it may be stopped.

Now if you are really going to get into the situation there are many bills for these little insignificant things which are going to come up and which are asking to be classified. Some localities have come down and have made those requests and those requests have apparently met with the approval of the committee because this one is here before us. So we want to stop and think. Are we satisfied fundamentally with the principle of what we have? Do we want the Highway Commission to try to set up a system of roads or do we want to go in and try to tell that Highway Commission just what to do.

Now the last time we were down here we had quite a little to do with wine, wine took up all our time, we had a lot of crises on wine, we heard an awful lot about wine and we were getting quite dissatisfied with what the Liquor Commission was doing. This year we are getting pretty well dissatisfied with what the Highway Commission is doing or is not doing, so we want to take something home and this is the first "Gimme" coming in. This is where we are asking to have a little road changed into the State-aid system. It was only on that account that I tabled the measure so we could be assured if that is what we want to do so that after we have gone home we cannot go back and say, "Well, I am very sorry but we just haven't got the program that we planned, things didn't go right down there." They don't go right because we are not making them go right, and this is only one instance of where we are going to start stepping in and nibbling away at what we ask the Highway Commission to do and then not being satisfied with it.

I move the indefinite postponement of the bill.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate: For the information of the members and the good Senator from Franklin County, this is not designating a State-aid road, this is already a designated State-aid road, and the purpose of this bill that was heard before the Highway Committee was to change its classification as a State-aid road to a State Road.

There have been four bills before the Highway Committee on four

different roads asking for State classification, to make the change from State-aid to State. The committee in this particular case voted "Ought to pass" eight to two, and I will give you some of the reasons from the evidence presented that in my estimation they voted this way.

First, there was no opposition at the hearing to so classify this road. This road starts at Rockwood in Somerset County and goes to Jackman in Somerset County and it leads into a road that comes down into Greenville in Piscataquis County. At the hearing it was brought out that this road should be so designated because of its value as an exit in case of atomic warfare. One of the points that was stressed is that this is an alternate road rather than going down through The Forks in Bingham, that this would leave another route or exit in case of atomic warfare. The condition of the road is such at the present time that it is not suitable for real heavy traffic that would become necessary in the case that I have just mentioned.

I believe many of us also are aware of the fact that if you are out of the State of Maine and see any literature on Vacationland and tourist camps in the State of Maine the one outstanding area is always Moosehead Lake. The camp owners in this area were there in large numbers at this hearing. They indicated the millions of dollars that are invested in this area in the tourist business. At the close of the hearing and when this was taken up in executive session it was voted eight to two "Ought to pass." I think this is something that if the Highway Committee and the members of the Legislature feel it is of such importance that it should be passed that we are in a position to and should assume that responsibility. Certainly I am not and I do not want to be classed as one that would in any way try to hurt the program of the Highway Commission. My whole thought in this matter is that the Highway Committee came out strongly for this bill and I think it is my duty to defend their position.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Franklin, Senator Butler, that the resolve be in-

definitely postponed. Is the Senate ready for the question?

Mr. BUTLER of Franklin: Mr. President, when the vote is taken I ask for a division.

Mr. SINCLAIR of Somerset: Mr. President and members of the Senate: I am going to disagree a little bit with the Senator from Franklin, Senator Butler, that this is something somebody wants to take home. I think it is a rather important highway coming down from Canada. I know we are trying to attract and bring in new customers for the State of Maine, tourist business and so forth. If you will look at your map you will see that this road coming down from Canada comes into Jackman and we have a road from Jackman over to Rockwood, the Moosehead Lake Region and on to Greenville. We have another road coming from Jackman down through Bingham and down through Skowhegan. This road going across the upper part of Somerset County is important enough, in my estimation to be classified a State Highway because it will open up eventually—it is not being asked at this time at all—but it will open up that particular area around Moosehead Lake which features some of the greatest hunting and fishing and scenic places in the State of Maine.

I hope that the motion of the Senator from Franklin, Senator Butler, does not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Franklin, Senator Butler, that the resolve be indefinitely postponed.

A division of the Senate was had.

Two having voted in the affirmative and twenty-six in the negative, the motion did not prevail.

Thereupon, the resolve was passed to be engrossed, in concurrence.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table bill, "An Act Relating to Open Season on Deer Throughout the State." (S. P. 324) (L. D. 890) tabled by that Senator on April 26 pending passage to be engrossed.

Mr. CARPENTER of Somerset: Mr. President and members of the Senate, this is an act for open season on deer presented by myself. At a committee meeting we held this

afternoon, it was the unanimous vote of the committee to leave the deer law as is throughout the entire state. For that reason, and I do not think there is anyone who would have any objection, I will move indefinite postponement of the bill.

A viva voce vote being had,

The motion prevailed and the bill was indefinitely postponed.

Sent down for concurrence.

Mr. BOUCHER of Androscoggin: Mr. President, I would like to inquire what is the status at the present time of L. D. 1225 which is item 11 on page 2 of today's calendar.

The Secretary read the endorsements on bill, "An Act Increasing Certain Salaries in Androscoggin County." (H. P. 1050) (L. D. 1225)

Reported out of committee, "Ought to pass."

Comes from the House the report accepted and the bill as amended passed to be engrossed.

In the Senate on May 4 tabled by the Senator from Androscoggin, Senator Boucher pending acceptance of the report and especially assigned for May 5.

Thereupon, that Senator was granted unanimous consent to take the bill from the table and on motion by the same Senator, the ought to pass report of the committee was accepted and the bill read once. Committee Amendment A was read and adopted.

Mr. Boucher of Androscoggin presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A:

Senate Amendment A to L. D. 1225: "Amend said bill by adding at the end thereof the following section: 'Sec. 7., r.s., c. 89, Sec. 114, Amended. That part of Section 114, chapter 89 of the revised statutes which relates to the salary of the County Attorney and the Assistant County Attorney of Androscoggin County is hereby amended to read as follows: 'Androscoggin \$4,000. County Attorney \$3,000.'"

Thereupon, on motion by Mr. Wyman of Washington, the bill and accompanying papers were laid upon the table pending motion of the Senator from Androscoggin, Senator Boucher that Senate Amendment A be adopted.

On motion by Mr. Cole of Waldo, the rules were suspended and bill, "An Act Relating to Weight of Commercial Vehicles" (S. P. 452) (L. D. 1271) was given its second reading and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Parker of Piscataquis, the Senate voted to take from the table House Reports from the Committee on Highways: Majority Report, Ought not to pass; Minority Report, Ought to pass on "Resolve Designating Road from Fort Kent to Allagash Plantation as a State Road" (H. P. 889) (L. D. 997) tabled by that Senator on April 29 pending acceptance of either report.

Mr. PARKER of Piscataquis: Mr. President, this is one of these other three resolves calling for the designation of a State-aid road to State Road. It is in Aroostook County and is from Fort Kent to Allagash Plantation. I yield to the Senator from Aroostook, Senator Jamieson.

Mr. JAMIESON: Mr. President and members of the Senate: I think that this resolve is just as essential to Aroostook County as the resolve for the classification of the road from Rockwood to Jackman as a State Highway. It has about double the traffic and there is only about twelve miles of the road that is not tarred, and the Great Northern and the International Paper Company are going up in there and they will spend a lot of money up in there for help and the provisions they have to buy and repairs for their trucks and things of that kind.

I move that the minority "Ought to pass" report be accepted.

The PRESIDENT: The Senator from Aroostook, Senator Jamieson, moves that the minority "Ought to pass" report of the committee be accepted.

The Chair recognizes the Senator from Franklin, Senator Butler.

Mr. BUTLER of Franklin: Mr. President and members of the Senate: This seems to be a ball-game; first they will pass the ball from one to the other and a majority will come out to accept the report and then they will run an end-run around and the other end of the committee will take up the minority report, and

they still don't call it "Gimme, take-homee." No matter what you call it, you are turning around and you are invading the planned program of the State Highway Department, and by doing this we are simply loading the State and we are leaving the towns with the consent of the Highway Committee because they are passing the ball. I do not expect that the majority report will be adhered to and that most likely the minority report will be accepted, but I make the motion that when the vote is taken it be by a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Jamieson that the minority report be accepted.

A division of the Senate was had.

Sixteen having voted in the affirmative and thirteen in the negative, the motion prevailed, the Ought to pass report was accepted in non-concurrence and under suspension of the rules the resolve was read twice and passed to be engrossed in non-concurrence.

Sent down for concurrence.

Out of order and under suspension of the rules—

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

Emergency

Bill, "An Act Relating to Investment of Temporary State Funds." (S. P. 567)

Which bill, being an emergency measure, and having received the affirmative vote of 30 members of the Senate and none opposed was passed to be enacted.

On motion by Mr. Butler of Franklin, the Senate voted to take from the table House Report from the Committee on Retirements and Pensions "Ought not to pass" on "Resolve Providing for an Increase in State Pension for Elizabeth Kavanaugh of Millinocket" (H. P. 560) tabled by that Senator on March 23 pending acceptance of the report; and on further motion by the same Senator, the report was accepted in concurrence.

On motion by Mr. Boucher of Androscoggin, the Senate voted to take from the table bill, "An Act

Increasing Salaries of County Officers of Oxford County" (H. P. 1054) (L. D. 1229) tabled by that Senator earlier in today's session pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed in concurrence.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table bill, "An Act Increasing Salaries of County Officials of Penobscot County." (H. P. 1226) (L. D. 1507) tabled by that Senator earlier in today's session pending passage to be engrossed and that Senator presented Senate Amendment A.

Mr. FARRIS of Kennebec: Mr. President, at this time I offer Senate Amendment A and will briefly explain that all the amendment does is to change the title to include fees as well as salaries in the title and put another provision on the Kennebec and Penobscot County fee bill that fees shall be paid only to county officers receiving salaries or per diem pay.

Thereupon, Senate Amendment A was adopted without reading and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Cole of Waldo the Senate voted to take from the table Senate Report from the Committee on Legal Affairs: "Ought not to pass" on bill, "An Act Relating to Payments by Northport Village Corporation to Town of Northport." (S. P. 164) (L. D. 358) tabled by that Senator on March 15 pending consideration of the report.

Mr. COLE of Waldo: Mr. President, I think now that both parties will resolve their differences within the next year and therefore I move acceptance of the ought not to pass report.

The motion prevailed and the ought not to pass report was accepted.

Sent down for concurrence.

On motion by Mr. Chapman of Cumberland, the Senate voted to take from the table bill, "An Act Relating to Fees of Bail Commissioners" (H. P. 484) (L. D. 529) tabled by that Senator on March 10 pending passage to be engrossed;

and that Senator presented Senate Amendment A and moved its adoption.

The Secretary read the amendment:

Senate Amendment A to L. D. 529. "Amend said bill by striking out all after the enacting clause and inserting in place thereof the following: 'R. S., c. 126, s. 35, amended. The last sentence of the first paragraph of section 35, chapter 126, of the revised statutes is hereby amended to read as follows: 'Such bail commissioner shall receive not exceeding the sum of \$5.00 in each case in which bail is so taken, the same to be paid by the person so admitted to bail but the person admitted to bail shall not be required to pay any other fees or charges to any officer for services connected with the getting of such bail provided, however, that if a bail commissioner takes bail after eight o'clock P.M. and prior to eight A.M. of the following day he shall be permitted to receive a charge of up to \$10 for the occasion of taking such bail but said charge shall not be in addition to the charge in each case otherwise authorized in this section but shall be inclusive of such charge or charges.'"

Mr. CHAPMAN of Cumberland: Mr. President, I would like to make just a brief explanation of what this amendment is.

A bill was reported out of the Committee on Judiciary earlier in the session the effect of which was to raise the bail commissioner's fee to ten dollars, and the reason advanced for that was that bail commissioners are frequently called upon to come down and set bail in the middle of the night and it seemed that five dollars, which is your present statutory maximum, was a little inadequate. As far as that particular argument is concerned, I think all the members of the legal profession so agree, but some of us had the feeling that ten dollars a case just willy-nilly without any relationship to daytime or night-time or a ten-dollar charge as such might lead to abuses because it means that a person locked up on two or three minor charges might have to pay twenty or thirty dollars to have his bail taken. Therefore, in order to preserve the objective of the original

bill and at the same time being fair to those who are incarcerated but against whom charges have not yet been proven or who have not been found guilty this amendment was prepared which says that bail commissioners are entitled to receive ten dollars for going to take bail in the night-time, but will still have five dollars on each case on which they give bail, but that the ten-dollar maximum shall include it.

It seems like a rather minor matter, but this is rather a fair proposition as it now stands and seems to be agreed upon by responsible members of the Legal Affairs Committee.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Chapman that the Senate adopt Senate Amendment A.

The motion prevailed, Senate Amendment A was adopted and the bill as amended was passed to be engrossed in non-concurrence.

Sent down for concurrence.

On motion by Mr. Jamieson of Aroostook, the Senate voted to take from the table bill, "An Act Amending the Maine Employment Security Law as to Disqualifications for Benefits." (S. P. 412) (L. D. 1181) tabled by that Senator on April 19 pending adoption of Committee Amendment A; and on further motion by the same Senator, Committee Amendment A was indefinitely postponed and that Senator presented Senate Amendment A and moved its adoption.

The Secretary read Senate Amendment A:

Senate Amendment A to S. P. 412, L. D. 1181, Bill, "An Act Amending the Maine Employment Security Law as to Disqualifications for Benefits."

Amend said Bill in the 12th and 13th lines by striking out the underlined figure and words "10 weeks in addition to the waiting period" and inserting in place thereof the underlined words 'not less than 7 nor more than 14 weeks in addition to the waiting period of one week'

Further amend said Bill in the 7th line of Sec. 2 by striking out the underline figure and word "10 weeks" and inserting in place thereof the underlined words 'for not less

than 7 nor more than 14 weeks in addition to the waiting period of one week'

Further amend said Bill by striking out all of Sections 4 and 5.

Further amend said Bill in the next to the last line by striking out the underlined figure "\$400" and inserting in place thereof the underlined figure '\$300'

Further amend said Bill by renumbering "Sec. 6." to be 'Sec. 4'

Which amendment was adopted and under suspension of the rules, the bill was read a second time and passed to be engrossed as amended.

Mr. FARRIS of Kennebec: Mr. President, may I inquire as to whether the Secretary has in his possession L. D. 957?

The PRESIDENT: The Chair would inquire if it is on today's calendar?

Mr. FARRIS: No, Mr. President. I believe it was definitely assigned for tomorrow morning.

The PRESIDENT: The Chair will state that L. D. 957 is in the possession of the Senate.

Mr. FARRIS: Mr. President, out of order and under suspension of the rules, I would move that this matter be taken from the table.

The PRESIDENT: The Senator from Kennebec, Senator Farris, asks unanimous consent that L. D. 947, "An Act to Clarify the Employment Security Law," which was tabled and specially assigned for the next legislative day be taken from the table at this time. Is there objection to the request? The Chair hears none and the bill is taken from the table.

The Chair recognizes the Senator from Kennebec, Senator Farris.

Mr. FARRIS: Mr. President, since this was first called back after engrossment for reconsideration everything seems to have been ironed out as far as the controversies between interested parties representing employers and interested groups representing employees, and in order that an amendment may be offered to L. D. 957 I will now support the motion of the Senator from Aroostook, Senator Jamieson, that we do reconsider our previous action.

The PRESIDENT: The question

before the Senate is on the motion of the Senator from Aroostook, Senator Jamieson, that the Senate reconsider its action whereby the bill was passed to be engrossed. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Aroostook, Senator Jamieson.

Mr. JAMIESON of Aroostook: Mr. President, may I ask through the Chair of the Senator from Kennebec, Senator Farris, if he is agreeable to tabling this until tomorrow morning?

The PRESIDENT: The Senator from Kennebec, Senator Farris has heard the question and may answer if he so desires.

Mr. FARRIS of Kennebec: Mr. President, I would like at this time, if it is in order, to offer an amendment to L. D. 957.

The PRESIDENT: It is certainly in order.

Thereupon, Mr. Farris of Kennebec presented Senate Amendment A and moved its adoption.

The Secretary read the amendment:

Senate Amendment A to L. D. 957.

Amend said bill by striking out in the next to the last line of the third paragraph from the end of Sub-section 6 of Section 7 the underlined words "not to exceed" and inserting in place thereof the underlined words 'of not less than three months nor more than'

Thereupon, on motion by Mr. Jamieson of Aroostook, the bill and accompanying papers were laid upon the table pending motion of the Senator from Kennebec, Senator Farris that the Senate adopt Senate Amendment A; and the bill was especially assigned for tomorrow.

Mr. PARKER of Piscataquis: Mr. President, I understood this morning that I held the leading role in the number of bills that I had on the table. I am doing my best today to not hold that position. I now wish to take from the table Item 23 on Page 10.

The PRESIDENT: The Senator from Piscataquis, Senator Parker, moves to take from the table the 23rd tabled and unassigned matter, (H. P. 356) (L. D. 394) "Resolve Providing for Construction of a Substitute Road in Howland," tabled by

that Senator on April 8th, pending consideration. Is this the pleasure of the Senate?

The motion prevailed.

Mr. PARKER of Piscataquis: Mr. President and members of the Senate: This is L. D. 394, and if you care to check in your legislative document file you will find that this is a resolve providing for construction of a substitute road in the town of Howland. This is an enabling act that will allow the State Highway Commission, the Penobscot County Commissioners and the Inhabitants of the town of Howland to act as a joint board under the provisions of Section 108 to 116 of Chapter 23 which is, I am sure you will find if you look it up, the Bridge Act whereby a town and county and the State may construct a bridge.

As I have mentioned, this is an enabling act to allow these three interested parties to use money that would be necessary in the construction or rebuilding a bridge on a piece of road leading out of Howland that the inhabitants of that area, as evidenced by them at the hearing, wish to construct as a substitute on high land by these bridges and in that way serve that area much better than reconstruction of one of these bridges which is in very bad condition at the present time as we understood. This calls for no funds; it is simply a necessary act of the legislature which will allow these three interested parties to do something that in their mind and the minds of the Commission and the County Commissioners who were represented at our hearing, allows them to do something which in their opinion should be done in this case.

Mr. President, I move the pending question. I do not know just what the status of the bill is at the present time.

The PRESIDENT: Possibly the Senator from Piscataquis, Senator Parker, would move that the Senate insist upon its former action and ask for a committee of conference, the House having indefinitely postponed the measure.

Mr. PARKER: I so move, Mr. President.

The PRESIDENT: The Senator from Piscataquis, Senator Parker, moves that the Senate insist upon

its former action whereby the bill was passed to be engrossed and ask for a committee of conference. Is this the pleasure of the Senate?

The motion prevailed.

On motion by Mr. Reid of Kennebec,

Adjourned until nine o'clock E.S.T. tomorrow morning.