

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Tuesday, April 1, 1969

Senate called to order by the President.

Prayer by Rev. Fr. Raymond Laframboise of Lewiston.

Reading of the Journal of yesterday.

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

Bill, "An Act Relating to Reasonable Counsel Fees Under Uniform Act on Paternity." (H. P. 635) (L. D. 823)

In the House March 18, 1969, Passed to be Engrossed as Amended by Committee Amendment "A" (H-99).

In the Senate March 26, 1969, Indefinitely Postponed.

Comes from the House, that Body Having Insisted and asked for a Committee of Conference.

On motion by Mr. Logan of York, the Senate voted to Insist and join in a Committee of Conference.

Joint Order

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to determine the feasibility of establishing a Maine Youth Commission; and be it further

ORDERED, that the Committee report the results of its study at the next special or regular session of the Legislature. (H. P. 1098)

Comes from the House Read and Passed.

Which was Read.

On motion by Mr. Hoffses of Knox, placed on the Special Legislative Research Table.

Joint Resolution

Mr. Anderson of Hancock presented the following Resolution and moved its adoption:

STATE OF MAINE
SENATE
104TH LEGISLATURE
IN THE YEAR OF OUR
LORD ONE THOUSAND NINE
HUNDRED AND SIXTY-NINE
IN MEMORIAM

WHEREAS, we are deeply grieved by the death of General Dwight David Eisenhower the thirty - fourth President of the

United States of America and truly a great American; and

WHEREAS, the spirit of his firm but compassionate leadership shall forever remain in the hearts of all peace - loving people throughout the world; and

WHEREAS, his every act reflected an inspiring sense of enduring devotion to duty, to honor and to country long to be cherished by all free men; and

WHEREAS, in his passing, not only the people of this State, but a nation of states and a world of nations, have suffered, as history will record, an irreparable loss; now, therefore, be it

RESOLVED: the House of Representatives concurring, that the Legislature stand and tender a moment of silent prayer and upon adjourning this day, it do so out of respect to the memory of our beloved General Dwight D. Eisenhower; and be it further

RESOLVED: that a copy of this joint resolution, suitably engrossed, be transmitted to the family of the deceased. (S. P. 422)

Which was Read and Adopted and, under suspension of the rules, sent down forthwith for concurrence.

**Committee Reports
House**

Change of Reference

The Committee on State Government on Resolve, Proposing an Amendment to the Constitution Granting Home Rule Powers to Municipal Corporations. (H. P. 712) (L. D. 926)

Reported that the same be referred to Committee on Legal Affairs.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

Leave to Withdraw

The Committee on Inland Fisheries and Game on Bill, "An Act Relating to Daily Limit of Trout Taken from Inland Waters of Aroostook County." (H. P. 117) (L. D. 133)

Reported that the same be granted Leave to Withdraw.

The Committee on Inland Fisheries and Game on Resolve, Relating to Fly Fishing and Bag Limit on Robbins Pond, Aroostook County. (H. P. 234) (L. D. 290)

Reported that the same be granted Leave to Withdraw.

The Committee on Claims on Resolve, to Reimburse Charles L. Thompson of Kittery for Damage by Highway Construction. (H. P. 261) (L. D. 337)

Reported that the same be granted Leave to Withdraw.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in Concurrence.

Ought Not to Pass

The Committee on Inland Fisheries and Game on Bill, "An Act Repealing Law Permitting Acquisition of Land for Game Management Areas." (H. P. 730) (L. D. 948)

Reported that the same Ought Not to Pass.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought to Pass - As Amended

The Committee on State Government on Bill, "An Act Relating to Special Offices for Indian Tribes." (H. P. 395) (L. D. 505)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-126).

The Committee on Liquor Control on Bill, "An Act Relating to Definition of Hotel Under Liquor Law." (H. P. 700) (L. D. 900)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-115).

The Committee on State Government on Bill, "An Act Relating to Naming the Bridge Between Cousins Island and Yarmouth Mainland." (H. P. 870) (L. D. 1113)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-127).

The Committee on Natural Resources on Bill, "An Act Concerning the Administration and Program of the New England Interstate Water Pollution Control

Commission." (H. P. 906) (L. D. 1167)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-125).

Come from the House, the reports Read and Accepted and the Bills Passed to be Engrossed as Amended by Committee Amendments "A".

Which reports were Read and Accepted in concurrence and the Bills Read Once. Committee Amendments "A" were Read and Adopted in concurrence and the Bills, as Amended, tomorrow assigned for Second Reading.

The Committee on Legal Affairs on Bill, "An Act to Grant a Charter to the Town of South Berwick." (H. P. 66) (L. D. 85)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-122).

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-122), as Amended by House Amendment "A" (H-137) thereto.

Which report was Read and Accepted in concurrence and the Bill Read Once. Committee Amendment "A" was Read. House Amendment "A" to Committee Amendment "A" was Read and Adopted in concurrence. Committee Amendment "A" as Amended by House Amendment "A" thereto was Adopted in concurrence and the Bill, as Amended, tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on Liquor Control on Bill, "An Act Concerning the Liquor Laws." (H. P. 702) (L. D. 902)

Reported that the same Ought to Pass.

Signed:

Senators:

CONLEY of Cumberland

BERRY of Cumberland

BOISVERT of

Androscoggin

Representatives:

CHANDLER of Orono
 STILLINGS of Berwick
 TANGUAY of Lewiston
 LEIBOWITZ of Portland
 COUTURE of Lewiston

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

Signed:

Representatives:

HICHENS of Eliot
 FAUCHER of Solon

Comes from the House, the Majority Ought to Pass Report Read and Accepted and the Bill Passed to be Engrossed.

Which Reports were Read.

(On motion by Mr. Hoffses of Knox, tabled pending Acceptance of Either Report.)

Senate**Ought Not to Pass As Covered By Other Legislation**

Mr. Katz for the Committee on Education on Bill, "An Act Requiring that 1966 State Valuations be Used in Computing Foundation Program Subsidies for Administrative Units." (Emergency) (S. P. 65) (L. D. 187)

Reported that the same Ought Not to Pass as Covered by Other Legislation.

Which report was Read and Accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Stuart for the Committee on Education on Bill, "An Act Relating to Financing School Administrative Districts." (S. P. 331) (L. D. 1130)

Reported that the same Ought Not to Pass.

Which report was Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Martin for the Committee on Towns and Counties on Bill, "An Act to Authorize Cumberland County to Raise Money for Court House Capital Improvements." (S. P. 307) (L. D. 1000)

Reported that the same Ought to Pass.

Which report was Read and Accepted, the Bill Read Once and tomorrow assigned for Second Reading.

Ought to Pass - as Amended

Mr. Stuart for the Committee on Education on Bill, "An Act Relating to School Lunch Programs." (S. P. 236) (L. D. 709)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-57).

Which report was Read and Accepted and the Bill Read Once. Committee Amendment "A" (S-57) was Read and Adopted and the Bill, as Amended, tomorrow assigned for Second Reading.

Divided Report

The Majority of the Committee on Inland Fisheries and Game on Bill, "An Act Relating to Hunting Muskrat, Mink and Otter in Cumberland and Sagadahoc Counties." (S. P. 222) (L. D. 662)

Reported that the same Ought to Pass in New Draft Under New Title: "An Act Relating to Hunting Mink in Cumberland, Lincoln and Sagadahoc Counties." (S. P. 421) (L. D. 1416)

Signed:

Senators:

HOFFSES of Knox
 ANDERSON of Hancock
 MARTIN of Piscataquis

Representatives:

GAUDREAU of Lewiston
 ROCHELEAU of Auburn
 BOURGOIN of Fort Kent
 KELLEY of Southport
 LEWIN of Augusta

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

Signed:

Representatives:

PORTER of Lincoln
 THOMPSON of Belfast

Which Reports were Read.

On motion by Mr. Hoffses of Knox, the Majority Ought to Pass in New Draft Under New Title Report of the Committee was Accepted, the Bill in New Draft Read Once and tomorrow assigned for Second Reading.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Bill, "An Act Repealing the Porter's Landing Water District." (Emergency) (H. P. 1091) (L. D. 1383)

Which was Read a Second Time and Passed to be Engrossed in concurrence.

House - As Amended

Bill, "An Act Extending Time for Relocating of Maine Central Railroad Tracks in Livermore Falls." (Emergency) (H. P. 668) (L. D. 855)

Which was Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

Senate

Bill, "An Act Relating to Time of Filing Security Interests Under the Uniform Commercial Code." (S. P. 377) (L. D. 1287)

Which was Read a Second Time.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, it has come to my attention that an amendment is necessary to make this proposed statute conform to the existing statute and, having spoken on the measure, I wondered if my good friend, Senator Conley of Cumberland, would place this on the table unassigned at the present time.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Thereupon, on motion by Mr. Conley of Cumberland, tabled pending Passage to be Engrossed.

Enactors

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

An Act Relating to the Protection of Rights of Employees of the Unified University of Maine. (S. P. 260) (L. D. 864)

An Act Relating to Duties of Municipal Clerks. (S. P. 262) (L. D. 866)

An Act Relating to Timely Mailing of Tax Reports and Returns. (S. P. 282) (L. D. 915)

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN of Washington: Mr. President, it has been brought to the attention of the Taxation Committee by the State Tax Assessor that this Bill does need an amendment to perhaps make some technical corrections, and I would hope that somebody would table it.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Hoffses.

Thereupon, on motion by Mr. Hoffses of Knox, tabled and specially assigned for Thursday, April 3, 1969, pending Enactment.

An Act Revising the State Board of Arbitration and Conciliation Law. (H. P. 437) (L. D. 561)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

An Act to Grant a Charter to the Town of Pittsfield (H. P. 609) (L. D. 797)

An Act Providing for a Council - Manager Charter for the Town of Vassalboro. (H. P. 638) (L. D. 826)

An Act Relating to Compensation of the Panel of Mediators. (H. P. 691) (L. D. 891)

(On motion by Mr. Quinn of Penobscot, tabled and specially assigned for Friday, April 4, 1969, pending Enactment.)

An Act to Amend the Charter of the Union Mutual Life Insurance Company. (H. P. 716) (L. D. 934)

Which, except for the tabled matters, were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

Orders of the Day

The President laid before the Senate the first tabled and specially assigned matter:

Bill, "An Act Relating to Liquors Manufactured or Bottled in Maine." (H. P. 524) (L. D. 695)

Tabled — March 25, 1969 by Senator Bernard of Androscoggin.

Pending — Enactment.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: L. D. 695 is actually rather an innocuous bill. It just provides that where feasible the Maine Liquor Commission shall give preference to liquors manufactured or bottled in Maine.

Subsequent to the report of the Committee, which was unanimously Ought to Pass, it has been brought to our attention that this might result in some unfavorable reciprocity from other states where the Maine State Legislature tries to favor a Maine product, because if a Maine product was sold in another state they might be faced with the accusation "Well, Maine is trying to favor you in your own state, so we will try to favor our own products." The matter is as simple as that and accordingly, Mr. President, I would move that this bill be indefinitely postponed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that House Paper 524, Legislative Document 695, Bill, "An Act Relating to Liquors Manufactured or Bottled in Maine," be indefinitely postponed.

The Chair recognizes the Senator from Cumberland, Senator Moore.

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: I am in complete disagreement with the Senator from Cumberland, Senator Berry. I don't think that this bill is of any great consequence, but it would help the manufacturers and bottlers of liquor in this State a little bit. It doesn't mean that they have got to list their listings of products in our liquor stores, but it does give them the same preference as what we give agriculture at the present time.

I can't believe this will mean anything to the national distilleries. I know that a man representing the national association has been lobbying against this bill. Perhaps you folks don't know that anyone who does this type of business here in the State has to pay a license fee of a thousand dollars, which is very unusual. No one knows just why, but when liquor came into Maine they thought it was a great way to raise money so they have

to pay a thousand dollars before they can bottle liquor in Maine.

All this would mean is that possibly they would list their products in our State monopoly stores, and if we can't get those products listed in our own stores in Maine how can they get them listed in stores in other states? I don't believe this would be discrimination at all, and I think that if we are serious when we say that we want to help small business, that this is a small business that hires people in the State of Maine, pays taxes in Maine, plus a thousand dollar license, and I think if we can help them that, where feasible, we should. I hope the motion to indefinitely postpone does not prevail.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I think that the Senate needs more information on this subject before we could act intelligently on it. You will notice that it covers two subjects: it covers the subject of liquor manufactured in Maine and liquor bottled in Maine. Well, it occurs to me that there isn't any substantial industry that I know about in regard to the manufacture of liquor in Maine. We of course all know of the bottling plants of wine in particular, but I wondered if there is anything manufactured in Maine in the way of liquor. Of course, there is no question about it that the best hard cider in the world has been manufactured in Maine, and we also do very well with dandelion wine, but I think more on an amateur basis. I wondered if there is any substantial industry in the State.

Perhaps it is possible that under small business promotion we could do something with hard cider. I mean, no one ever has commercially that I know of, but it has been a standby in agriculture in years gone by. I wonder if the Liquor Control Committee does have any information to give us in regard to the manufacture of liquors in the State?

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: The liquor manufacturing industry in the State is a small industry. There are perhaps three or four, at the most, and as the good Senator from Franklin mentioned, none of them actually manufacture the alcohol that is involved. However, there is manufacturing in the sense that blending is done in the State.

We cannot lose sight of the fact that this is small industry, and I share the concern of my good colleague, Senator Moore, for small industry, as I am sure he is aware.

It is very difficult to legislate progress and stability in an industry such as this. The Maine Liquor Commission, I am assured and convinced, does what it can to help out these small Maine industries. Now, the number of people involved in their employment totally is very, very small. I think one of the concerns might employ one or two people, even on a seasonal basis, going up to significantly more than that, but there probably isn't a total of twenty - five people involved in this business in the State. On the other hand, it is a small State business and it deserves such help as we can give it.

As I said, to give this help legislatively is difficult. We are convinced that the State Liquor Commission uses its responsibilities and its powers insofar as it can to help. Now, it does this primarily in the listing process. This is a very sensitive area. The listing process is a periodic review by the Liquor Commission which generally results in a certain bottom increment being cut right out of brands of liquor which are sold at State liquor stores. Now, we are convinced that the Liquor Commission leans overboard to keep on the list Maine products. This is the essence of their support of our State liquor industry. Now, what more we can do that will amount to anything is questionable, and I think it is in the hands of

the Commission as to what is done.

I agree with Senator Moore that this is not really the most important thing, and I am not sure that it would do the harm that I feel and we have been told it might do. I question, to be quite frank, how much liquor from Maine is sold out - of - state. However, if there is any sold out - of - state, and it would be harmed, I think that the defeat of this bill would be indicated.

This has been rather a broad - brush treatment of the problem, but it is not something that we can fix by legislation. I do feel that the best interests of the liquor industry in the State would be served by not giving them this so - called help. I question that it is any help at all. The real significant help the liquor industry gets will be from the State Liquor Commission, and I think we must put our faith in them.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Cumberland, Senator Moore.

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: I know of one firm in Lewiston, and I am sure the gentlemen here from Lewiston are well aware of it, that employs from forty to forty - five year - around constantly in their plant. I don't know how many are employed in the Gardiner area, but I am sure that it is more than two or three. It is of some consequence when somebody is employing forty or fifty people in our State.

This does not mean that the Liquor Commission is bound to list their products but it does give them an excuse to the other salesmen that there is a law that says that. I notice that no one has wanted to take the word "agriculture" out of it, and I understand that a company is coming into Maine that is going to go into manufacturing vodka from potatoes.

The PRESIDENT: The question is on the motion of the Senator from Cumberland, Senator Berry, that Bill, "An Act Relating to Liquors Manufactured or Bottled in Maine," be indefinitely post-

poned. As many as are in favor of the motion to indefinitely postpone will say "Yes"; those opposed, "No."

A viva voce vote being taken, the motion did not prevail.

Thereupon, the Bill was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

The President laid before the Senate the second tabled and specially assigned matter:

HOUSE REPORTS — from the Committee on Towns and Counties on Bill, "An Act Relating to Minimum Salaries for Full - time Municipal Police Officers." (H. P. 58) (L. D. 768) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled — March 26, 1969 by Senator Beliveau of Oxford.

Pending — Acceptance of Either Report.

The PRESIDENT: Is it now the pleasure of the Senate to accept the Majority Ought Not to Pass Report of the Committee?

The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President and Members of the Senate: I would make a motion that the Minority Ought to Pass Report be accepted, if that is in order. If it is not in order, I know you will throw it out.

The PRESIDENT: The motion is in order.

Mr. MILLS: Thank you, sir. I don't have any illusions about my ability to succeed along this line, but I did sign the minority report and I did feel that it was justified, and I want to state very briefly my reasons for it.

There has been a great deal of sentiment, of regard, throughout the United States and certainly in Maine for the upgrading of public safety and for the development of local police efficiency. It is one of the crying needs of the time, but it is questioned, however, as to how to proceed and how best to attack the problem.

The Congress of the United States has provided very substantial funds under "Safety of the

Streets" acts and other measures designed to upgrade public safety and upgrade police forces exactly. This measure was very well conceived, I felt, by a fine young man, a member of the House, who came before the Committee and made a very excellent presentation.

The bill is to provide for minimum wages, minimum salaries, for local police officers, full - time police officers. It may be that the amount is high, for the amount is \$5,000. That may be high and it might possibly be a burden on many small municipalities.

When I first heard of the measure, when I first heard him presenting it in Committee, I was adverse to it. I felt that it didn't have a chance and I thought that, in the way of local control, I thought of things that we shouldn't be trying to tell the municipalities what they ought to do, that that was a matter of home rule and so forth, but the more I listened to his presentation I became convinced that somewhere along the line you have to start if you are going to upgrade the police forces of the State, and what better place to start than to set a standard for salaries.

I still wasn't convinced in my mind at that point, and then an analogy occurred to me, and after thinking this next thought over I became convinced that the measure was a good one. I thought to myself what is the difference between this and the legislation for minimum salaries for teachers. Well, what is the difference? We all agree that there should be a State standard for salaries for teachers because we want to upgrade education, we want to keep education at a high level. We don't quarrel about that, we don't question it, and we haven't for quite a good many years; we have gone along and raised the standards from time to time. Now, why isn't it just as important, I thought, to upgrade municipal police enforcement? Certainly there is a crises in the country in regard to it and, if there is anything that is a standard joke, you know, in jokesters and vaudeville and that sort of thing, it is the intelligence or lack of intelligence many times on

the part of the small - town constable or cop. They are out doing a job and, if you want to upgrade it, it seems to me that the place to start is to require that their pay be raised and that they be given an adequate salary, and then you can go to educational standards and that sort of thing. But the reason we don't, and the reason we won't today, or at any time under the present status of things in the Legislature, is because there isn't the muscle behind it. There isn't the organization behind it.

I believe firmly that if the police officers of the State were as thoroughly organized and had the propaganda at their disposal that the Education Department has, and that the teachers have, we wouldn't hesitate any more about giving them the minimum standards and wages that we give to the teachers.

So, when I got over that thought I figured we logically and properly should support a measure like this, and that is the reason I signed the minority report.

I have a motion, and I don't have many illusions about its success, but I did want to go on record in this regard. I want to say that I guess there was hardly anybody there at the Committee hearing supporting the police officers. Patrick McTeague, the Representative who presented it, did such an excellent job that I felt that his measure ought to be supported to some degree at least.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Peabody.

Mr. PEABODY of Aroostook: Mr. President and Members of the Senate: I can't go along with my good friend, Senator Mills, regarding this question. I feel that the smaller towns would be hurt a great deal. Their budgets have already been set up, and for the State to come in and tell these small towns what they have got to pay for police work, I don't think that it is right.

This bill came in to the Committee on Towns and Counties and was voted Ought Not to Pass. I feel that if it is passed it is going

to hurt the small towns a great deal.

The PRESIDENT: The Chair will state the question before the Senate. It is on the motion of the Senator from Franklin, Senator Mills, to accept the Minority Ought to Pass Report of the Committee.

The Chair recognizes the Senator from York, Senator Logan.

Mr. LOGAN of York: Mr. President and Members of the Senate: I would like to add one more element to this. I second what Senator Mills has said about the growing recognition of the necessity for upgrading our police forces. This is an overriding consideration. I would advise the Senate, however, that there are two bills which will be considered in committee and elsewhere which would provide for training for municipal police officers. I rather imagine that the towns will tie in the pay scale of their police officers with that training program. I think that to put a minimum on it now might make it awkward later.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Quinn.

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: I desire to confirm the statements of the good Senator from Aroostook, Senator Peabody. I do not think that this Senate should be putting any minimum priced salaries on any of the police officers in the different communities. This would put a \$5,000 minimum on all of these police officers, and I believe that it is a local problem and should be determined by the local people, the taxpayers who are paying the bills, and not by this Legislature.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: I have the highest regard for the distinguished gentleman from Franklin County, my friend and colleague, Senator Mills, and I approach this subject with some fear and trepidation, he being a very learned and able attorney.

Nevertheless, this is a bill which is infringing upon the rights and privileges of the municipalities.

It is not our duty to tell the municipalities what they shall pay their selectmen, what they shall pay their town clerks and other officers, and I do not believe that we should proceed to tell the towns and municipalities what they should pay their enforcement officers in the form of salaries.

I would have to disagree with the good gentleman that the proper place to start is with the salaries. I believe the proper place, as has been mentioned, is with education. When a police officer has been properly educated in the manner of law enforcement leading to convictions in courts of law, then is the time to increase his salary, and I believe that the municipalities are better qualified to say when that law enforcement officer is adequately educated and warrants an increase in his salary.

We are getting a long way away from home rule. If we enact this piece of legislation we are progressing farther down that road of government by the State and by the Federal Government, rather than government by the people, and I would sincerely hope that the members of this Senate would vote against the motion of the good Senator from Franklin. When the vote is taken I would request that it be taken by division.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Mills.

Mr. MILLS of Franklin: Mr. President, just one more word: I am flattered by the opposition that my few remarks have evinced from the Senate. I can't help but conclude that they are more sensitive than I thought they were, because I didn't believe that I would have as much opposition rising from corner to corner of the Senate here today.

I would just like to add one factual matter, and it is this: It is my understanding that it costs the State of Maine about \$15,000 a year to keep a State patrolman on the highway. He doesn't get that much in salary, of course, but he

gets quite a bit more than \$5,000. There has been a lot of complaints among sheriffs, among the local officers, that little by little, perhaps a lot by a lot, the State Police are taking over the law enforcement functions of the State. Perhaps they should, perhaps they have to, considering the low standards that we have in the municipalities and in the counties. When you consider that it does cost that much for the State to do the work, then it seems to me only reasonable that you should require the local officials to come somewhere near that standard.

The PRESIDENT: Is the Senate ready for the question? The question is on the motion of the Senator from Franklin, Senator Mills, that the Minority Ought to Pass Report be accepted on Bill, "An Act Relating to Minimum Salaries for Full-time Municipal Police Officers," House Paper 583, Legislative Document 768.

As many as are in favor of the motion will rise and remain standing until counted. All those opposed will rise and remain standing until counted.

A division was had. Seven Senators having voted in the affirmative, and twenty Senators having voted in the negative, the motion did not prevail.

Thereupon, the Majority Ought Not to Pass Report of the Committee was Accepted in concurrence.

The President laid before the Senate the third tabled and specially assigned matter:

HOUSE REPORTS — from the Committee on Taxation on Bill "An Act Relating to Tax on Pari-Mutuel Pools on Harness and Running Horse Racing," (H. P. 417) (L. D. 528) Report "A", Ought to Pass in New Draft under Same Title (H. P. 1086) (L. D. 1331); Report "B", Ought Not to Pass.

Tabled — March 26, 1969 by Senator Katz of Kennebec.

Pending — Acceptance of Either Report.

On motion by Mr. Wyman of Washington, retabled and specially assigned for Thursday, April 3, 1969, pending Acceptance of Either Report.

The President laid before the Senate the fourth tabled and specially assigned matter:

Bill, "An Act Increasing Compensation of Members of Board of Hairdressers." (H. P. 227) (L. D. 283)

Tabled — March 26, 1969 by Senator Beliveau of Oxford.

Pending — Passage to be Engrossed.

Thereupon, the Bill, as Amended, was Passed to be Engrossed in concurrence.

The President laid before the Senate the fifth tabled and specially assigned matter:

HOUSE REPORT — Ought to Pass with Committee Amendment "A" Filing H-109 from the Committee on Business Legislation on Bill, "An Act Relating to Compensation of Electricians Examining Board and Membership and Compensation of Oil Burner Men's Licensing Board." (H. P. 505) (L. D. 676)

Tabled — March 27, 1969 by Senator Logan of York.

Pending — Acceptance of Report. On motion by Mr. Logan of York, retabled and specially assigned for Thursday, April 3, 1969, pending Acceptance of the Committee Report

The President laid before the Senate the sixth tabled and specially assigned matter:

Bill, "An Act Providing for a Seven Member Council for the City of Westbrook." (S. P. 217) (L. D. 673)

Tabled — March 28, 1969 by Senator Gordon of Cumberland.

Pending — Passage to be Engrossed.

On motion by Mr. Gordon of Cumberland, retabled and specially assigned for Thursday, April 3, 1969, pending Passage to be Engrossed.

Joint Order

Out of order and under suspension of the rules, Mr. Kellam of Cumberland presented the following order and moved its passage:

WHEREAS, there is presently located on the campus of the University of Maine in Portland,

a wooden structure formerly used as a barn in connection with a farm on said premises; and

WHEREAS, said building is presently on its original site and is centered between Falmouth Street, Bedford Street, Hudson Street and Brighton Avenue; and

WHEREAS, this barn structure was part of the Deering Estate, so called and later remodeled into an auditorium when the area was converted for school purposes; and

WHEREAS, the barn is estimated to have been built around the year 1800, utilizing large hand - pegged timbers all of which may well be of lasting architectural value; and

WHEREAS, this structure is being replaced, a study should be made prior to any alterations or other use of said building; now, therefore, be it

ORDERED, the House concurring, that a committee be established consisting of 3 Senators to be appointed by the President of the Senate and 3 Representatives to be appointed by the Speaker of the House to study the advisability of preserving this building or any portion thereof; and be it further

ORDERED, that this committee report its findings and recommendations forthwith to the 104th Legislature. (S. P. 423)

Which was Read.

On motion by Mr. Hoffses of Knox, tabled and tomorrow assigned pending Passage.

The PRESIDENT: The Chair recognizes the Senator from York Senator Logan.

Mr. LOGAN of York: Mr. President, I would inquire if the Senate has in its possession Legislative Document 884, Bill, An Act Relating to Septic Tank and Cesspool Cleaners?

The PRESIDENT: The Chair would answer in the affirmative, the paper being held at the request of the Senator.

Mr. LOGAN: Mr. President, I move we reconsider our action whereby we enacted this bill, and I would speak to the motion.

The PRESIDENT: The Senator from York, Senator Logan moves that the Senate now reconsider its

action whereby H. P. 685 L. D. 884. "An Act Relating to Septic Tank and Cesspool Cleaners," was passed to be enacted. Is this the pleasure of the Senate?

The motion prevailed.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. LOGAN: Mr. President and Members of the Senate: I followed the passage of this Bill with a little bit of nervousness. There was no debate that I saw in the House and none here in the Senate.

This Act would put a large number of small independent businessmen under the rule and regulation of the Department of Health and Welfare. There may be a real problem here, I don't know, but I would like to find out before we take this action. I think it would be in the best interest of the Legislature if this Bill were tabled for a day or two so we could consider it. Thank - you.

The PRESIDENT: The Chair recognizes the Senator from Franklin. Senator Mills.

Thereupon, on motion by Mr. Mills of Franklin, tabled and specially assigned for Tuesday, April 8, 1969, pending Enactment.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Stuart.

Mr. STUART of Cumberland: Mr. President, is the Senate in possession of L. D. 14, Resolve, Proposing an Amendment to the Constitution Repealing the Provisions which Establish the Treasurer of State as a Constitutional Officer?

The PRESIDENT: The Chair would answer in the affirmative, this document being held at the request of the Senator.

Mr. STUART: Mr. President, having been of the prevailing side, I move the Senate reconsider their action whereby this was Finally Passed on March 28, 1969.

The PRESIDENT: The Senator from Cumberland, Senator Stuart, moves that the Senate reconsider its action whereby this Resolve was Finally Passed.

The Chair recognizes the Senator from Knox, Senator Hoffses.

Thereupon, on motion by Mr. Hoffses of Knox, tabled and specially assigned for Wednesday, April 9, 1969, pending the motion by Mr. Stuart of Cumberland to Reconsider Final Passage.

(Senate at Ease)

Called to order by the President.

Joint Order

Out of order and under suspension of the rules, the Senate voted to take up the following paper from the House.

ORDERED, the Senate concurring, that the Joint Standing Committee on Taxation be ordered to recommend a tax proposal which will provide approximately \$33,000,000 in additional revenues. Such proposal shall include:

1. An increase in the sales tax to 5 percent,

2. A 2 cent increase in the cigarette tax,

3. A repeal of the trade - in credit for vehicles under the sales tax,

4. A repeal of the exemption of personal property which is consumed or destroyed in the manufacture of tangible personal property for later sale. (H. P. 1101)

Which was Read.

The PRESIDENT: Is it the pleasure of the Senate that this order receive passage in concurrence?

The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President, will we have copies of this or will this come out in printed form? Are we going to have copies of this document?

The PRESIDENT: The Chair would inform the Senator that copies can be available in fifteen minutes.

Is it now the pleasure of the Senate that this order receive passage in concurrence?

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: I, for one, would like to make it clear, Mr. President and Members of the Senate, that my vote in favor of this order is not an endorsement of these tax measures at this time.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Barnes.

Thereupon, on motion by Mr. Barnes of Aroostook, the Secretary reread the Order.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Logan.

Mr. LOGAN of York: Mr. President, I don't understand all the implications of what we are doing here with this joint order. I don't know whether this locks us in to this proposal, I don't know whether it means we are approving it, I don't know what the implications are. Perhaps somebody could explain to me just exactly what we are doing here.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: This order simply authorizes the Taxation Committee to report out a bill covering these various tax proposals. It does not by nature of the acceptance of this order lock any member of the Legislature into voting for this tax package. This is simply a proposal which has been offered as a means of providing the necessary revenue to pass the Current Services or Part I part of our budget.

I can sympathize with several of the Senators who are not aware of this particular package. I can only say that it is a proposal which has been offered for your consideration as a means of providing the additional monies necessary to meet our Current Services Budget and also to finance the school subsidy for one year. I would hope that the members of this Senate would accept this order empowering the Taxation Committee to report out this Bill.

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN of Washington: Mr. President, may I ask a question? Does that tie the Committee where they cannot change the Bill with a committee amendment, cross a "t" or dot an "i"? In other words, do they have to report the Bill

just as it was handed to the Committee?

The PRESIDENT: The Senator from Washington, Senator Wyman, has posed a question through the Chair which may be answered by any Senator if he so desires.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I wonder if we could ask the Secretary once again to read the first part of that so that we can answer the question.

Thereupon, the Secretary reread the Order.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, from the third reading of the order it would appear that the Taxation Committee is locked into a consideration of the measures indicated, plus such other measures as they wish to include, with a total not to exceed 33 million dollars.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Beliveau.

Mr. BELIVEAU of Oxford: Mr. President, I realize this is an unusual procedure, but why don't we have a copy of this in L. D. form before us? We are considering a measure here that involves 30 some odd million dollars. I realize it is a Joint Order but, again, this is as serious a document as we are going to consider this session.

The PRESIDENT: Is the Senate ready for the question? As many as are in favor of the passage of this order in concurrence will say "Yes"; those opposed, "No".

A viva voce vote being taken, the Order received Passage in concurrence.

The PRESIDENT: The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox:

In loving memory of General of the Army and 34th President of the United States, Dwight David Eisenhower, I move that this Senate stand adjourned until 10 o'clock tomorrow morning.

The motion prevailed.