

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First  
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Wednesday, April 17, 1963

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Foster Williams of the First Baptist Church, Waldoboro.

The journal of yesterday was read and approved.

### Orders out of Order

On motion of Mr. Turner of Auburn, it was

ORDERED, that Claudia Ellen, Diana Lee, and Virginia Waterman, and Leonard Charles Waterman, of Auburn, be appointed to serve as Honorary Pages for today.

The SPEAKER: Will the Sergeant-at-Arms retire to the rear of the Hall of the House and escort these young ladies, Claudia Ellen, Diana Lee, Virginia Waterman; and Leonard Charles Waterman of Auburn to their positions as Honorary Pages for the day. These are the children of our Representative Waterman of Auburn. (Applause)

Thereupon, Claudia Ellen, Diana Lee, Virginia and Leonard Charles Waterman were escorted to the well of the Hall of the House by the Sergeant-at-Arms to serve as Honorary Pages for the day.

On motion of Mr. Chapman of Norway, it was

ORDERED, that Miss Mary Elizabeth Prince and Miss Nancy Lynne Prince of Oakfield be appointed to serve as Honorary Pages for today.

The SPEAKER: The Sergeant-at-Arms will retire to the rear of the Hall of the House and escort Mary Elizabeth Prince and Nancy Lynne Prince, who are students at Oakfield High School, to their positions as Honorary Pages for the day. These are the special guests and granddaughters of Representative Prince of Oakfield. (Applause)

Thereupon, Mary Elizabeth and Nancy Lynne Prince were escorted to the well of the Hall of the House by the Sergeant-at-Arms to serve as Honorary Pages for the day.

## Papers from the Senate Senate Reports of Committees Leave to Withdraw

Report of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve Proposing an Amendment to the Constitution to Provide for the Apportionment of the House of Representatives (S. P. 10) (L. D. 20) reporting Leave to Withdraw.

Report of same Committee reporting same on Resolve Proposing an Amendment to the Constitution Providing for Legislative Approval for the Issuance of Bonds of the State of Maine (S. P. 173) (L. D. 472)

Report of the Committee on Judiciary reporting same on Bill "An Act Extending Time for Filing Actions to Enforce Lien Claims" (S. P. 36) (L. D. 29)

Report of same Committee reporting same on Bill "An Act relating to Nonjudicial Involuntary Admission Procedure of Mentally Ill" (S. P. 290) (L. D. 863)

Report of same Committee reporting same on Bill "An Act relating to Civil Actions Against Heads of Institutions under the Control of the Department of Mental Health and Corrections" (S. P. 297) (L. D. 870)

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Amount of Property Held by Senior Citizens Association Incorporated of Portland" (S. P. 277) (L. D. 791)

Came from the Senate read and accepted.

In the House, Reports were read and accepted in concurrence.

### Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing Funds to Increase Certain Assistance Grants by Ten Per Cent" (S. P. 170) (L. D. 469)

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

### Covered by Other Legislation

Report of the Committee on Constitutional Amendments and Legisla-

tive Reapportionment reporting same on Resolve Proposing an Amendment to the Constitution to Provide for the Apportionment of the Senate (S. P. 99) (L. D. 236), as it is covered by other legislation.

Report of same Committee reporting same on Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (S. P. 272) (L. D. 786), as it is covered by other legislation.

Report of the Committee on Labor reporting same on Bill "An Act relating to Weekly Benefit for Partial Unemployment under Employment Security Law" (S. P. 80) (L. D. 188), as it is covered by other legislation.

Came from the Senate read and accepted.

In the House, Reports were read and accepted in concurrence.

**Ought to Pass in New Draft**

Report of the Committee on Towns and Counties on Bill "An Act Permitting Municipalities to Establish Insurance Reserve Funds" (S. P. 405) (L. D. 1108) reporting same in a new draft (S. P. 540) (L. D. 1465) under title of "An Act Providing for an Insurance Reserve Fund for City of Portland" and that it "Ought to pass"

Report of the Committee on Transportation on Bill "An Act relating to Minimum Standards for Dealers in New or Used Motor Vehicles" (S. P. 470) (L. D. 1322) reporting same in a new draft (S. P. 569) (L. D. 1514) under title of "An Act relating to Motor Vehicle Registration Plates" and that it "Ought to pass"

Came from the Senate with the Reports read and accepted and the New Drafts passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the New Drafts read twice and tomorrow assigned.

**Ought to Pass with Committee Amendment**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Grants-in-Aid for Construction of Municipal Sewage Treatment Facilities" (S. P. 90) (L. D. 227) reporting "Ought to pass" as

amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, the Report was read and accepted in concurrence and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 90, L. D. 227, Bill, "An Act Appropriating Funds for Grants-in-Aid for Construction of Municipal Sewage Treatment Facilities."

Amend said Bill by inserting at the beginning of the 28th line the abbreviation and figure "Sec. 1."

Further amend said Bill by striking out the figure "\$1,030,355" in the 29th line and inserting in place thereof the figure '\$381,815'

Further amend said Bill by striking out all of the last sentence, before the emergency clause, and inserting in place thereof the following sentence: 'Any balance of this appropriation shall lapse June 30, 1965.'

Further amend said Bill by inserting before the emergency clause, the following section:

'Sec. 2. Breakdown of appropriation. The breakdown of the funds appropriated is as follows:

	1962-63
<b>WATER IMPROVEMENT COMMISSION</b>	
Municipal Sewerage	
All Other	\$381,815'

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

Report of the Committee on Municipal Affairs on Bill "An Act to Permit Towns to Choose Single Assessors and to Permit Certain Cities and Towns to Create Boards of Assessment Review" (S. P. 561) (L. D. 1501) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, the Report was read and accepted in concurrence and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 561, L. D. 1501, Bill, "An Act to Permit Towns to Choose Single Assessors and to Permit Certain Cities and Towns to Create Boards of Assessment Review."

Amend said Bill in that part designated paragraph "B." of subsection IV-A of section 3 by adding at the end before the period the following underlined punctuation and words: **except that when a town has chosen a single assessor under paragraph A, and fails to elect the assessor, the selectmen shall appoint the assessor**

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

#### Tabled and Assigned

Report of the Committee on Towns and Counties on Bill "An Act Increasing Salary of Superior Court Messenger of Cumberland County" (S. P. 404) (L. D. 1107) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A."

In the House the Report was read. (On motion of Mr. Oberg of Bridgton, tabled pending acceptance of the Committee Report and specially assigned for Thursday, April 25.)

#### Divided Report Tabled until Later in Today's Session

Majority Report of the Committee on Labor on Bill "An Act Revising the Minimum Wage Law" (S. P. 183) (L. D. 482) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. HINDS of Cumberland  
COUTURE of Androscoggin  
— of the Senate.

Messrs. EWER of Bangor  
PRINCE of Oakfield  
BROWN of South Portland  
NOEL of Waterville  
GIFFORD of Manchester  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Mr. JOHNSON of Somerset  
— of the Senate.

Messrs. MENDES of Topsham  
DUNN of Denmark  
— of the House.

Came from the Senate with the Minority Report accepted and the Bill passed to be engrossed as amended by Senate Amendment "A".

In the House: Reports were read.

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

Mr. EWER: Mr. Speaker, I move acceptance of the Majority Report.

The SPEAKER: The gentleman from Bangor, Mr. Ewer, moves that the House accept the Majority Report. Is this the pleasure of the House?

The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker and Members of the House: About the only difference here in these two reports, the S-100 raises the minimum rate to \$1.15; and under the second report, it remains at \$1.00. One other change, nursing homes for one thing are brought under the Minimum Wage Laws in both of them.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, I move that this be tabled until later in today's session.

Thereupon, the Reports and Bill were tabled pending the motion of Mr. Ewer of Bangor to accept the Majority "Ought to pass" as amended by Committee Amendment "A" Report and specially assigned for later in today's session.

#### Divided Report

Majority Report of the Committee on State Government reporting

“Ought not to pass” on Bill “An Act relating to Term of Office of Department Heads Appointed by Governor” (S. P. 9) (L. D. 19)

Report was signed by the following members:

Mr. WHITTAKER of Penobscot  
Mrs. CHRISTIE of Aroostook  
— of the Senate.

Messrs. DENNETT of Kittery  
BERMAN of Houlton  
THAANUM of Winthrop  
SMITH of Strong  
BERRY of Cape Elizabeth  
— of the House.

Minority Report of same Committee reporting “Ought to pass” on same Bill.

Report was signed by the following members:

Mr. LOVELL of York  
— of the Senate.

Messrs. DOSTIE of Lewiston  
CARTIER of Biddeford  
— of the House.

Came from the Senate with the Reports and Bill indefinitely postponed.

In the House: Reports were read.

On motion of Mr. Dennett of Kittery, the Majority “Ought not to pass” Report was accepted.

#### Non-Concurrent Matter

Bill “An Act relating to Illegal Manufacture of Liquor” (S. P. 394) (L. D. 1097) which was indefinitely postponed in non-concurrence in the House on April 5.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment “A”, and asking for a Committee of Conference.

In the House: On motion of Mr. Dudley of Enfield, the House voted to adhere to its former action.

#### Non-Concurrent Matter Tabled and Assigned

Bill “An Act Regulating the Pledging of Credit of the City of Biddeford” (H. P. 123) (L. D. 167) which was indefinitely postponed in the House on April 10.

Came from the Senate passed to be engrossed as amended by Committee Amendment “A” in non-concurrence.

In the House: On motion of Mr. Cartier of Biddeford, tabled pending further consideration and specially assigned for Wednesday, April 24.

On motion of the gentlewoman from Portland, Mrs. Kilroy, House Rule 25 was suspended for the remainder of today’s session in order to permit smoking.

#### Non-Concurrent Matter

Bill “An Act relating to Employment of Females in Certain Occupations” (H. P. 469) (L. D. 673) on which the House accepted the Majority “Ought to pass” Report of the Committee on Labor and passed the Bill to be engrossed on April 12.

Came from the Senate with the Minority “Ought not to pass” Report accepted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Topsham, Mr. Mendes.

Mr. MENDES: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The gentleman from Topsham, Mr. Mendes, moves that the House recede from its former action and concur with the Senate. Is this the pleasure of the House?

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

Mr. EWER: Mr. Speaker, may I ask that this matter be tabled until the 24th of April?

The SPEAKER: The gentleman from Bangor, Mr. Ewer, moves that item 20 be tabled until the 24th of April. All those in favor will say aye; those opposed, no.

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

Thereupon, the House voted to recede and concur with the Senate.

#### Non-Concurrent Matter

Bill “An Act relating to Application of Federal Social Security to Permit Political Subdivisions to Offer Social Security Benefits to Superintendents of Schools” (H. P. 678) (L. D. 934) which was indefinitely postponed in the House on April 3.

Came from the Senate passed to be engrossed in non-concurrence.

In the House:

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

Mr. RUST: Mr. Speaker, I move the House recede and concur.

The SPEAKER: The gentleman from York, Mr. Rust, moves that the House recede from its former action and concur with the Senate. Is this the pleasure of the House?

The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker, I would like to have unanimous consent to make a motion and to speak briefly on same.

The SPEAKER: The matter is before the House and the gentleman may proceed.

Mr. JONES: Mr. Speaker, this is a beautiful day out, and I think we have other things more important today to take than to debate this bill. I therefore move that we adhere.

The SPEAKER: The motion of precedence is the motion of the gentleman from York, Mr. Rust, that the House recede from its former action and concur with the Senate. All those in favor of receding and concurring, will say aye; those opposed, no.

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

Thereupon, the House voted to adhere to its former action.

#### Orders

On motion of Mr. Gifford of Manchester, it was

ORDERED, that Jeffrey Choate of Hallowell be appointed to serve as Honorary Page for today.

The SPEAKER: The Sergeant-at-Arms will retire to the rear of the Hall of the House and escort the Honorary Page to this position. The Chair would assume that this is the young son of former Representative Choate of Hallowell. (Applause)

Thereupon, Jeffrey Choate was escorted to the well of the Hall of the House by the Sergeant-at-Arms to serve as Honorary Page for the day.

Mr. Hanson of Gardiner presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study the problems of air pollution within the State; such study to include, but not be limited to, a survey of the sources and extent of such pollution, property damage caused thereby, its effect upon public health and comfort, relevant meteorological, climatological and topographical factors, and such other matters relating to air pollution as the committee shall deem necessary; and be it further

ORDERED, that the committee report the results of its study to the 102nd Legislature. (H. P. 1052)

(On motion of Mr. Berry of Cape Elizabeth, the Order was tabled pending passage, ordered reproduced and specially assigned for tomorrow.)

On motion of Mr. Waterman of Auburn, it was

ORDERED, that Rev. Aubrey Dwelley of the East Auburn Baptist Church, be invited to officiate as Chaplain of the House on Friday, April 26, 1963.

On motion of Mr. Plante of Old Orchard Beach, it was

ORDERED, that Miss Claire Giroux of Brunswick be appointed to serve as Honorary Page for today.

The SPEAKER: The Sergeant-at-Arms will retire to the rear of the Hall of the House and escort the young lady to her position as Honorary Page for the day. This young lady is the daughter of Representative Giroux of Brunswick. (Applause)

Thereupon, Miss Claire Giroux was escorted to the well of the Hall of the House by the Sergeant-at-Arms to serve as Honorary Page for the day.

The SPEAKER: At this time, the Speaker would request the Sergeant-at-Arms to escort the gentleman from Anson, Mr. Viles, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Viles assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Kennedy retired from the Hall.

### House Reports of Committees Leave to Withdraw

Mrs. Smith from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing a Full-Time Economist for the Department of Economic Development" (H. P. 893) (L. D. 1298) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

### Covered by Other Legislation

Mrs. Smith from the Committee on Appropriations and Financial Affairs reported Leave to Withdraw on Resolve Appropriating Money for Full-Time Urban Renewal Director, Department of Economic Development (H. P. 413) (L. D. 566), as it is covered by other legislation.

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: I would like to make a few comments on this and through item six. The reason this legislation is before you this morning is because this is a duplication of bills that were in the Supplemental Budget. The committee has been very disturbed by so many of these bills this session, which have been merely duplication, and have been very time-consuming to the committee and to people who have to come from the departments to support the bills. Almost every item in the Supplemental Budget of the Department of D.E.D., and many other departments as far as that goes, has been duplicated at the suggestion of a couple of members. We would like to bring this to the attention of the House. All of us have had some of these bills. I would like to respectfully suggest to you that in another session, why not check the bills a little bit to make sure we are not duplicating. This sort of casts a reflection also upon the ability of the committee to look over the Supplemental Budget. I assure you, we will look at the Supplemental Budget, the Committee does look at the Supplemental Budget, and it doesn't need to be duplicated to call it to our attention. If we did not have to go through

these time-consuming hearings, we might have a little more time to spend on the items. Thank you very much.

Thereupon, the Committee Report was accepted and sent up for concurrence.

Mrs. Smith from the Committee on Appropriations and Financial Affairs reported Leave to Withdraw on Resolve Appropriating Money for Establishing a Boston Informational Office and Relocating the New York Office, of the Department of Economic Development (H. P. 415) (L. D. 568), as it is covered by other legislation.

Same member from same Committee reported same on Bill "An Act Providing Matching Funds for Development of Comprehensive Regional Development Plans" (H. P. 520) (L. D. 737), as it is covered by other legislation.

Same member from same Committee reported same on Resolve Appropriating Money for New Position in Department of Economic Development to Specialize on In-State Industrial Development (H. P. 566) (L. D. 805), as it is covered by other legislation.

Same member from same Committee reported same on Resolve Appropriating Money for Addition of Photographer I, Department of Economic Development (H. P. 567) (L. D. 806), as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

### Ought Not to Pass

Mr. Humphrey from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve to Provide Funds for Matching Funds for Training in Machine Design at the Maine Vocational Technical Institute (H. P. 521) (L. D. 738)

Report was read and accepted and sent up for concurrence.

### Tabled and Assigned

Mr. Childs from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act to Provide Compulsory Driver Education for Certain Motor Vehicle Law Violators" (H. P. 773) (L. D. 1127)



Report was read.

(On motion of Mr. Linnekin of Limington, tabled pending acceptance of the Committee Report and specially assigned for tomorrow.)

Mr. Smith from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Trial Terms of Superior Court in Washington County" (H. P. 970) (L. D. 1409)

Mr. Thornton from same Committee reported same on Bill "An Act Repealing the Administrative Code" (H. P. 910) (L. D. 1317)

Same gentleman from same Committee reported same on Bill "An Act Transferring Duties of Liquor Hearing Examiner to the District Court" (H. P. 923) (L. D. 1357)

Mr. Dennett from the Committee on State Government reported same on Bill "An Act relating to Election of Certain Officers of the House of Representatives" (H. P. 1010) (L. D. 1461)

Reports were read and accepted and sent up for concurrence.

#### Ought to Pass Printed Bills

Mr. Thornton from the Committee on Judiciary reported "Ought to pass" on Bill "An Act Repealing Law Relating to Use of Prior Convictions in Suspension of Motor Vehicle Licenses for Driving under the Influence" (H. P. 738) (L. D. 1067)

Same gentleman from same Committee reported same on Bill "An Act relating to Statute of Limitations for Actions Against Tax Collectors" (H. P. 868) (L. D. 1255)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

#### Referred to 102nd Legislature

Mr. Childs from the Committee on Judiciary on Bill "An Act relating to the Uniform Disposition of Unclaimed Property Act" (H. P. 921) (L. D. 1355) reported that it be referred to the 102nd Legislature.

Report was read and accepted, the Bill referred to the 102nd Legislature, and sent up for concurrence.

The SPEAKER pro tem: The Chair is pleased to recognize in the rear of the House a group of local and provincial administrators from Indonesia. They are in this country under the sponsorship of the United States Agency for International Development for the purpose of studying the functions of state and local government in America. The group is under the immediate supervision of Wayne University, Detroit, Michigan.

They are in Maine under the auspices of the Maine Municipal Association for a three-day period to study municipal administration. During their time here they will be guests of the State Department of Sea and Shore Fisheries and the State Forestry Department to study administrative procedures and research programs carried out by these two departments. The purpose of these meetings is to provide information and procedures to be used when they return to their native country.

The 11-man delegation are local and provincial administrators including mayors, secretaries, legislators, and department heads. The group is under the immediate chairmanship of Mr. Subrata, who is a member of the Executive Council of the Province of East Kalimantan.

The Chair is pleased to welcome you today, and we hope that your visit will be educational and a profitable one. (Prolonged applause, the Members rising)

#### Ought to Pass with Committee Amendment

Mr. Pease from the Committee on Judiciary on Bill "An Act relating to Suspension of Registration of Motor Vehicles Driven by Certain Persons When Arrested" (H. P. 914) (L. D. 1321) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 914, L. D. 1321, Bill, "An Act Relating to Suspension of Registration of Motor Vehicles Driven by Certain Persons When Arrested."

Amend said Bill in the 11th and 12th lines by striking out after the underlined words "Secretary of State" the underlined punctuation and words ", in his discretion,"

Further amend said Bill in the 15th line by inserting after the underlined words "motor vehicle" the underlined punctuation and words ', provided he first gives 7 days' notice of his intention to do so'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Rust from the Committee on Judiciary on Bill "An Act Providing for the Vehicle Equipment Safety Compact" (H. P. 465) (L. D. 669) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 465, L. D. 669, Bill, "An Act Providing for the Vehicle Equipment Safety Compact."

Amend said Bill, in that part designated "Sec. 3." of section 1, by striking out all of the underlined first sentence and inserting in place thereof the following underlined sentence: 'A provision of chapter 22 shall continue to be of force and effect only until superseded by a rule, regulation or code adopted pursuant to the Vehicle Equipment Safety Compact and as provided in section 4.'

Further amend said Bill by adding at the end of that part designated "Sec. 3." of section 1 the following underlined sentence:

'A rule, regulation or code, or any part thereof, which shall be inconsistent with rules and regulations adopted by either the Public Utilities Commission under chapter 44 or chapter 48 or by the Interstate Commerce Commission under Part II of the Interstate Commerce Act of 1935 as amended Ex Parte No. MC-40, shall not apply to motor vehicles subject to regulation by the Public Utilities Commission or by the Interstate Commerce Commission, respectively.'

Further amend said Bill by inserting after that part designated

"Sec. 3." of section 1 the following new section: 'Sec. 4. Legislative approval. Pursuant to Article V, subsection V of the Vehicle Equipment Safety Compact, it is the intention of this State and it is provided that no rule, regulation or code issued by the Vehicle Equipment Safety Commission in accordance with Article V of the compact shall take effect until approved by act of the Legislature.'

Further amend said Bill in section 1 by renumbering those parts designated "Sec. 4." to "Sec. 11." to be 'Sec. 5.' to 'Sec. 12.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Thornton from the Committee on Judiciary on Bill "An Act relating to Order of Divorce Concerning Minor Children" (H. P. 917) (L. D. 1351) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 917, L. D. 1351, Bill, "An Act Relating to Order of Divorce Concerning Minor Children."

Amend said Bill by striking out the 10th line and inserting in its place the following:

'of children or to the Department of Health and Welfare, and. It may alter'

Further amend said Bill in the 13th line by inserting an underlined comma after the underlined word "living"

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

#### Tabled and Assigned

Mr. Kent from the Committee on Welfare on Bill "An Act relating to the Definition of Aid to Dependent Children" (H. P. 958) (L. D. 1392) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Mendes of Topsham, tabled pending acceptance of the Committee Report and specially assigned for tomorrow.)

**Amended in Senate**

Mr. Berman from the Committee on State Government on Bill "An Act relating to Requirements, Appointment and Term of the Adjutant General" (H. P. 250) (L. D. 319) which was recommitted as amended by Senate Amendment "A," reported "Ought to pass" as amended by Senate Amendment "A."

Report was read and accepted, the Bill passed to be engrossed as amended by Senate Amendment "A" and sent up for concurrence.

**Divided Report  
Tabled and Assigned**

Report "A" of the Committee on Public Utilities on Bill "An Act Transferring South Portland Sewerage District to City of South Portland" (H. P. 610) (L. D. 845) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. RAND of Yarmouth  
PITTS of Harrison  
PLANTE  
of Old Orchard Beach  
TYNDALE  
of Kennebunkport  
TAYLOR of South Portland  
— of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Mr. PHILBRICK of Penobscot  
Mrs. HARRINGTON of Penobscot  
Mr. BOISVERT of Androscoggin  
— of the Senate.

Messrs. WELCH of Chapman  
PHILBRICK of Augusta  
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Portland, Mr. Taylor.

Mr. TAYLOR: Mr. Speaker, I move that we accept the "Ought to pass" Report.

The SPEAKER pro tem: Does the gentleman from South Portland, Mr. Taylor, wish to debate his motion?

Mr. TAYLOR: I merely wish to accept the "Ought to pass" Report and to move its passage.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Portland, Mr. Gill.

Mr. GILL: Mr. Speaker, I am not pleased with the motion that the gentleman from South Portland has made at this time. I call for a division on his motion.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Mr. Speaker, I move that item 21, L. D. 845 lie on the table until the next legislative day.

The SPEAKER pro tem: The gentleman from Kennebunkport, Mr. Tyndale, moves that the Reports and Bill lie on the table until the next legislative day pending the motion of Mr. Taylor of South Portland, to accept Report "A," "Ought to pass." Is this the pleasure of the House?

Mr. Gill of South Portland then requested a division on the tabling motion.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Kennebunkport, Mr. Tyndale, that the Reports and Bill be tabled until tomorrow. All those in favor of the tabling motion, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Seventy-three having voted in the affirmative and twenty-three having voted in the negative, the tabling motion did prevail.

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: The Chair thanks the gentleman from Anson, Mr. Viles, for acting as Speaker pro tem.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Anson, Mr. Viles, to his seat on the Floor, amid the applause of the House, and Speaker Kennedy resumed the Chair.

**Tabled and Assigned**

Bill "An Act relating to Permit to Operate Certain Farm Trucks" (H. P. 857) (L. D. 1244)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Coulthard of Scarborough, tabled pending passage to be engrossed and specially assigned for Friday, April 19.)

**Passed to Be Engrossed**

Bill "An Act relating to Salaries Fixed by Governor and Council" (S. P. 462) (L. D. 1289)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed in non-concurrence and sent up for concurrence.

**Amended Bills**

Bill "An Act to Correct the Name of Heron Lake Dam Company and Relating to Its Powers" (S. P. 281) (L. D. 795)

Bill "An Act to Incorporate the Sugarloaf Narrow Gauge Railroad Company" (H. P. 551) (L. D. 766)

Bill "An Act relating to License Fee for Boarding Homes" (H. P. 865) (L. D. 1252)

Bill "An Act Providing for the New England Health Services and Facilities Compact" (H. P. 906) (L. D. 1314)

Bill "An Act to Create the Waldoboro Sewer District" (H. P. 993) (L. D. 1440)

Bill "An Act Increasing the Indebtedness of the Veazie Sewer District" (H. P. 1009) (L. D. 1460)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

**Passed to Be Enacted**

An Act relating to Unexpended Excise Taxes on Sardines (S. P. 335) (L. D. 1000)

An Act relating to Group Credit Insurance (S. P. 447) (L. D. 1276)

An Act relating to Definition of Industrial Project under Maine Industrial Building Authority Act (H. P. 104) (L. D. 148)

An Act relating to Payments to Sagadahoc County Law Library (H. P. 755) (L. D. 1084)

An Act to Revise the Civil Defense and Public Safety Council Law (H. P. 832) (L. D. 1219)

An Act Clarifying the Inland Fish and Game Laws (H. P. 1022) (L. D. 1478)

**Finally Passed**

Resolve Increasing Retirement Benefit of Irving W. Small of Milbridge (S. P. 256) (L. D. 630)

Resolve Increasing Pension of Maurice Albert of Madawaska (H. P. 348) (L. D. 502)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

**Orders of the Day**

The Chair laid before the House the first tabled and today assigned matter of Unfinished Business:

HOUSE DIVIDED REPORT "A" (5) — Ought to pass — Report "B" (5) — Ought not to pass — Committee on Legal Affairs on Bill "An Act Repealing Laws Permitting and Prohibiting Certain Business on Sunday and Holidays." (H. P. 600) (L. D. 859)

Tabled — April 12, by Mr. Gilbert of Eddington.

Pending — Acceptance of Either Report.

THE SPEAKER: The Chair recognizes the gentleman from Eddington, Mr. Gilbert.

MR. GILBERT: Mr. Speaker, I move that Committee Report "A" "Ought to pass" be accepted, and I would like to speak briefly to it.

THE SPEAKER: The gentleman may proceed.

MR. GILBERT: Mr. Speaker and Members of the House: Much has been written and much more has been said about what this Sunday business is all about. Every paper you pick up has got a letter to the editor or an editorial saying "vote for this" or "vote for that" or "we want this" or "we want that."

Now I, having sat through the Committee hearing on it, and for those that were there, it was a long hearing, I think that there is a lot of confusion about what this Sunday bill or business bill is all about. I think that people either by reading the title of the bill or by reading in the newspapers have thought that it is somehow concerned with religion. This is not the case. It never has been and as far as the Courts at least are concerned, it

won't be. These things have been litigated not only in this state, they have been litigated in every state that has these so-called Blue Laws, and they have been litigated all the way up through the Supreme Judicial Court of the United States. They have been upheld, and I want to make this point clear, the Courts in deciding all of these cases, have said that the legislative branch of the individual states can establish these Blue Laws if they are reasonable, but the test or the basis on what they are establishing and what they have established and what has been upheld in the Court, is not on religion.

I would like to read a very short quotation from the case that went to the Supreme Court, which was cited with approval by the Maine Supreme Court when they upheld the last Blue Law which the 100th passed in *McGowan vs. Maryland*, they said this:

"In light of the evolution of our Sunday Closing Laws through the centuries, and of their more or less recent emphasis upon secular considerations, it is not difficult to discern that as presently written and administered, most of them, at least, are of a secular rather than of a religious character, and that presently they bear no relationship to establishment of religion as those words are used in the Constitution of the United States.

"Throughout this century and longer, both the federal and state governments have oriented their activities very largely toward improvement of the health, safety, recreation and general well-being of our citizens. \*\*\* Sunday Closing Laws \*\*\* have become part and parcel of this great governmental concern wholly apart from their original purposes or connotations. The present purpose and effect of most of them is to provide a uniform day of rest for all citizens; the fact that this day is Sunday, a day of particular significance for the dominant Christian sects, does not bar the State from achieving its secular goals. To say that the States cannot prescribe Sunday as a day of rest for these purposes solely because centuries ago such laws had their genesis in religion would give a constitutional

interpretation of hostility to the public welfare rather than one of mere separation of church and State."

I think the key here is two things, one, the Legislatures have the right and the power to prescribe what, this day of rest, but keep in mind that a day of rest that you want and you want individually to drive around and see the countryside, this day may not be the day of rest of the man that wants to earn his living, and this, I think, is the nub of this thing. This Legislature in past enactments, has tried to regulate some of these people so that they cannot earn a living. The best day, which everyone agrees to, the best day of business is on Sunday in many of these areas. Now are you people here in this Legislature going to say to these people that want to open on Sunday, and are willing to work on Sunday, that you cannot do it?

I think it is significant in closing to point out this: In the testimony that was given before the Committee on the local option that is now in the present law, and which everyone agrees is wrong, but in the local option, I think these figures if my memory at least serves me, are correct, out of eighty-odd communities that voted on it, only three voted to close; so it would seem that the citizens, at least many of them in the state, are willing to accept Sunday opening. And I reiterate my motion to accept Committee Report "A" "Ought to pass".

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

Mr. ANDERSON: Mr. Speaker, I concur with the previous speaker, the gentleman from Eddington, Mr. Gilbert. I think this is one big mistake that we made in the 100th Legislature in passing this piece of legislation, and today we have a chance to rectify it. I think it has been definitely proven that the people do not want this legislation when only three out of sixty-nine communities voted to close on Sundays. I wonder if we realize if all communities in the state had voted to close on Sundays, the tax revenue that the state would have lost on hundreds of items. I think it is the individual's choice to keep his

place of business open or closed as he chooses. Little businesses made this country, and if our federal and state governments don't stop needing free enterprise, they will destroy what our forefathers built up by the sweat of their brows. I certainly hope that this measure is repealed. Thank you.

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

Mr. SMITH: Mr. Speaker, I am going to make a motion to indefinitely postpone the acceptance of the Report and the bill and I wish to speak briefly on the matter.

The SPEAKER: The gentleman may proceed.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: This particular bill before us is one of several that has been heard by the Legal Affairs Committee. This particular bill is an attempt to see if we, as the House, wish to make the Lord's Day just another day of the week. This bill before us this morning is a test case. If this particular bill is killed, then there will be one offered that will be non-discriminatory and will be a compromise in which I believe all parties yield a little and gain a little. If this bill is killed and the other one comes before us, I believe the objections of my good friend from Ellsworth, Mr. Anderson, will all be met, and he will be satisfied, for it is true that local option, the mistake we made in the 100th Legislature needs to be rectified. And I believe most of these bills before us would do just that.

However, when rectifying that mistake, we do not have to do away with all Sunday laws. It is true that only three communities have voted to close on Sunday, and it is quite remarkable that even three should do that out of the hundred or more that have voted on this, for when a small businessman of a local community asks in town meeting for a vote to be taken to permit him to stay open, and that vote is usually a show of hands or a voice vote, very few feel free to vote against their neighbor, and this has happened all over the state.

I cannot believe that Maine people want to eliminate all laws regard-

ing this historic day of rest, recreation and worship. I realize that a few very vocal people may so wish. As the gentleman from Eddington, Mr. Gilbert, has said, this should not be a religious issue. It is a matter of historic custom. It should not be a Sabbath issue for many do not keep Sunday as the Sabbath. However, this day has been set aside as a uniform day of rest as he has said in quoting the law. It has proven by custom and by a long period of time to be very acceptable to the American people. Many church people, regardless of denomination, and many businessmen, regardless of their business, do not favor the opening of this day making it just another day in the week. Only a few people would benefit from this particular action. Those benefiting of course would largely be the big discount houses. But again, in the bill that will come before you if this one is defeated, we believe that their objections are taken care of.

This bill has only one favorable asset, it is non-discriminatory, and again I may say that the bill coming before you, if this one is defeated, will also have that characteristic in it. It is non-discriminatory. Our state may have amended the Lord's Day laws many times, but it has never before succeeded in destroying them entirely. I trust we will not do that now. Mr. Speaker, again I move indefinite postponement.

The SPEAKER: The question before the House now is the motion of the gentleman from Strong, Mr. Smith, that the Reports and Bill be indefinitely postponed.

The Chair recognizes the gentleman from Windsor, Mr. Choate.

Mr. CHOATE: May I discuss this bill a little further?

The SPEAKER: The gentleman may proceed, it is before the House.

Mr. CHOATE: Ladies and Gentlemen and Members of the House: The 100th Legislature enacted a law prohibiting certain businesses from selling on Sunday and certain holidays. Some other business establishments were exempt under this legislation, after having complied with local option provisions included in the law. The situation arose in many

areas, as the result of local option vote, that a business in one town was legally permitted to remain open for selling, while in the adjacent town a similar establishment was forced to close. As a result, the open-for-business operator did a thriving business. This has given cause for friction in many cases. Of course, the 100th Legislature could not foresee such problems as this. Therefore I think that this has proven that local option referendum is not the answer to successful legislation.

Prior to 1961 and back through the years, the State of Maine had very little problem in connection with Sunday selling, the laws being such that if a merchant chose to keep his shop open on Sunday and certain holidays, this was his right. There were no limitations or restrictions as to size of the establishment or the number of people employed.

With the cost of living as it is today, many wage-earners are forced to depend on an extra income from part-time work in order to support their families. These open-for-business shops employ many people as a remedy for this situation.

Since the last action on Sunday closing laws, there has been a great deal of confusion and uncertainty regarding the law. The restriction on sales of many items was not clearly defined in the legislation. Merchants, in some instances, broke laws through misinterpretation and were fined for violation and in some cases confined for law breaking.

I feel that restrictions and limitations, as they now exist, are unfair to the merchant, as well as to the purchaser. My contention is that it is no more illegal to purchase a water pipe valve than an item for recreation on Sunday.

We advertise Maine as a vacationland and many tourists come here for weekend and holiday vacations, and our merchants realize many thousands of dollars of cash sales from these out-of-staters. I feel that by closing and by restrictions and limitation of sales the economy of the State of Maine will suffer.

Ladies and Gentlemen of the House, it is my honest belief that each and every person in this state should have the right to purchase and sell merchandise without restrictions or limitations as they now exist. Thank you.

The SPEAKER: The Chair will interrupt debate for a moment to recognize a great number of guests in the House this morning. This time the Chair would recognize in the gallery of the House Sister Mary Gratia with seventeen children of the 8th grade of St. Theresa School, South Brewer, with parent Danny Lambert and these are the special guests of Representative MacLeod of Brewer.

Also Sister Mary Timothy with sixteen children of the 8th grade of St. Mary's School of Orono, with parents Mrs. Milheron and Mr. Duplessis. These are the guests of Representative Anderson of Orono.

Also in the balcony of the House Troop 23, Girl Scouts, Biddeford Pool, accompanied by their leader Mrs. Edward Wolfertz and Mrs. Byrne.

Also in the balcony of the House, 70 Girl Scouts from Bath Troops 1 and 5, with their leaders Mrs. Rice, Mrs. Haskell, Mrs. Avery, Mrs. Hawkes, Mrs. Young and Mrs. Ozzella. These are the special guests of Representatives Brewer and Drake of Bath.

Also in the rear of the Hall of the House, 8 directors of the Sugarloaf Mountain Railroad Company. They are here to see the Governor sign the bill which changes the name of Crockertown Township to Sugarloaf Township. They are the special guests of Representative Hutchins of Kingfield.

On behalf of the House, the Chair extends to all of you folks a warm and cordial welcome, and we trust that you will enjoy and profit by your visit with us this morning. (Applause)

Also, the Speaker has overlooked one group. It is my pleasant duty to inform you that there are 20 pupils from the United Baptist Church of Lisbon Falls Sunday School, grade 3, primary division visiting here today, and they are accompanied by their teachers Mrs.

Huston and Mrs. Barrett, also chaperoned by the Reverend and Mrs. Brackley, Edgar Darby and Mrs. Brunges. They are the special guests of Representative Karkos of Lisbon.

On behalf of the House, the Chair extends to you folks a warm and cordial welcome and we trust you will enjoy and profit by your stay with us this morning. (Applause)

And to impress the House with the number of guests we have, I also recognize in the balcony, 39 Girl Scouts of Troops 3, 4 and 18 of Kittery, Maine. Troop 3 is accompanied by Mrs. Edwards, Troop 4 by Mrs. Peverly, and Troop 18 by Mrs. Parker. Also accompanying the Girl Scouts are the following adults: Miss Peverly, Mrs. Jones, Mrs. Wyman and Mrs. Hardy. These are the special guests of Representative Dennett of Kittery.

On behalf of the House, the Chair extends to you folks a cordial welcome and we trust you will enjoy and profit by your visit with us. (Applause)

The SPEAKER: The debate will continue. The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: You will remember that I was a signer of the "Ought not to pass" Report on this bill. As you know, I come from Bangor where a test vote so to speak was taken on the matter of extending the opening to hardware stores. Now the citizens resoundingly turned down the opening of this store. The matter that they voted on was limited, but the issue I think was broad. I feel that they were right. I feel that a City like Bangor, which is a trading and commercial center can and should be closed on this day, and I think that adequate provisions can be made for those areas, those resort areas on whom Sunday business is their livelihood, their year-round livelihood does depend. I will join with my good friend, Representative Smith, in opposing this bill.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, Ladies and Gentlemen of the House:

Approximately two years ago, the 100th Legislature enacted an act relating to operating business on the Lord's Day and certain holidays. At that time, I raised my voice in objection to this bill as it was certainly aimed at the discount stores. Close them on Sunday! Illegally, the Halls of this State House, yes, even the balcony in this chamber, were filled with lobbyists representing the Maine Merchants Bureau bearing signs to "Preserve our Sundays." Close the competition and "Save our Sundays."

As most of you know, my home is in Freeport. A local merchant, who is a Maine institution, who carries the name of our state throughout the fifty states and Canada, remains open on Sunday. Yes sir, this firm is big business! Bigger than some of our discounters and I stand here and challenge you to tell me we do not, in our Town of Freeport, observe and respect the Lord's Day. We have a store now on Sunday doing more business than some of the discounters. We worship, pray, and love the ground we walk on. We open on Sunday and are glad and proud of it. People are still attending church. The crime rate has not increased. We have done what you think is impossible to do. We have our Sundays and those who want to shop may do so!

Ladies and gentlemen, we do not need legislation to save our Sundays. You will preserve the Sabbath in your own American way, and the American way is to go to church on Sunday. We do not need legislation for this. Our ancestors left the old country because there were laws dictating on how, what and where to worship.

What does the average American family do after church on Sunday? If the family worships together, I like to believe it sticks together. There is Sunday dinner, then maybe a drive in the car, boating, television, golf, or any one of a hundred things can be done. Here is one of the things people like to do on Sunday, they like to shop as a family! This isn't just an idle statement. People from Maine shop on Sunday as a family. They



come in the shopping centers with two, three, four, and five strong in a car.

The people of this state are your answer on Sunday shopping. They want to and like to shop on Sunday afternoon. You have seen the thousands of cars converging on these shopping centers so you know it is your constituents who are doing the shopping. These people have no lobby here in Augusta. They are not represented by trade associations. They haven't any pressure groups up here demanding that stores over 50,000 square feet remain open on Sunday. As citizens of this state, they vote, attend town meetings, and do many things that comprise a healthy citizenry, and one thing they like to do is shop on Sunday after church.

There were many bills presented to the Legal Affairs Committee regarding Sunday sales. One is to legalize the sale of hardware. Why not? The exemptions are a mile long so you might as well add hardware.

One bill started out "as only stores of 1,000 square feet and three employees" could remain open on Sunday. This is the bill that was endorsed by a retail trade group. Well, this wasn't too bad, but I opposed this bill because I honestly believe a law applies to all, and there aren't any special groups, but this bill had so much backing that I thought this Legislature was going to make a special group here in Maine — have a store with 1,000 square feet, three helpers, and you may remain open on Sunday. Now what has happened? I guess not too many store owners were in this category. Certainly there weren't enough because look what they did. Now the bill reads "if you have a store of 5,000 square feet and five employees you can remain open." In case some here do not have an idea how large 5,000 square feet is, it is about two-thirds of the selling space of the A & P up here on the hill. Now that's a good sized store when you think that the average store on main street runs from 1,500 to 2,500 square feet. A lot of people are getting into the

act. They want to be open on Sunday. Well ladies and gentlemen, so do the people who own stores of 25,000, 35,000 and 65,000 square feet.

Why not let the people decide? Do you think for one minute a store will remain open if no one is there to shop? It is the old story of supply and demand. If people did not want to shop on Sunday, do you think for one minute the stores would remain open? Do you honestly think it is fair for one type of store to be penalized because of its size? I don't think so.

Ever since I've had the honor and privilege to be with you, my fellow Legislators, I have always seen and participated in legislation that was fair for one and all. I will not compromise my American principles. What is fair for one is fair for the other. Open them all or close them all. Do not discriminate. If you don't want to shop Sunday afternoon, don't!

If your friends who shop on Sunday afternoon can be influenced, lecture them. Try to tell them not to shop. Let's hear it from our church, "Don't shop on Sunday." But as long as my name is Ben Crockett, I'll always say what is fair for one is fair for all. Open them all or close them all.

Our constituents want to shop on Sunday afternoon. You have seen it. Pass this bill, to kill the most discriminating bill and a disgrace on the statute of the State of Maine where it will allow this group to keep open a list as long as that and pick on an industry that has grown in the State and is paying a lot of sales tax to the State. When the vote is taken, I move a division, and I hope you will vote "yes" on Legislative Document 859. Thank you.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: One of the communities which I represent here in the Legislature is a summer resort. It is an economic necessity that we operate during the season on a wide-open basis. This same principle applies to the other areas where you would have

the ski resorts and the spring fishing and the fall hunting seasons. Seven days a week business is important.

I think the thing to remember here this morning is the facts of life as they exist today in our society. Now when the Blue Laws were originated back in the Colonial days, people went to church all day long on Sundays, and I mean all day long. Now none of us want to go back to anything like that.

If this bill was to pass it will leave things wide open. I don't think our present-day society will be affected one bit, because those of us who see fit to go to church and those of us who see fit to send our children to Sunday School, are still going to live that way, and if after church we want to take a ride on Sunday and go shopping or do whatever we care to do through the pleasures of life, that isn't going to affect the church situation on Sunday. The unfortunate part of this whole problem is that this is an economic problem which has been brought about by the merchants themselves, the competition between the down-town merchants and the merchants in the outlying areas and the shopping centers. These are the ones who created this problem and are not satisfied with it. The problem to me is simply one of what is fair, and you can't say to the store with 5,000 square feet or with five employees that you can stay open, and the fellow that has got 4,999 square feet can't stay open. That, in my opinion, is discrimination. The only fair and sensible solution is to face the realities of life, but take all the laws off the books, leave it wide open, let the situation resolve itself, and I am quite sure you will find that life will go on just the way it is in the present times. People will still go to church, children will go to Sunday School, you can still go out to shop if you care to and the merchants can close or stay open as they see fit whichever is to their own advantage. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to debate this question at length. To me, it is a very serious question. I am speaking from matter of conscience, and also on behalf of the people, the constituency from whence I come.

I was at home yesterday afternoon and went into several places of business. They asked me about this Sunday bill, whether we had voted upon it before I left in the morning or not, and these business people said to me: I hope this bill for wide open Sundays will not pass. And I said: You are in business, don't you want it? And they said absolutely no; and why not? They said: you know how these things creep along, it may seem innocent enough in the beginning, but by and by they go to quite wide proportions. We want to close on Sunday, but if neighboring towns open, possibly we will have to open for self-defense. Even as far away as Bangor, if all the shops open in Bangor, it is a good ride on Sunday. The people who do not care too much about church take their families and go to Bangor for the ride, and they will do their shopping in Bangor. Perhaps they can buy items a little cheaper than we can sell them. We will be forced in self-defense to open our business on Sunday. We don't want that.

Now they say this seems to be altogether commercial here this morning. I think it goes a little deeper than that. I think there is a spiritual significance to it. I can't help but think about that. They tell us many things about the condition of our country. These men who are in high positions, have you heard them speak lately? They tell us that the thing that is going to hold this world together is the spiritual. President Eisenhower said not so long ago the thing we most need is not so much more industry, not so much political genius, what we need is a greater emphasis upon the spiritual and inner integrity. May God give us these things before it is too late. I wonder if you heard President Kennedy a few months ago at the Morning Breakfast. Some great men

were there. They tried to tell the world what a condition this world was in. One man likened it to the man who was condemned to sit in the chair with a sword hanging over his head suspended by a hair; the least movement and that sword would come down upon his head. President Kennedy said we're in the most critical condition in the history of this world. We need more emphasis upon those things which are spiritual. Our people are struggling and striving and trying to get that which this world can supply, and forgetting the spiritual.

Now this law goes back a little farther than to the Blue Law. It goes back to that Decalogue, those Commandments which have been at the basis of all human legislation, and after God had told us what he expected of us concerning himself, he said: Remember the Sabbath Day and keep it holy. He himself, after he had made all the things that are created in this world and looked upon them and said: They are beautiful; then he retired and rested on the Sabbath Day and he hallowed it. I wonder what we would have done if we had accomplished such things as that. We would have had blasts of cannon, the band would have played and we would have gone off with a rush. God withdrew and had silence. The great men tell us we need that today. I wonder if you heard Dr. Von Braun as he spoke a little while ago over the television, telling us of our great danger, only just the pressing of one button. And it was Omar Bradley who said that we know more about killing people than we do about saving them. We know more about war than about peace. And I heard the other day that America is trying to produce what they call the "doom bomb," and just one bomb is enough to destroy civilization.

I think this goes back farther than the Blue Law. And we have another word on the Sermon on the Mount which General Bradley said we had forgotten, of what shall it profit a nation or an individual either, if we should gain the whole world and at last lose

our lives and lose our civilization, and perhaps lose the world.

I am not going to say any more, but in this hustle and bustle of today we need a time of rest and a time to stop and think. I am sure you wouldn't want to live in a community where there are no churches. In order to have a church, we have got to have people. We have a hard enough time to get along now. If you put all our businessmen who are backing up our churches into business on the Sabbath Day, your churches are going to be hard up. We need these men. We need what the church stands for; and so because of these facts, I am going along with my friend the gentleman from Strong, Mr. Smith, that we indefinitely postpone this bill.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENDSBEE: Mr. Speaker, I feel that possibly I should add a few remarks to this, being in opposition to stores being open on Sunday. It goes back a long ways when I was a boy brought up in a small English town. I never heard of such a thing as stores being open on Sunday. That condition still prevails. That was sixty years ago. Now I want to say to you ladies and gentlemen of the House that this is a difficult measure to decide on.

I will refer you to a few years ago when many of us were younger and had hair, how the barber shops used to be open until eleven and twelve o'clock at night. Do you recall that? And all of a sudden they decided to close them at eight o'clock. Oh, what a clamor arose! They did. Everybody got a haircut and then they decided to close them one day a week, and everybody still gets a haircut and a shave, and there are more people now by far than there were at that time, some way or other they are getting by.

We have three small stores in the town that I live in who stay open on Sunday. I have talked with those gentlemen individually. They tell me that they would be tickled to death to see all the stores

closed on Sunday, but as long as one stays open, the other will. Now this is a relatively new thing that has come up, this Sunday opening of stores. Only in the last few years it started up.

I've often wondered if you have ever noticed in the City of Waterville as you walk along the main street there, you saw notices on the windows of one of the largest chain of stores in the entire world, F. W. Woolworth — 'We will never open our stores on Sunday.' Now that is something to think about of an organization of that type. They are not in business just for their health, that is for sure. But they seem to do very well on a six-day operation.

Now I have talked with men who tell me that they do not have time to do their shopping, they have to do some shopping on Sunday, Oh, how I wished that times were so good that every man worked six days a week and there was no other time to do his shopping except on Sunday. The days of the ten hours a day are gone, ladies and gentlemen. The stores are open every night. I have no difficulty whatever spending the small amount of money that I can afford. It only takes me about an hour, and it certainly wouldn't take me all day Sunday to do it.

Now many of us who have been in the habit and it is a good habit, going to church on Sunday, taking our children, that sort of thing Sunday afternoons. We often like to do things we want, with your wife's approval. And I, for one, would like to see it go back to the way it used to be when all the stores were closed on Sunday. This is not a religious issue, ladies and gentlemen. We are not asking you to go to church. We know that you have your own thoughts in that matter.

I thank God we live in a country where we can stand up and debate measures of this sort without any malice. I never have any canned speeches. I never refer to my friends because I have few friends, all I have got is relatives. But I feel that I am justified in standing here and bringing the message from my constituents who are

absolutely opposed to stores being open on Sunday, and I so stand.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from South Portland, Mr. Taylor.

Mr. TAYLOR: Mr. Speaker, Ladies and Gentlemen of the House: I am opposed to this bill. I feel it will do more harm than it will good. I believe that the fast tempo of our modern living makes it a necessity that we have at least one day out of each week that is recognized as a day of rest, that we may join our friends and neighbors in recreation of our choosing. Nearly every industry recognizes the need of rest-breaks during each working day, as it has been proven that a worker's efficiency is seriously impaired due to fatigue. And a recognized day of rest each week is imperative to our working people that a high degree of quality workmanship can be maintained. I feel that Sunday should be that day of rest. I join my colleague from Strong, Mr. Smith, in urging indefinite postponement of this bill. I thank you.

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

Mr. SMITH: Mr. Speaker, I just wish to say in this moment that if this particular bill is defeated, that there is a bill that will come before us that will take care of all the objections to the blue laws as has been voiced thus far by the gentleman from Windsor, Mr. Choate; and the gentleman from Freeport, Mr. Crockett; and the gentleman from York, Mr. Rust. I feel that if this bill is indefinitely postponed, that they will have a chance to debate their points very well on a bill that will handle these things much better and, however, will not open Sunday wide open, but will present an approach that will be a compromise to everybody. Thank you.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Portland, Mr. Cottrell.

Mr. COTTRELL: Mr. Speaker, I will support this motion for indefinite postponement. After attending the five-hour hearing on this subject of Sunday sales and after thinking about it since, it is my conviction that we should neither open wide or close up tight on Sunday commercialism. There is always middle ground and a middle road. Our great Constitution itself is known as a bundle of compromises. I suspect that the great majority of Americans today have holidays on both Saturday and Sunday from their chief occupations. Already in our affluent society and our era of increasing automation, we hear faint suggestions of even the thirty-five hour week. It is my belief that for mental health reasons alone, one day a week should be a different kind of day, whether it be the Mohammedan Friday, the Jewish Sabbath or the Sunday of Christendom. I hope this motion prevails.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Strong, Mr. Smith, that both Reports and the Bill "An Act Repealing Laws Permitting and Prohibiting Certain Business on Sunday and Holidays," House Paper 600, Legislative Document 859, be indefinitely postponed. A division has been requested.

All those who favor the indefinite postponement of the Bill and Reports will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eight-three having voted in the affirmative and forty-three having voted in the negative, the motion prevailed. Sent up for concurrence.

Mr. Wellman of Bangor was granted unanimous consent to briefly address the House.

Mr. WELLMAN: On page 10 of our calendar, item 2, you will find Current Services Budget listed. As you can well see and as you well know, we are about to adjourn and it would seem proper in order that we have a full and fair debate on this item tomorrow, for me to now ask unanimous consent that this item L. D. 1481 be specially assigned for ten o'clock in the morning tomorrow.

The SPEAKER: The Chair understands that the gentleman from Bangor, Mr. Wellman, requests unanimous consent that this item be made a special order of the day tomorrow at ten o'clock. Is there objection? The Chair hears none. The motion prevailed.

On motion of Mr. Wellman of Bangor,

Adjourned until nine o'clock tomorrow morning