

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First Legislature*

OF THE

STATE OF MAINE

VOLUME II

MAY 10 - JUNE 22, 1963

and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Friday, May 10, 1963

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

Prayer by the Rev. Mr. Royal Brown of Augusta.

The journal of yesterday was read and approved.

**Conference Committees Report**

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Purchase of Lands by Atlantic Sea Run Salmon Commission (H. P. 63) (L. D. 87) reporting that the Senate recede from its former action, indefinitely postpone Senate Amendment "A" and concur with the House in passing the Bill to be engrossed as amended by Committee Amendment "A".

(Signed)

FOSTER of Mechanic Falls  
MINSKY of Bangor  
WHITE of Guilford

— Committee on part of House.

ATHERTON of Penobscot  
SPROUL of Lincoln  
WYMAN of Washington

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

**Conference Committees Report**

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Authorize the Municipalities of Detroit, Etna, Plymouth and Stetson to Form a School Administrative District" (H. P. 435) (L. D. 640) reporting that the House recede from its action whereby the Bill was passed to be engrossed as amended by House Amendment "A" and whereby House Amendment "A" was adopted. Indefinitely postpone House Amendment "A". Adopt Conference Committee Amendment "A" and pass the Bill to be engrossed as amended by Conference Committee Amendment "A";

that the Senate recede from its action whereby it passed the Bill to be engrossed as amended by Committee Amendment "A" and

Senate Amendment "A" and whereby Committee Amendment "A" and Senate Amendment "A" were adopted. Indefinitely postpone Committee Amendment "A" and Senate Amendment "A". Adopt Conference Committee Amendment "A" and pass the Bill to be engrossed as amended by Conference Committee Amendment "A" in concurrence.

(Signed)

CARTER of Etna  
CURTIS of Bowdoinham  
McGEE of Auburn

— Committee on part of House.

HICHBORN of Piscataquis  
WHITTAKER of Penobscot  
BROOKS of Cumberland

— Committee on part of Senate.

In the House, the Report was read and accepted. The House receded from its action whereby the Bill was passed to be engrossed as amended and House Amendment "A" and its action whereby House Amendment "A" was adopted. House Amendment "A" was indefinitely postponed.

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

CONFERENCE COMMITTEE AMENDMENT "A" to H. P. 435, L. D. 640, Bill, "An Act to Authorize the Municipalities of Detroit, Etna, Plymouth and Stetson to Form a School Administrative District."

Amend said Bill in the title by inserting after the word "Plymouth" the punctuation and word, 'Dixmont'

Further amend said Bill in the first line after the enacting clause by inserting after the underlined word "Plymouth" the underlined punctuation and word 'Dixmont'

Further amend said Bill in the 2nd line after the enacting clause by inserting after the word "Plymouth" the punctuation and word 'Dixmont'

Further amend said Bill in the 8th line after the enacting clause by inserting after the word "Plymouth" the punctuation and word 'Dixmont'

Further amend said Bill by striking out the last sentence of the first paragraph after the enacting clause, which reads as follows: "Said district shall contract, pursuant to the Revised Statutes of

1954, chapter 41, section 111-E-1, with a School Administrative District composed of Corinna and Newport, or with the Town of Hermon, for the education of high school pupils."

Conference Committee Amendment "A" was adopted and the Bill passed to be engrossed as amended by Conference Committee Amendment "A" in non-concurrence and sent up for concurrence.

#### **Papers from the Senate**

From the Senate: The following Orders:

#### **Tabled**

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the taxation of boats as tangible personal property, such study to include, but not be limited to a) whether boats should be taxed locally where they are kept on the April 1st assessment date, or at the residence of the owner; b) whether the assessment of valuation should be made by the State with a clarification of the tax situs and assessment date, but with the tax levy made by the municipalities; c) whether the state should impose an excise tax on boats at a uniform rate 1) to be collected and retained by the municipalities, 2) collected and retained by the State, 3) collected by the State, but distributed to the municipalities of tax situs, 4) collected by the State, but the tax to be shared by the State with the municipalities; d) whether boats as a class should be exempt from taxation as tangible personal property; and e) whether or not the status quo should be maintained; and be it further

ORDERED, that the Committee report the results of its study to the 102nd Legislature (S. P. 593)

Came from the Senate read and passed.

In the House:

(On motion of Mr. Wellman of Bangor, tabled pending passage in concurrence and unassigned.)

ORDERED, the House concurring, that the Committee on Towns and Counties be and hereby is authorized to report a Bill in consolidated

form relative to the salaries of County Officers and Municipal Court Officers in the several Counties of the State (S. P. 594)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

#### **Senate Reports of Committees Leave to Withdraw**

Report of the Committee on Judiciary on Bill "An Act relating to Default under Trustee Process" (S. P. 422) (L. D. 1165) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

#### **Ought to Pass in New Draft**

Report of the Committee on Highways on Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1964 and June 30, 1965" (S. P. 147) (L. D. 424) reporting same in a new draft (S. P. 584) (L. D. 1536) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the New Draft read twice and assigned the next legislative day.

#### **Ought to Pass in New Draft Amended in Senate Tabled and Assigned**

Report of the Committee on Legal Affairs on Bill "An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters" (S. P. 299) (L. D. 872) reporting same in a New Draft (S. P. 585) (L. D. 1542) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendments "A" and "B".

In the House, the Report was read.

(On motion of Mr. Prince of Harpswell, tabled pending acceptance of the Committee Report and

specially assigned for Tuesday, May 14.)

#### Non-Concurrent Matter

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 100) (L. D. 237) on which the House accepted the Minority "Ought not to pass" Report of the Committee on Constitutional Amendments and Legislative Reapportionment in non-concurrence on May 7.

Came from the Senate with that body voting to insist on its former action whereby the Resolve was passed to be engrossed as amended by Committee Amendment "A" and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. LOVELL of York  
NOYES of Franklin  
KIMBALL of Hancock

In the House: On motion of Mr. Viles of Anson, the House voted to insist on its former action and join in a Committee of Conference.

#### Non-Concurrent Matter

An Act relating to Effective Date for Salary Increase for County Officers (S. P. 543) (L. D. 1467) on which the House insisted on May 8 on its former action whereby the Bill was passed to be enacted.

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 Senate Amendment "B" in non-concurrence and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. WYMAN of Washington  
BROWN of Hancock  
KIMBALL of Hancock

In the House: On motion of Mrs. Shaw of Chelsea, the House voted to insist on its former action and join in a Committee of Conference.

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

#### Non-Concurrent Matter

Resolve Authorizing the Disposal of Western Maine Sanatorium (H. P. 401) (L. D. 600) which was passed to be engrossed as amended by House Amendment "A" in the House on April 30.

Came from the Senate with House Amendment "A" indefinitely postponed and the Resolve passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Hammond of Paris, the House voted to insist on its former action and request a Committee of Conference.

#### Non-Concurrent Matter

Bill "An Act to Increase the Term of Office of the Mayor, City Council, Board of Police and Board of Education, Warden and Ward Clerk for the City of Biddeford" (H. P. 546) (L. D. 762) which was passed to be engrossed as amended by House Amendment "A" in the House on May 8.

Came from the Senate with the "Ought not to pass" Report of the Committee on Municipal Affairs accepted in non-concurrence.

In the House: On motion of Mr. Nadeau of Biddeford the House voted to adhere.

#### Non-Concurrent Matter Tabled and Assigned

Report of the Committee on Towns and Counties reporting "Ought not to Pass" on Bill "An Act relating to Compensation of Special Deputy Sheriffs" (H. P. 796) (L. D. 1149), as it is covered by other legislation which was accepted in the House on May 3.

Came from the Senate with the Bill substituted for the Report and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentlewoman from Chelsea, Mrs. Shaw.

Mrs. SHAW: Mr. Speaker, I move we recede from our former action and concur with the Senate.

The SPEAKER: The gentlewoman from Chelsea, Mrs. Shaw, moves that the House recede from its

former action and concur with the Senate in substituting the bill for the Report. Is that the pleasure of the House?

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, I would respectfully request that this be tabled and be specially assigned for Tuesday, pending the motion.

Thereupon, the Bill was tabled pending the motion of Mrs. Shaw of Chelsea that the House recede from its former action and concur with the Senate in substituting the Bill for the Report and specially assigned for Tuesday, May 14.

#### Non-Concurrent Matter

Bill "An Act relating to Travel Allowance for Jurors" (H. P. 1073) (L. D. 1538) which was passed to be engrossed in the House on May 2.

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

In the House: The House voted to recede and concur with the Senate.

The following Communication:

THE SENATE OF MAINE  
AUGUSTA

May 9, 1963

Hon. Harvey R. Pease  
Clerk of the House of  
Representatives  
101st Legislature

Sir:

The President of the Senate today appointed the following conferees on the part of the Senate to join the House on the disagreeing action of the two branches of the Legislature on:

Bill, "An Act relating to Requirements, Appointment and Term of Adjutant General" (H. P. 250) (L. D. 319)

Senators:

CAMPBELL of Kennebec  
EDMUNDS of Aroostook  
BROOKS of Cumberland

Respectfully yours,

(Signed) CHESTER T. WINSLOW  
Secretary of the Senate

The Communication was read and ordered placed on file.

The SPEAKER: Will the Sergeant-at-Arms escort the Majority Floor Leader to the rostrum to serve as Speaker pro tem.

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

#### House Reports of Committees Ought to Pass in New Draft New Drafts Printed Tabled and Assigned

Mr. Littlefield from the Committee on Industrial and Recreational Development on Bill "An Act to Clarify and Revise Laws of Department of Economic Development" (H. P. 834) (L. D. 1221) reported same in a new draft (H. P. 1089) (L. D. 1561) under title of "An Act to Reorganize the Department of Economic Development" and that it "Ought to pass"

Report was read.

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

Mr. PLANTE: Mr. Speaker, I move that this be tabled until Wednesday, May 15.

The SPEAKER pro tem: The gentleman from Old Orchard Beach, Mr. Plante, moves that this item be tabled until Wednesday, May 15. Is that the pleasure of the House?

All those in favor will say aye; those opposed, no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Eighty-two having voted in the affirmative and thirteen having voted in the negative, the tabling motion did prevail.

Thereupon, the Bill was tabled pending acceptance of the Committee Report and specially assigned for Wednesday, May 15.

Mr. Pease from the Committee on Judiciary on Bill "An Act relating to Search Warrants" (H. P. 925) (L. D. 1359) reported same in a new draft (H. P. 1090) (L. D. 1562) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and assigned the next legislative day.

**Passed to Be Engrossed**

Bill "An Act relating to Disposition of Persons Pleading Insanity" (S. P. 588) (L. D. 1553)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

**Third Reader  
Tabled and Assigned**

Bill "An Act relating to the Joint Bank Account Law and the Inheritance Taxation of Joint Bank Accounts" (H. P. 1088) (L. D. 1560)

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

(On motion of Mr. Turner of Auburn, tabled pending passage to be engrossed and specially assigned for Tuesday, May 14.)

Bill "An Act relating to Chiropractic Treatment under Workmen's Compensation Law" (S. P. 180) (L. D. 479)

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  
Third Reader  
Tabled and Assigned**

Bill "An Act relating to Penalties for Possession of Narcotic Drugs" (S. P. 149) (L. D. 426)

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

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

COMMITTEE AMENDMENT "A" to S. P. 149, L. D. 426, Bill, "An Act Relating to Penalties for Possession of Narcotic Drugs."

Amend said Bill by adding at the end a new section to read as follows:

"**Sec. 7. R. S., c. 141, § 1, amended.** The first sentence of section 1 of chapter 141 of the Revised Statutes is amended to read as follows:

'All places used as houses of ill fame, or for the illegal sale or keeping of intoxicating liquors or narcotic drugs, or resorted to for lewdness or gambling; all houses, shops or places where intoxicating

liquors are sold for tipping purposes, and all places of resort where intoxicating liquors are kept, sold, given away, drunk or dispensed in any manner not provided for by law are common nuisances.'

(On motion of Mr. Smith of Bar Harbor, tabled pending the adoption of Committee Amendment "A" and specially assigned for Wednesday, May 15.)

Bill "An Act relating to Habeas Corpus and Post Conviction Procedure in Criminal Cases" (S. P. 316) (L. D. 982)

Was 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.

**Finally Passed****Constitutional Amendment**

Resolve Proposing an Amendment to the Constitution Relating to Authority of Governor as Commander in Chief (S. P. 528) (L. D. 1449)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 105 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**Constitutional Amendment**

Resolve Proposing an Amendment to the Constitution Eliminating the Requirement that the Governor Communicate Pardons to the Legislature (H. P. 987) (L. D. 1430)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 103 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**Constitutional Amendment**

Resolve Proposing an Amendment to the Constitution to Provide for

Taking Oaths of Senators and Representatives in Absence of Governor and Council (H. P. 988) (L. D. 1431)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 101 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**Constitutional Amendment**

Resolve Proposing an Amendment to the Constitution Relative to Examination of Returns for Senators and to Provide for Election of Senators to Fill Vacancies (H. P. 990) (L. D. 1433)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 102 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**Constitutional Amendment  
Tabled and Assigned**

Resolve Proposing an Amendment to the Constitution Clarifying Provisions Governing Assumption of Office of Governor by the President of the Senate or the Speaker of the House (H. P. 992) (L. D. 1435)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Birt of East Millinocket, tabled pending final passage and specially assigned for Thursday, May 16.)

**Passed to Be Enacted**

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)

An Act relating to Inspection of Motor Vehicles (S. P. 586) (L. D. 1541)

An Act relating to Use of Credit Cards (S. P. 587) (L. D. 1540)

An Act Amending the Time Limitation on Statute Repealing the Two Inch Clam Law (H. P. 309) (L. D. 402)

An Act Transferring South Portland Sewerage District to City of South Portland (H. P. 610) (L. D. 845)

An Act relating to Release of Spouse's Right by Descent (H. P. 775) (L. D. 1129)

An Act Clarifying the Labeling of Packaged Food (H. P. 1076) (L. D. 1543)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, 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 MAJORITY REPORT (9)—Ought not to pass—Minority Report (1)—Ought to pass — Committee on Legal Affairs on Bill "An Act relating to Operating Business on the Lord's Day and Certain Holidays." (H. P. 931) (L. D. 1365)

Tabled—May 7, by Mr. Wellman of Bangor.

Pending—Acceptance of Either Report.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: Back when the legislature was just getting under session in January, we were faced with a problem about Sunday opening and I was interested at the time in finding an honest way out. I am not sure I have found it; I am not certain about anything in regards to this particular thing. However, we tried to do our best to come up with a bill that was certainly against the early training that we had received and yet a bill that seemed to be the honest and sincere thing to do.

At that time when Legislative Document 1365 hit the newspapers, if you will look back in your January issue of the newspaper, you will find that editorials were written at that time calling this an at-



tempt and proper honest way to handle the Sunday business deal. It was called good at that time because folk realized that local option was not what they wanted. Local option today is still as distasteful as it was back when the 100th Legislature passed it. It has not worked well, and yet I am in sympathy with my good friend from Scarborough, Mr. Coulthard, because in his particular instance, the local option is good. And yet the local option provides that his town can get fat while the surrounding cities get thin and lean. Friends, when is legislation good that will provide that one city can drain the pocketbooks of another?

Local option has not worked anywhere in the State of Maine to the advantage of the entire state. Therefore, we tried to design a bill that would incorporate in it no discriminatory practices whatsoever. This bill before you is designed to do two things. First, if you will read it and study it, you will find that it is designed to face up to the fact that we are living in the 20th Century. We are not living back in the Dark Ages. People today have automobiles and they enjoy taking a trip on Sunday and when they get cramped in their car, they like to stop by some place where there is a place to stop and shop. You will see that if you will travel down Route 95 down into Massachusetts, any place where there is a shopping center, there are acres of cars on a Sunday afternoon. People have proven that they want to go out and shop on Sunday afternoons, and if people want to shop on Sunday afternoons, even though I am a minister, I am not ready yet to forbid them that right. I think it is right and proper if that is what they want to do.

This bill is designed to not only face up to the fact that we are living in the 20th Century and that people want to shop and should be given the right to do so if that is their wish, but it also faces up to the second thing this bill is designed to do and that is that Sunday is the Lord's Day. It is the Sabbath for a great majority of people living in the State of Maine, and this bill will accomplish that

for which it is designed, it will maintain a semblance of the Sabbath Day.

This bill is nothing new. The Continent of Europe has had this law in operation for years and years. It is called the Continental Sabbath Idea over there. This is not original with me; it is not original in the State of Maine. This idea may be new to the Legislature, but several states and more and more of them are adopting this approach to the Sunday question and business question and throughout the world this approach is being taken, an approach that will permit Sunday morning to be kept mainly for worship and Sunday afternoon for business.

What does this bill do specifically? So many of you have asked me what it does accomplish, I shall take just a moment. I don't intend to stand here much longer, but we will just go over it very quickly. Many folk have said that all it does is open businesses from one to six. That is a true statement, and yet if it were to stop there, the statement is a little bit — that statement doesn't fully accomplish what this bill does.

To begin with, you have a list of things on page one of this bill in the last paragraph, a long list of necessary items and the businesses that stay open Sunday morning anytime in the 24 hours on Sunday. There are three things in this list I would call to your attention so that you will realize that we are trying to hide nothing here but to bring everything out in the open. The first thing I want to call your attention to is in line 3, restaurants. Restaurants in the serving of meals only. This bill is designed to permit restaurants serving meals to be open twenty-four hours a day on Sunday for the purpose of running a restaurant. If it has side-lines connected with it, then that would not meet the provisions of the bill and those side issues would have to be closed Sunday morning.

Then secondly, I would like to call your attention to motor vehicle service stations permitted to remain open if they employ three

or less. They can be open 24 hours a day on Sunday.

The third thing I would like to call your attention to, drug stores could be open 24 hours a day on Sunday if they employ three or less. All these other things in here also. Then in the last part of that same paragraph, there is a section in there, wherein no more than 3 persons, including the proprietor or proprietors, are employed in the usual and regular conduct of business, those two lines refer to any store such as a variety store or anything that is classified as a store. Variety stores, grocery stores, anything in the tourist area that would be classified as a store could remain — or any place in the State of Maine could remain open all day long on Sunday providing they employed three or less.

Now when we get over to the top of page two, you will find three lines there in the first paragraph that say that anything can be open on Sunday afternoon with the exception of your liquor stores. That line, liquor, was to be handled under another bill which has been taken care of in this legislature.

From one to six, anything can remain open employing any number of people, any size store selling anything they wish to sell. In the next two paragraphs you will find that there are two things here pertaining to those particular stores that can only open from one to six, that is going to restrict their work a little bit. First, these establishments that remain open from one to six and cannot remain open any other part of the day, only those establishments, are restricted in advertising except that they may advertise the hours that they remain open. This is to do away with glaring advertising on the Lord's Day or any part of advertising pertaining to the Lord's Day business, from those businesses.

In the third paragraph on page two, there is a labor clause in there. Any of these stores that are big enough to stay open from one to six and should stay open, certainly it is thought that they should be large enough to pay their employees double time. That clause is constitutional. It has been checked

out with the Attorney General's Department. There is nothing there that is wrong or would hinder in any way.

Now from there on throughout the rest of that document, it is exactly the same as the one called the Merchants Bill, the one just previous to it that we discussed yesterday. I would like to take a moment and answer a question that was brought up in regards to whether or not movie houses or bowling alleys and things like that would be closed under this bill. If you will look in page 1 in the last paragraph, you will find down there in the fourth line from the bottom it says, provided that this section shall not exempt the businesses or facilities specified in sections 39, 40 and 41 from closing in any municipality until the requirements of those sections have been met. If you will look in your laws of the State of Maine, you will find that sections 39, 40 and 41 of this chapter deal with movie houses, bowling alleys, etc., those things mentioned yesterday.

And this bill does not affect them in any way. They are still to be governed exactly as they are governed now. If they are closed now by local option, they would continue to be closed. If they are open by local option, they would continue to be open. This bill here specifically exempts anything in 39, 40 and 41 from being touched.

Now I would like to read in closing just a bit from the Portland Evening Express of January 10. It says there in an editorial, and I understand this editorial was written before the paper was asked— or somebody came up with an idea that they rescind this editorial, but when they were permitted to write a judgment based on this bill as they first saw it, this is what they had to say: "Some legislators will brand this solution as extreme. Others will dismiss it as frivolous and a few will ignore it altogether. But as a matter of basic principle, it may be the fairest, most honest remedy yet advanced. What makes it right to buy a pack of cigarettes on Sunday and wrong to buy a refrigerator? If it is right for a theatre owner to make a profit on

Sunday, is it wrong for a hardware dealer to do so? By what adjustment in principle is it permissible to buy an ash tray at the Smiling Cow at Boothbay Harbor, but improper to purchase an ash tray at Zayre's in Portland? If principle were to prevail, this bill is an honest method ready for the legislative works."

Ladies and Gentlemen, I leave it up to you. You do with it as you please. Thank you.

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

Mr. EWER: Mr. Speaker, Ladies and Gentlemen of the House: To say that I am amazed at the change in the thinking of the gentleman from Strong, Mr. Smith, from his attitude two years ago is putting it mildly. There are two questions I would like to ask the gentleman through the Chair that refer to the third paragraph of page two of the document. Namely, in regards to paying all employees double time. Now we have in some of our stores two different situations besides the paying of strict wages either on an hourly or daily basis. The first one is the matter of employees working on a commission basis wholly. I would like to ask of the gentleman what the method of paying these employees would be?

The second question is in regards to a somewhat similar thing which is done in some stores, particularly in some of the larger discount chain stores, in making their employees so called executives, managers of the departments, assistant managers, assistants to the assistants, for the purpose of getting around the federal minimum wage law. I would like to ask the gentleman if he can answer this question. What would be the effect on these people under this bill?

And a satisfactory answer to these two questions will possibly influence my thinking on this matter to quite an extent.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Ewer, has asked a question of the gentleman from Strong, Mr. Smith, through the Chair and he may answer if he so desires.

Mr. SMITH: Mr. Speaker, in answer to the gentleman from Bangor, Mr. Ewer, I will first off say that I am not an expert on labor matters.

This section in here, third paragraph, page 2, was designed only, and I think it is spelled out here well enough so that it is designed only for the young ladies and men that will be on hourly time. As far as people working on a commission basis, there is nothing here that would raise or lower or in any way affect them. That would be up to them and management. This bill is designed only to protect those who are working on an hourly basis. That is the best answer I believe I can give.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Ewer. Does the gentleman consider his questions answered?

Mr. EWER: I am not too content with the answer, no. I feel that this answer would leave a very considerable portion of the employees forced to work on these days under a bit of discrimination. I would like to ask any member of the Bar who is a member of the House, if he would be willing to give his idea of the legal status of this thing.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Ewer, has asked a question through the Chair of any member of the House who may choose to answer.

The Chair recognizes the gentleman from Brewer, Mr. MacLeod.

Mr. MacLEOD: Mr. Speaker, I would inquire through the Chair, what motion is before the House at this time?

The SPEAKER pro tem: The Chair will inform the House that there is no motion before the House. The matter is pending acceptance of either Report.

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

Mr. SMITH: Mr. Speaker, I would move that we accept the Minority "Ought to pass" Report of the Committee.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Strong, Mr. Smith, that the House

accept the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I cannot compete oratorically with my good friend Mr. Smith, the gentleman from Strong. However, I was brought up to believe that Sunday afternoon is part of the Sabbath the same as Sunday morning. Maybe I am wrong in that impression.

And not to be judged as a hypocrite, my son runs a small so-called marina or boat dock on Schoodic Lake. Now is he to keep all these boat owners in line until one o'clock before they can launch their boats on Sunday? I move that this bill be indefinitely postponed.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Brownville, Mr. Ross, that the Reports and Bill be indefinitely postponed.

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

Mr. SMITH: Mr. Speaker, we are pertaining to business more so than to recreation. I don't think there is anything here that — or in the Statutes of Maine that forbid people from operating a boat at any time on Sunday. And this bill here does not forbid anyone from operating a boat on Sunday. This is solely a business bill, and I think we should judge it in that light.

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

Mr. CROCKETT: Mr. Speaker, Ladies and Gentlemen of the House: I have read and studied this bill a good deal. I say it is a compromise that is fair to everybody. You will have the privilege to do your religious duties, to go to church and so on up to one o'clock. After that when people are out and they want to shop and do a little trading, from one to six they have that privilege. I say it is a good honest and fair and just bill, and I hope the motion to indefinitely postpone does not prevail.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: Although this is not a perfect bill, I don't think you could get a perfect bill, but I believe it is satisfactory to all, or should be nearly satisfactory to all. It is not discriminatory. It gives the workers a chance for recreation, the churchgoers a chance to worship, and there is no question but what it is a boon to the little businesses, who depend much on their tourist trade to stay in business. And it is also good for the state in tax revenue. I go along with the gentleman from Strong, Mr. Smith.

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

Mr. GILL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to rise in support of the MacGregor Bill at this time, and if that is not possible, I would prefer to support the Choate Bill at this time, and I believe a great many supporters of this particular legislation would be far better off to support the Choate Bill which I understand is still in possession of the lower house — upper house, excuse me.

I would like to point out in regard to this question of three employees or less, that my own particular operation, I could not afford to hire three employees, but I would like to point out that I feel this is discriminatory for a great many of the drug stores in this state which would have to close under the provisions of this bill. There are a great many that do employ more than three.

I also would like to comment upon the fact that page 2, paragraph 2, in regard to they cannot permit any newspaper advertising as far as sales. I feel that this is admitting we are going to let these stores stay open, but we don't want to really know that they are open. I also would wonder if it is proper to require the payment of double time without a public — and a hearing to that effect on the double time measure before the Labor Committee; and for that reason I am still in support of the MacGregor Bill and the Choate Bill second. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: My parents were Seventh Day Adventists. I was so brought up. And you will find today and the days when I was a youngster the Seventh Day Adventist keeps the seventh day as the Sabbath as the Lord their God's and they keep it entirely. They don't do any work, open the stores and what not. I don't maintain that I have maintained exactly what I was brought up to do, but it does amuse me to see these ladies and gentlemen, who were brought up evidently to hail the first day of the week as the seventh day of the Lord Thy God as the Sabbath and then get around and see how much money they can make. I think that—not being concerned either one way or the other, I think this is the best settlement, this sort of a bill, that has been brought up and probably will be brought up. At least it is a compromise, and you know as well as I do that practically 90 per cent or maybe more of all the bills that have been passed in this Legislature or will be passed in the future or have been passed in past Legislatures are compromises. Now this is a compromise, plain and simple, and while I have no interest in it whatsoever, I think you would do well to adopt it. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker, before voting on this bill, I think the attention of the House should be called to the second paragraph from the bottom on page 2, L. D. 1365, and I will read the several lines there: "Upon conviction of the offender, the court may issue a warrant for the seizure of the forfeited articles," meaning the articles in the store, "which when seized, shall be sold on one day's notice and the proceeds paid to the municipality in which the offending store is physically located for the use of the poor of the municipality."

That is worth consideration.

The SPEAKER pro tem: The Chair recognizes the gentleman from Skowhegan, Mr. Wade.

Mr. WADE: Mr. Speaker, I would like to ask a question through the Chair of the gentleman from Strong, Mr. Smith, or the gentleman from South Portland, Mr. Gill, could either one or both of them define the present day, as we recognize the title, "drug store"?

The SPEAKER pro tem: The gentleman from Skowhegan, Mr. Wade has asked a question through the Chair of the gentleman from Strong, Mr. Smith, or the gentleman from South Portland, Mr. Gill, either of whom may answer if they so desire. The Chair recognizes the gentleman from Strong, Mr. Smith.

Mr. SMITH: Mr. Speaker, I think the drug store concept has changed in the last few years. It used to be mainly a place where they sold drugs and in many instances that is still what they try to do, only drugs. Of course today other things have come in until in some instances drug stores have become nothing more than department stores, and it was because of that that we put this section in here pertaining to drug stores. A drug store that is a department store or a variety store could continue to be such under this bill from one to six. Someone has said, I think the good gentleman from South Portland, Mr. Gill, that drug stores would have to close under this bill, but drug stores would not have to close. Even the drug stores that are the variety store type could remain open from one to six, and any drug store the rest of the day providing they had three or less employees, and the thought of that was that people are not going to go out on Sunday morning to buy varieties and sit at a soda fountain probably at a drug store. They might have to go out to get drugs and for that reason it should be open.

Now it is difficult to define a drug store any further than that. The drug stores would not be harmed under this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I think it is everyone's thought here to have legislation wherein it concerns this problem. I respect the opinion

of the gentleman from Bowdoinham, Mr. Curtis. I hear the word compromise. It was my opinion that possibly the Amendment "C" of yesterday was working towards a compromise and I think that possibly we should work a compromise through the MacGregor Bill.

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

Mr. MEISNER: Mr. Speaker, Ladies and Gentlemen of the House: I don't intend to make a lengthy speech on this subject at this time. You heard me make a speech a couple of weeks ago giving my ideas on Sabbath observance. I don't mean to add to your burdens this morning, which seems to be coming up here a little division in the clergy. I am a little surprised in the turn that it has taken because through the years some brethren from the denomination from which my Brother Smith comes from accused me of being a little bit out in left field, and too much of a modernist. I think the tables are turned a little bit this morning as far as I am concerned. I think he is a little bit too far out on left field.

I don't think that this is the bill that the people want. Now yesterday I had intended to support the MacGregor Bill. I would like to have the opportunity of supporting it again. The MacGregor Bill is what the people want so far as I know. The people in my community, especially the people working in stores and other places, asked me if I would support the MacGregor Bill and I said that I intended to do that; but the MacGregor Bill yesterday became so complicated with amendments that I think some of us, I am sure, did not know just what we were voting for anyway. I'll have to apologize and say that I didn't. I voted in a way I didn't intend to, and I am sorry for that. I don't think this bill that is before us here this morning is what the people want at all, and especially those who work in stores. They want Sunday afternoons to go to the lake and use their boats, family day, they don't want to have to work

in the stores on Sunday afternoons. This bill is in the same position that the other one was two weeks ago entering into Sunday competition amongst the stores and towns. I am not going to belabor this any more. So far as I am concerned I want to go along with my colleague from Brownville in moving that this bill be indefinitely postponed and I would like to have this when the vote is taken by the yeas and nays.

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

Mr. GILL: Mr. Speaker, Ladies and Gentlemen of the House: Just for a matter of clarification of the record, my position in regard to drug stores was purely for concern for others. I close my own establishment at 12:00 o'clock at noon on Sundays and reopen at 5:30 and I shall continue to do so, and I would like to close at noon for the rest of the day and I possibly will do that.

In regard to the statement of the gentleman from Bar Harbor, Mr. Smith, possibly it is in the bill, an exemption having to do with the sale of real estate, but I couldn't find it, and would that mean that if a person, a real estate operator was caught in the process of selling a home on Sunday that it could be taken and sold by the community?

The SPEAKER pro tem: The gentleman from South Portland, Mr. Gill, asks a question through the Chair of the gentleman from Bar Harbor, Mr. Smith, who may answer if he chooses.

Mr. SMITH: Mr. Speaker I am glad to give my opinion on that. From the wording it doesn't appear to me to mean that. It says, reading again: "In addition to the penalty imposed by this section all property and commodities exposed for sale on the Lord's Day or any of the afore-mentioned holidays in violation of this section may be forfeited". If you think real estate is exposed for sale, perhaps it would be included, but certainly I think the intention of the bill is the stock in trade in the store. So under this wording, apparently all

the stock in trade could be seized and forfeited.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: This may be something to think about. The number of letters and phone calls that we received from store employees, with that number in consideration, it seems there won't be many people left that will want to work anyway.

The SPEAKER pro tem: The Chair recognizes the gentleman from Scarborough, Mr. Coulthard.

Mr. COULTHARD: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday I tried to bring out the fact of the feeling of the people in my town, and I was not able to attend the hearing, but I heard through the grapevine that the Town of Scarborough was brought up many times. Now in regard to the letters and cards we received, I also received many, and I did not receive any from the people in the Town of Scarborough, and I do know that there was a united effort on the part of the merchants in our area that these cards and letters were sent out. In fact I understand that some of the merchants paid for the postage and the envelopes to send them to us.

Now in regards to wide open sales on Sunday, maybe it is not good, but as I understand, this bill has a local option on it also and I would not like to have remarks made toward my town if we should happen to go along with this bill and have local option and vote as we did before. I stated we are a resort town. We advertise our town as the town for the tourists and neighbors and friends in local areas to come in. We not only want them, we need them. We would not like to put at the bottom of our sign coming into our town "Welcome every day except Sunday" because a majority of our business is service business, as I stated yesterday, so I would hope this bill would be indefinitely postponed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, I would like to concur with Mr. Coulthard, the gentleman from Scarborough. The town of Harpswell and Cumberland that I represent here are likewise towns that depend a lot on our summer trade. To allow the stores to operate until one o'clock, again as far as I am concerned, is class legislation, because anyone operating a store on a Sunday, and with help employed, they are only going to be able to get a half a day's work. A half day in the Town of Harpswell where we have a tremendous Sunday business, would not be good, and so therefore I hope that this bill is indefinitely postponed.

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

Mr. SMITH: Mr. Speaker, I want to answer four questions that have been so far unanswered. First, pertaining to the labor clause here as to its constitutionality and right to be in here. Some have asked some legal mind here to speak on this, and no one has. I will just say this, that this particular section was worked out in conjunction with the Attorney General's Department. Any of you who wish, may go and speak to him about it, and I believe you will find that everything is all right.

On the second question about penalties that my good friend from Bar Harbor, Mr. Smith has brought up in the latter part of page 2. If you were to object to this bill because of the penalties, I would ask you to go back to the MacGregor Bill and why were those penalties not objected to there, for this is a word for word copy of the same penalties you will find in the MacGregor Bill. These were copied from the MacGregor Bill, so if the good gentleman Mr. Smith objects to this in this bill, he should object to it in the MacGregor Bill, for it is all there, the very same thing.

Now in regard to the fact that people have written in here and said that they didn't want to have to work on Sunday, if you will look in the third paragraph on page 2 you will find that any individual,

and I will read it, there are two sentences here: "No person working on such holidays or Lord's Day shall in any manner be discriminated against because of this section." And that sentence means that if a person wants to work on the Lord's Day and collect double time for it, he shall not have to be penalized at any other time in the week. And then the next sentence: "Any employee not wishing to work on any of these days shall not in any way be penalized or discharged for such refusal." No one has to work on Sunday if they don't want to. That is wholly up to them.

And the fourth question brought up by my good colleague from Dover-Foxcroft, Mr. Meisner, in regard to the two bills and his preference for the MacGregor Bill, if the MacGregor Bill is amended to and include stores of 5,000 square feet, which probably it will be if that bill is brought back, then my good friend, Mr. MacGregor will find himself in the position where he opposes a bill on the Sabbath question that it would keep these stores open only on Sunday afternoon and being in favor of a bill on the Sabbath question that would permit a store as large as this room in which we are in now, to stay open all day long. And I would maintain that if in all fairness we are to pass any legislation along this line, let us bear these things in mind.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Brownville, Mr. Ross, to indefinitely postpone both Reports and the bill. A roll call has been requested. In order for the Chair to order a roll call, it must have the request of one-fifth of the members present for such a vote. Will all those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

A sufficient number did not arise.

The SPEAKER: Obviously, less than a sufficient number having arisen, a roll call is not ordered. The Chair will order a division. All those in favor of the indefinite postponement of Bill "An Act relating to Operating Business on the Lord's

Day and Certain Holidays" Legislative Document 1365, House Paper 931, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-eight having voted in the affirmative and twenty-eight having voted in the negative, the motion did prevail.

Mr. Libby of Portland moved reconsideration of the indefinite postponement, which motion failed on a viva voce vote.

Sent up for concurrence.

### Order

#### Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, May 14, 1963. (S. P. 595)

Came from the Senate today read and passed.

In the House, the Order was read and passed in concurrence.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: With reference to item 9 on page 4—

The SPEAKER pro tem: Does the gentleman make a motion?

Mr. TYNDALE: Yes, I do. I now move that we reconsider our action whereby we adhered to our previous action with reference to L. D. 762.

The SPEAKER pro tem: The gentleman from Kennebunkport, Mr. Tyndale, moves that we reconsider our action whereby we adhered. The item is reference to House Paper 546, Legislative Document 762, "An Act to Increase the Term of Office of the Mayor, City Council, Board of Police and Board of Education, Warden and Ward Clerk for the City of Biddeford."

Thereupon, the House voted to reconsider its action whereby it adhered, and on motion of Mr. Tyndale of Kennebunkport, the House voted to insist on its former action and request a Committee of Concurrence.



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

HOUSE MAJORITY REPORT (6) — Ought Not to Pass — Minority Report (4) — Ought to Pass — Committee on Public Utilities on Bill "An Act Providing for Rules and Regulations by Public Utilities Commission Concerning Safety and Shelter for Railroad Employees." (H. P. 881) (L. D. 1266)

Tabled — May 7, by Mr. Pease of Wiscasset.

Pending — Acceptance of Either Report.

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

Mr. EWER: Mr. Speaker, Ladies and Gentlemen of the House: For the past week or more with the assistance of the representatives of the railroad brotherhoods, I have been trying to get an agreement which would cover this matter and would enable me to withdraw this particular item. It has been impossible to reach the officials with whom we find it necessary to confer, but we hope to be able to do so between now and sometime the middle of next week, and I hope that somebody will move that this be tabled until the following Wednesday.

Thereupon, on motion of Mr. Bragdon of Perham, tabled pending acceptance of either Report and specially assigned for Wednesday, May 15.

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

Bill "An Act relating to Work on Shade and Ornamental Trees." (H. P. 240) (L. D. 308) C "A" (H-232)—H-"B" (H-322)—H-"C" (H-325) — In House Committee Amendment "A" and House "B" Adopted — House "C" Withdrawn.

Tabled — May 7, by Mr. Wellman of Bangor.

Pending — Passage to be Engrossed.

Thereupon, on motion of Mr. Tynedale of Kennebunkport, retabled pending passage to be engrossed and specially assigned for Tuesday, May 14.

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

Bill "An Act relating to Definition of 'Hotel' Under Liquor Law." (H. P. 299) (L. D. 393) — In House Bill Substituted for Report, Engrossed with House "A" (Filing H-146) — In Senate Indefinitely Postponed in non-concurrence.

Tabled — May 8, by Mr. Jalbert of Lewiston.

Pending — Further Consideration.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: Apparently, the Senate isn't too happy with this particular piece of legislation. So I have prepared what I feel will be an amendment that may satisfy them. And for the purpose of presenting this amendment, I move the House reconsider its action whereby this Bill was passed to be engrossed, so that we may present the amendment.

Thereupon, the House voted to recede from its former action whereby it insisted to pass the Bill to be engrossed, and to recede from its former action whereby House Amendment "A" was adopted.

On motion of Mr. Rust of York, House Amendment "A" was indefinitely postponed.

Mr. Rust of York then offered House Amendment "B" and moved its adoption.

House Amendment "B" was read by the Clerk as follows:

HOUSE AMENDMENT "B" to H. P. 299, L. D. 393, Bill, "An Act Relating to Definition of 'Hotel' Under Liquor Law."

Amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by striking out everything after the amending clause and inserting in place thereof the following:

"Each such hotel shall be open for the convenience of the traveling public 7 days per week and a reasonable proportion of the gross income of each such hotel, but not less than one-third, shall be derived from rental of rooms and sale of food."

**Sec. 2. Effective date.** This act shall become effective for all licenses issued for the calendar year of 1965 or any part thereof, and thereafter."

House Amendment "B" was adopted and the Bill passed to be engrossed as amended by House Amendment "B" in non-concurrence and sent up for concurrence.

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

Bill "An Act relating to Taxpayers Furnishing List of Property to Assessors." (S. P. 434) (L. D. 1177)

Tabled — May 8, by Mr. Waterman of Auburn.

Pending — Passage to be Engrossed.

Thereupon, on motion of Mr. Waterman of Auburn, retabled pending passage to be engrossed and specially assigned for Wednesday, May 15.

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

Bill "An Act Establishing the Uniform Commercial Code." (H. P. 79) (L. D. 95) — C-"A" (L. D. 1552)

Tabled — May 8, by Mr. Smith of Bar Harbor.

Pending — Passage to be Engrossed.

On motion of Mr. Smith of Bar Harbor, the Bill was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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

Bill "An Act relating to Compensation of and Per Diem Fees of Deputy Sheriffs." (H. P. 1082) (L. D. 1549) — House "A" Read (Filing H-336)

Tabled — May 8, by Mr. Dennett of Kittery.

Pending — Adoption of House Amendment "A".

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: In the absence of Mr. Dennett, I would like to say that he has approved

the action that I am going to propose. And to the members of the House this morning, I would like to say that the York County delegation held a caucus on this item and all those who were present were solidly in favor of the amendment. I now move adoption of House Amendment "A".

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

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

Bill "An Act relating to Minimum Salaries for Teachers." (H. P. 634) (L. D. 890) Committee "A" (H-320)

Tabled — May 3, by Mr. Treworgy of Gorham.

Pending — Passage to be Engrossed.

On motion of Mr. Tyndale of Kennebunkport, retabled pending passage to be engrossed and specially assigned for Tuesday, May 14.

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

Bill "An Act Authorizing Forest Commissioner to Permit and Regulate Dredging in Great Ponds." (H. P. 1015) (L. D. 1469) — In House Engrossed with House "A" (H-187) and "B" (H-204) — In Senate Engrossed with House "A" & "B" also Senate "B" (S-202)

Tabled — May 9, by Mr. Waterman of Auburn.

Pending — His Motion to Insist.

Thereupon, on motion of Mr. Waterman of Auburn, the House voted to insist on its former action, and on further motion of the same gentleman, the House voted to request a Committee of Conference.

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

Bill "An Act relating to Proceedings in Adoption of Children." (H. P. 1024) (L. D. 1485) — Engrossed in Senate with Senate "A" (S-187) in Non-concurrence.

Tabled — May 9, by Mr. Wade of Skowhegan.

Pending — Further Consideration.

On motion of Mr. Rust of York, the House voted to recede from its former action.

Mr. Rust of York offered House Amendment "C" and moved its adoption.

House Amendment "C" was read by the Clerk as follows:

HOUSE AMENDMENT "C" to H. P. 1024, L. D. 1485, Bill, "An Act Relating to Proceedings in Adoption of Children."

Amend said Bill in the 4th line by inserting after the underlined word and punctuation "child", the following underlined words and punctuation 'unless one of the petitioners is a blood relative of the child or the petitioners have received the child from the Department of Health and Welfare or from a licensed adoption agency.'

Further amend said Bill in the 9th line by inserting after the un-

derlined word and period "**child.**" the following underlined sentence:

**'The court may refer any petition signed by a blood relative to said department.'**

Further amend said Bill in the next to the last line by striking out the underlined word "**reasons**" and inserting in place thereof the underlined word '**reason**'

House Amendment "C" was adopted in non-concurrence.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "C" and sent up for concurrence.

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On motion of Mr. Tyndale of Kennebunkport,

Adjourned until Tuesday, May 14, at ten o'clock in the morning.