

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

Special Session, December 4, 1933

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formation house, an airport and a landscape engineering department, for the purpose of planning and maintaining landscape projects within the National Park area, and also highway beautification projects already established by the National Conservation Board; and

Whereas, the eighty-sixth Legislature of the State of Maine, believing that the proposed gateway to the Acadia National Park will result in giving more pleasure to the citizens who use it and greatly increase the facilities of the park;

NOW, THEREFORE, BE IT RESOLVED: By the Senate and House of Representatives of the State of Maine in Legislature assembled that we urge the President of the United States and the Congress of the United States to do all in their power to further and assist in the creation of the gateway to Acadia National Park; and

BE IT FURTHER RESOLVED: That copies of this Memorial be duly certified and sent by the Secretary of State to the President of the United States and to the President of the Senate and to the Speaker of the House of Representatives at Washington, and to each of the Senators and Representatives from the State of Maine in the Congress of the United States."

Which resolution was read and adopted.

Sent down for concurrence.

(Constitutional Amendment)
(Out of order)

"Resolve proposing the repeal of the twenty-sixth Amendment to the Constitution, relating to the manufacture and sale of intoxicating liquors". (H. P. 137, L. D. 138)

On motion by Mr. Weeks of Somerset, tabled pending enactment and especially assigned for two o'clock this afternoon.

On motion by Mr. Weeks of Somerset,

Recessed, until 1:45 o'clock this afternoon.

After Recess

The Senate was called to order by the President.

Mr. WEEKS of Somerset: Mr. President, I move that the rules be suspended so that I may offer a resolve out of order.

The PRESIDENT: The Senator from Somerset, Senator Weeks, moves that the rules be suspended that he may offer a resolve out of order. Would it be proper for the Chair to ask the Senator to state the nature of the resolve before the motion is put?

Mr. WEEKS: Mr. President, yesterday during the debate on the repeal of the Twenty-sixth Amendment, members of the Senate stated publicly here that they would be willing to support a separate amendment so that liquor legislation would not come within the emergency clause of the Constitutional Amendment. I feel that where that sentiment has been expressed publicly, that such an amendment should be at least proposed in this legislature so that we can act upon it if we so desire.

I hope that the Senate will be willing to receive this resolution and that it will go through this body and then go to the House so that we will know, when voting upon the final enactment of the Constitutional amendment relative to repeal, just what action we may wish to take upon that. The resolve itself is practically the same as that part of the amendment which was turned down by the Senate yesterday.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Somerset, Senator Weeks, that the rules be suspended that he may introduce a resolve out of order. This requires a two-thirds vote in favor in order to suspend the rules.

Mr. HARMON of Hancock: Mr. President, I ask for a division.

Mr. HOLMAN of Franklin: Mr. President, is the motion debatable before the question is put?

The PRESIDENT: The Chair understands that the motion to suspend the rules is always debatable.

Mr. HOLMAN of Franklin: Mr. President, I think my brother Weeks is absolutely right in the resolve he is introducing at this time. I think one of the principal objections to the Murchie amendment yesterday was from the fact that that paper attempted to do three things; to do away with the Twenty-sixth amendment, to amend the Thirty-first, and to substitute another amendment. For myself, I could not see how the Secretary of State with that amendment and bill going through could put a

proposition to the people so that they would know how to vote without a decision from the Supreme Court. I think this resolve he wants to go in would be in accordance with the wish of everyone, Republicans and Democrats alike. It would do no harm and would be two distinct issues to put before the people.

Mr. HARMON: Mr. President, I withdraw my request for a division.

The PRESIDENT: The Senator from Hancock, Senator Harmon, withdraws his request for a division. Is it the pleasure of the Senate that the rules be suspended.

The motion to suspend the rules prevailed.

Thereupon, Mr. Weeks of Somerset presented resolve proposing an amendment to Article XXXI of the amendments to the Constitution (S. P. 75); and on further motion by the same Senator under suspension of the rules the resolve was received and considered without reference to a committee.

Thereupon, on motion by Mr. Weeks of Somerset, five hundred copies of the resolve were ordered printed; and on further motion by the same Senator the resolve was given its two several readings under suspension of the rules and passed to be engrossed.

Sent down for concurrence.

Report of Committee

(Out of Order)

Mr. McDonald for the Committee on Temperance on bill an act regulating the sale of alcoholic beverages (S. P. 37) (L. D. 105) reported that the same ought not to pass.

The Committee on Judiciary presented its final report.

Which reports were read and accepted.

Sent down for concurrence.

The President laid before the Senate, Resolve proposing the repeal of the 26th Amendment to the Constitution relating to the manufacture and sale of intoxicating liquors (H. P. 137) (L. D. 138), tabled earlier in today's session by Mr. Weeks of Somerset, pending enactment and especially assigned for two o'clock this afternoon; and the Chair recognized that Senator.

Mr. WEEKS of Somerset: Mr. President, I am not opposing this resolve, in a way, but I feel as if I could not conscientiously vote on

it at the present time, not knowing what the effect of it would be on this other amendment. There is also pending in the temperance committee a bill for the interim use of liquor for medicinal purposes, and I notice that some members of the Senate are not present, and I do not like to vote on it. I move, Mr. President, that it be retabled and taken up at the end of the session.

Mr. LITTLEFIELD of York: Mr. President, I would like to know what the Senator means by the end of the session? Does he mean the last thing after we have finished all other business?

The PRESIDENT: The Chair understands that the Senator from Somerset, Senator Weeks, wishes to table this matter and assign it for later in the day awaiting the action of the House on the other bill.

The motion to table and assign prevailed.

On motion by Mr. Weeks of Somerset,

Recessed, until three o'clock this afternoon.

AFTER RECESS

The Senate was called to order by the President.

Mr. Viles of Kennebec, under suspension of the rules, presented, out of order.

"Resolve in favor of clerks and stenographers of the several committees of the Eighty-sixth Legislature for the December special session." (S. P. 76)

On motion by the same Senator the Resolve was given its two several readings under suspension of the rules and passed to be engrossed.

Sent down for concurrence.

From the House, out of order,

The Committee of Conference on "Resolve in favor of Charles Springer of Hartland" (H. P. 144, L. D. 172) reported that the Senate recede and concur with the House in passing the bill to be engrossed.

In the House, the report was read and accepted.

In the Senate, on motion by Mr. Kitchen of Aroostook, that body voted to accept the report of the committee on conference; and on further motion by the same Sena-