

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

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thereof the word 'alderman' and by striking out in the ninth line of the said bill the word 'alderman' and by inserting in said bill after the word 'councilman' in the ninth line thereof the words 'fifty; for'. Further amend said bill by striking out in the twelfth line of Section 2 thereof the words 'last Monday in February' and inserting in place thereof the words 'third Monday in November'. Further amend said bill by striking out in the sixth, seventh and eighth lines of Section 5 of said bill the figures '25, 9', and '2' respectively and inserting in place thereof the figures '1', '11', and '14' respectively. Further amend said bill by inserting at the end thereof a new section to read as follows: 'Section 7. Inconsistent acts repealed. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed insofar as they are inconsistent with the provisions of this act.'

Mr. LITTLEFIELD of York: Mr. President, I would like to have this lie upon the table until tomorrow morning. Some of the Senators think that possibly it ought to be looked over. I don't know but I would like to have it lie upon the table until tomorrow morning.

Thereupon, the bill was laid upon the table pending adoption of Senate Amendment "A" and tomorrow morning assigned.

The President laid before the Senate, New Draft—An Act relating to transportation of intoxicating liquor (S. P. 614, L. D. 986), tabled earlier in today's session by Mr. Weatherbee of Penobscot, pending passage to be engrossed and this afternoon assigned; and the Chair recognizes that Senator.

Thereupon, Mr. Weatherbee of Penobscot offered Senate Amendment "A" and moved its adoption:—

"Senate Amendment "A" to An Act Relating to Transportation of Intoxicating Liquor (S. P. 116, D. L. 163, N. D. 986)

Amend said Act by adding thereto the following sections:—

'Sec. 2 R. S. c. 137, Par. 6, amended. Section 6 of chapter 137 of the revised statutes is hereby amended by striking out everything after the word "origin" in the 2nd line.

'Sec. 3 R. S. c. 137, Par. 1, amended. Section 1 of chapter 137 of the revised statutes is hereby

amended by striking out the word "fit" in the 3rd line thereof.'

Mr. WEATHERBEE of Penobscot: Mr. President and members of the Senate, in explanation of this amendment I wish to inform you that the bill which has already been given its second reading provides for the repeal of Section 3 of the liquor laws of the State of Maine and that particular section made it unlawful for anyone to transport intoxicating liquors, and that would be any liquors which contained more than one-half of one percent of alcohol; made it unlawful to transport those liquors from place to place within the State of Maine without a Federal permit. Well, if you had a Federal permit you couldn't obtain any liquors in the State of Maine to transport, so that statute should be repealed because if it were left upon the statute books it would prevent any person from transporting even beer that contained more than one-half of one percent of alcohol from his office to his home or from place to place anywhere in Maine and would subject him, if he were carrying it in his automobile, to the loss of his automobile and three months in jail and a fine of \$300. Of course, everyone feels that that section should be repealed.

Now, Section 2 of this amendment amends Section 6 of Chapter 137 of the Revised Statutes by striking out every word after the word "origin" that appears in that section. Now, that section forbids the sale of intoxicating liquors of any origin. I have stricken out those words that say that ale, porter, beer, strong beer, lager beer or any malt beer shall be deemed to be intoxicating, because the question should be one of fact. Are those beverages intoxicating or are they not?

The next amendment affected is the amendment to Section 1 of Chapter 137 which is amended by striking out the word "fit". That is a manufacturing section and in that it is made unlawful for anyone to have in his possession wort or mash fit for distillation. Of course "distillation" means the making of spirits or something stronger than beer but the language subjects you to punishment if you have in your possession anything fit for that purpose whether you intend to use it for that purpose or not, and I say that is unfair. You may have it for beer