

# MAINE STATE LEGISLATURE

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DECEMBER SPECIAL SESSION

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E I G H T Y - S I X T H    L E G I S L A T U R E

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**Legislative Document**

**No. 106**

S. P. 38

In Senate, Dec. 7, 1933.

Referred to Committee on Temperance and 1,500 copies ordered printed.  
Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Murchie of Washington.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND  
THIRTY-THREE

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**RESOLVE, Proposing a Modification of the Twenty-sixth Amendment to the Constitution Relating to Intoxicating Liquors by Repealing the Amendment as it now stands and substituting in place thereof a new Amendment.**

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**Resolved:** That Article XXVI of the Amendments to the Constitution is hereby Amended by striking out all of said section and inserting in place thereof the following; so that said section shall read as follows:

**Sec. 1.** The manufacture of beverages containing more than four per cent of alcohol by volume is and shall be forever prohibited.

**Sec. 2.** The sale and keeping for sale of alcoholic beverages containing more than four per cent of alcohol by volume and less than thirteen and one-half per cent of alcohol by volume for consumption on the premises where sold, are and shall be forever prohibited, provided, however, that this shall not operate to prevent hotels, clubs and restaurants from making such sales in original packages as are proper for other dealers duly licensed.

**Sec. 3.** The sale and keeping for sale of alcoholic beverages containing more than thirteen and one half per cent of alcohol by volume are and shall be forever prohibited except by duly constituted agencies of the state or of the political subdivision thereof provided, however, that no such agency shall hereafter be established except by vote of the electors on legislation

submitted to them for ratification and provided, further, that such sale and keeping for sale for medicinal purposes may be permitted under such regulations as the legislature may provide.

**Sec. 4.** Nothing contained in this article shall be construed to authorize the legislature to prohibit the private use of beverages containing more than four per cent of alcohol by volume or the transportation of same for such use either in the state or from place to place therein.

**Sec. 5.** That the aldermen of cities, the selectmen of towns and the assessors of the several plantations of this state, are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, on the second Monday in September following the passage of this resolve, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: 'Shall the constitution be amended by the modification of the twenty-sixth amendment relating to the manufacture and sale of intoxicating liquors?'

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment voting "Yes" upon their ballots and those opposed to the amendment voting "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the secretary of state in the same manner as votes for governor and members of the legislature and the governor and council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the governor shall forthwith make known the fact by his proclamation and the amendment shall thereupon as of the date of said proclamation become a part of the constitution.

**Sec. 6.** That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve accompanied by a copy thereof.'