

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-134)  
109TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 188, L.D. 238, Bill, "AN ACT to Authorize the Town of Dennysville to vote on Certain Local Option Questions Concerning the Sale of Liquor."

Amend the Bill by striking out all of the title and inserting in its place the following: 'AN ACT to Authorize Certain Municipalities to Vote on Local Option Questions Concerning the Sale of Liquor.'

Further amend the Bill in the emergency preamble by striking out all of the 2nd, 3rd and 4th paragraphs and inserting in their place the following:

'Whereas, current state statute limits referendums on local option liquor questions to general elections, no matter when petitions initiating those referendums are submitted and no matter what the current need for a vote on those questions is; and

Whereas, there have arisen in several municipalities situations in which an early vote on local option questions concerning the sale of alcoholic beverages is vitally important to the economies of those municipalities or to the welfare of the inhabitants of those municipalities; and

Whereas, recognizing these special needs, the Legislature has decided to permit special elections to be held on local option questions in those municipalities before the regular general election; and'

Further amend the Bill by inserting at the beginning of the first line after the enacting clause the underlined abbreviation and figure 'Sec. 1.'

Further amend the Bill by inserting before the emergency clause the following:

'Sec. 2. Special local option election authorized for Portland.'

The municipal officers of Portland, upon receipt of a petition signed by at least 15% of the voters voting in that municipality in the last gubernatorial election and addressed to the municipal officers, as defined in Title 30, section 1901, subsection 7, at least 21 days prior to the May, 1979, municipal election, are empowered and directed to notify the inhabitants of their respective municipalities to meet, in the manner prescribed by law, to vote upon the following question:

"Shall state stores and special agency stores for the sale of liquor be operated by permission of the State Liquor Commission in this city on Sunday?" (State Liquor Store)

This question shall apply to both full-time and part-time licensed establishments.

Except as otherwise provided therein, the voting at the May, 1979, Portland municipal election shall be held and conducted in accordance with Title 21. No referendum questions, except that set out in this Act, may be printed on this ballot. Return of the results shall be made to the office of the Secretary of State, who shall forward the results to the State Liquor Commission.

The results of this vote shall be treated in the same manner and shall have the same validity as if the questions were properly voted on under the provisions of Title 28, section 101.

If portland has voted in favor of accepting or not accepting this ballot question, the vote shall be effective until repealed according to the procedure established in the Maine Revised Statutes, Title 28, section 101, last paragraph. No local option vote shall be taken on the same question within 2 years from the date of the May, 1979, municipal election.'

#### Statement of Fact

This amendment will permit the City of Portland to vote at the May, 1979. municipal election on the question of whether or not to permit sale of alcoholic beverages on Sunday. A situation has arisen in Portland in which a recreational pier complex will be built to serve summer visitors to Portland. There is intended to be a seasonal liquor store to serve those visitors, but, as many of those visitors come to Portland on Sunday only, this seasonal liquor store will not be able to adequately serve them unless it is open on Sunday. Of course, the decision on Sunday sales will still be left to the voters of Portland. If they approve, however, the seasonal store will be able to be open during the summer of 1979.