

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
March 18, 1840, March 16, 1842 and Acts approved
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

moved from said hospital and taken to said city or town. If said overseers of the poor to whom such certification is made as aforesaid fail to remove such person from said hospital within 1 week after receipt of such certification, the city or town in which such person has his pauper settlement shall be liable to the state of Maine for the entire cost of maintaining such person in said hospital from the date of the certification as aforesaid until finally removed therefrom, the same to be recovered in an action of case. Overseers of the poor of such towns are hereby authorized to remove such persons from said hospitals and convey them to their town in the same manner as is provided for the removal of paupers to the towns of their settlement. Upon failure of the said overseers of the poor to remove any such person continued for more than 1 week after receipt of a certificate as aforesaid, such person if indigent and having no place to which he or she may go, may be transferred to any institution of the state now or hereafter established for the care of persons similarly situated and the town of his pauper settlement shall be liable as aforesaid for the care of such person in such other institution to which removed.

Sec. 2. Remedies for reimbursements. Towns of settlement incurring expense under the provisions of this act shall have the same rights to, and remedies for reimbursement as those provided under chapter 33 of the revised statutes, and amendments thereto.

Sec. 3. Repealing clause. All acts or parts of acts inconsistent herewith are hereby repealed or amended to conform with the provisions hereof.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 18, 1939.

Chapter 228

AN ACT Relating to Malt Liquors.

Be it enacted by the People of the State of Maine, as follows:

P. L., 1933, c. 268, § 10, amended. Section 10 of chapter 268 of the public laws of 1933, as amended by chapter 201 of the public laws of 1937, is hereby further amended to read as follows:

Sec. 10. Licenses to hotels, restaurants and clubs. No license to sell malt liquors to be consumed on the premises where sold shall be issued to any person, firm or corporation for any premises except a bona fide hotel, restaurant or club nor unless the application therefor be approved by the

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municipal officers of the city or town where said hotel, restaurant or club is located, and if said hotel, restaurant or club is located in an unorganized place said application shall be approved by the county commissioners of the county, within which the same is located. **Except as otherwise provided by law relating to part-time licenses, No** no license shall be issued to a restaurant unless that restaurant has been in operation as such for a period of at least 6 months **next** prior to the application for the said license. No licensee under this section of this act shall maintain a bar where malt liquors are consumed. Clubs licensed under this act shall not sell malt liquors for consumption on the premises except to its members and their guests accompanying them. The word "club" as used in this act means a group of individuals incorporated and which is organized and operated in a bona fide manner, solely for objects of a recreational, social, patriotic or fraternal nature and not for pecuniary gain. Licenses issued under this section shall specify the premises to which the license shall apply, and no license for such sale shall be granted to premises within ~~a radius of~~ 300 feet of a public or private school, school dormitory, church, chapel or parish house (measured from the main entrance of said premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel) or to premises adjoining any of the same, except such premises as are used for hotel purposes or as are holding licenses for the sale of vinous and spirituous liquors at the effective date of this act, **provided, however, that the commission may grant licenses to premises which are within 300 feet of a church, chapel or parish house, measured as aforesaid and which do not adjoin any of the same, when the application therefor has the unanimous approval of the members of the state liquor commission and also the written approval of a majority of the officers or the written approval of the officer, person or pastor in charge of the church, chapel or parish house located in such section.**

Any applicant aggrieved by the refusal of the municipal officers or county commissioners to approve an application as hereinbefore provided, may appeal to the state liquor commission, who shall hold a public hearing thereon in the city or town for which said license is requested and if it finds the refusal arbitrary or without justifiable cause, it may issue such license notwithstanding the lack of such approval.'

Approved April 18, 1939.