

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of  
the Maine Attorney General as transferred to  
the Maine State Law and Legislative Reference  
Library on January 19, 2022**

June 18, 1952

no

To John F. Wood, Clerk, Running Horse Racing Commission  
Re: "Day-time"

. . . There are many definitions of "day time". The statute provides that words and phrases shall be construed according to the common meaning of the language. The intention of the legislation is to be ascertained accordingly.

In recent times laws have been enacted in restriction of night hunting and in the requirement of lights on motor vehicles to be used at night. In these cases the legislature prohibited the hunting of wild animals from one-half hour after sunset until one-half hour before sunrise on the following day and used the same time for requiring lights on motor vehicles. These appear to be the most prominent occasions on which the legislature has acted in the use of the term "day-time" in legislation.

The racing law is restrictive and should properly have interpretation restricting it as far as was intended by the legislature. In view of the recent use by the legislature of the term "day-time", extended to include and not exceed the period of one-half hour before sunrise and one-half hour after sunset, it is reasonably apparent that such was the intention concerning the Act in question.

Therefore it is the opinion of this office that the term "in the day-time only" is limited to such period.

Neal A. Donahue  
Assistant Attorney General

nad/c