

MAINE STATE LEGISLATURE

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ELECTIONS - 1966
(Feb)

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STATE OF MAINE

A PUBLIC ACT

Suspended by

REFERENDUM PETITIONS

AN ACT Relating to

Sunday Sale of Liquor

(Including a Brief Explanatory Statement
by the Attorney General as to the Intent
and Content of the Referendum Question)



1966

Submitted to Vote of the People by a
Proclamation of the Governor and
To be Voted Upon at the Special Election,
Monday, February 21, 1966

STATE OF MAINE

EXPLANATION

Written petitions bearing the signatures of more than 29,273 electors of this State, which number is in excess of ten per cent of the total vote for Governor cast in the last gubernatorial election preceding the filing of such petitions, were addressed to the Governor and were filed in the office of the Secretary of State within 90 days after the adjournment of the regular session of the One Hundred and Second Legislature, respectfully requesting that said act be referred to the people of the State to be voted upon in the manner described in the Constitution of the State of Maine.

The Governor, by proclamation dated September 13, 1965, declared the following act suspended and fixed Monday, the 21st day of February, 1966 as the date upon which the same should be referred to the people.

PUBLIC ACT SUSPENDED BY PROCLAMATION

CHAPTER 302, PUBLIC LAWS OF 1965

AN ACT Relating to Sunday Sale of Liquor.

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

R. S., T. 28, § 4, repealed and replaced. Section 4 of Title 28 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 4. Business days and hours

No liquor shall be sold in this State on Sundays except as provided, and no licensee by himself, clerk, servant or agent shall between the hours of midnight and 6 a.m. sell or deliver any liquors, except no liquors shall be sold or delivered on Saturdays after 11:45 p.m. Liquor may be sold on January 1st of any year from midnight to 2 a.m. unless January 1st falls on Sunday. Liquor may be sold in any municipality on the day of holding a general election or state-wide primary only after the closing of the polls in such municipality. Except as provided, no licensee shall permit the consumption of liquors on his premises on Sundays, or after 15 minutes past the hours prohibited for sale thereof, except by bona fide guests in their rooms. No liquor shall be sold in this State on May 30th prior to 12 noon. The hours of selling or delivering referred to shall be United States Eastern Standard Time.

Any person, except an officer in performance of his duties, who purchases liquor on Sunday, in violation of this section shall be guilty of a misdemeanor and shall be subject to the same penalty provided in this section for Sunday sale of liquor.

Any licensee by himself, clerk, servant or agent, except as hereafter provided, who sells liquor on Sunday shall be punished by a fine of not less than \$100 nor more than \$500, and costs, and a penalty of not less

than 2 months nor more than 6 months in jail, at the discretion of the court; and in default of fine and costs an additional penalty by imprisonment for 6 months. Any clerk, servant, agent or other person in the employment of a licensee, who violates or in any manner aids or assists in violating the law relating to Sunday sale of liquor, shall suffer like penalties.

Licensed hotels, class A restaurants and clubs, as defined under section 2, and retail stores as defined by section 751, shall have the right to sell liquors on Sundays between the hours of 12 noon and 9 p.m. and such sales may be made during such time by the licensee himself, a clerk, servant or agent.

On premises licensees, exercising the right to sell liquors under this section, shall pay in addition to the fee now provided in section 701 the sum of \$100, and retail stores shall pay an additional \$25.

Any violation by a licensee of this section or commission rules and regulations related thereto, upon conviction after hearing before the Hearing Commissioner, shall be grounds for suspension or revocation of the license or right to sell on Sunday, or both.

Approved May 20, 1965

FORM OF QUESTION

Shall "An Act Relating to Sunday Sale of Liquor" (allowing certain sales of liquor on Sunday), enacted by the 102nd Legislature as Chapter 302 of the Public Laws of 1965, signed by the Governor and suspended by referendum petition, become law?

INTENT AND CONTENT

The following is a brief explanatory statement prepared by the Attorney General in accordance with the provisions of 1 M.R.S.A., section 353.

INTENT

The purpose of Public Law 1965, Chapter 302, is to allow the sale of liquor in licensed hotels, Class A restaurants, and clubs; and the sale of malt beverages in retail stores, on Sundays between the hours of 12 noon and 9:00 P.M.

CONTENT

Liquor may not be sold on Sunday between midnight and 6:00 A.M. Liquor may be sold on January 1st from midnight to 2:00 A.M. unless January 1st falls on Sunday. Liquor may be sold following the close of the polls on the day of a general election or state-wide primary. Liquor may not be sold prior to 12 noon on May 30. All hours referred to are Eastern Standard Time.

Any person, except an officer performing his duty, buying liquor on Sunday in violation of the law, may be punished to the same extent as the seller. Such pen-

alties are a fine of not less than \$100 nor more than \$500 and imprisonment of not less than 2 months nor more than 6 months, at the discretion of the judge.

All the foregoing is a reenactment of existing law, and did not make any changes.

The only change of substance brought about by the law is the provision that licensed hotels, class A restaurants, clubs and retail stores may sell liquor on Sunday between 12 noon and 9:00 P.M. On premises licensees must pay an additional \$100 and retail stores \$25 for license to sell on Sunday.

A license may be suspended or revoked for a violation of this section of the law.

(Published under Appropriation 2020)

KENNETH M. CURTIS,
Secretary of State