

MAINE STATE LEGISLATURE

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New Draft of: H. P. 1009, L. D. 1410
(New Title)

ONE - HUNDRETH LEGISLATURE

Legislative Document

No. 1483

H. P. 1075

House of Representatives, March 9, 1961

Reported by a Majority of Committee on Liquor Control. Printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Local Option Questions on Sale of Liquor.

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

R. S., c. 61, § 2, repealed and replaced. Section 2 of chapter 61 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

‘Sec. 2. Local option. The aldermen of cities, the selectmen of towns and the assessors of plantations are empowered and directed to notify the inhabitants of their respective municipalities to meet, in the manner prescribed by law for the calling and holding of biennial meetings of said inhabitants for the election of Senators and Representatives, at the time of holding such biennial meeting to give in their votes upon the following question:

I. Shall state stores for the sale of liquor be operated by permission of the State Liquor Commission in this city or town? (State Liquor Store)

II. Shall licenses be granted in this city or town for the sale herein of wine and spirits to be consumed on the premises? (Hotel and Club)

III. Shall licenses be granted in this city or town for sale herein of wine and spirits to be consumed on the premises of Class A restaurants?

IV. Shall licenses be granted in this city or town for sale herein of malt liquor (beer, ale and other malt liquors) to be consumed on the premises? (Beer and Ale in Restaurants, Hotels and Clubs)

V. Shall licenses be granted in this city or town for the sale herein of malt liquor (beer, ale and other malt liquors) to be consumed on the premises of taverns? (Beer and Ale for Men Only)

VI. Shall licenses be granted in this city or town for the sale herein of

malt liquor (beer, ale and other malt liquors) not to be consumed on the premises? (Beer and Ale to Take Out)

VII. Shall licenses be granted in this city or town for sale herein of wine and spirits to be consumed on the premises of part-time hotels and clubs?

VIII. Shall licenses be granted in this city or town for the sale herein of wine and spirits to be consumed on the premises of a club only?

IX. Shall licenses be granted in this city or town for the sale herein of malt liquor (beer, ale and other malt liquors) to be consumed on the premises of a club only?

X. Shall licenses be granted in this city or town for the sale herein of malt liquor to be consumed on the premises of part-time hotels only?

Where a city or town has voted in favor of accepting or not accepting subsections I, II, III, IV, V, VI, VII, VIII, IX and X, said vote shall be effective until repealed in the manner hereinafter provided.

A new vote may be held upon subsections I, II, III, IV, V, VI, VII, VIII, IX and X in a city upon the receipt of the municipal officers upon a petition therefor signed by at least 100 registered voters in said city and said municipal officers of cities shall take action upon the petition and shall notify the inhabitants of their respective cities in the manner prescribed by law that votes will be taken upon subsections I, II, III, IV, V, VI, VII, VIII, IX and X, and the selectmen or other municipal officers of towns shall take action upon a petition duly signed by 25 registered voters of such town asking that a vote be held upon subsections I, II, III, IV, V, VI, VII, VIII, IX and X and they shall notify the inhabitants of their respective towns and plantations that a vote will be taken upon said subsections I, II, III, IV, V, VI, VII, VIII, IX and X in the manner prescribed by law.

The Secretary of State shall prepare and furnish to the several municipalities ballots in manner and form as prescribed in chapter 5, section 5, for constitutional amendment or other questions, together with all such other forms including those for instructions and returns as are prescribed in said chapter 5.

The inhabitants of the several municipalities shall vote by ballot on said questions, those in favor voting "Yes" on their ballots and those opposed "No" 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 canvass the same and the result shall be determined as provided in chapter 5, section 52.

If a majority of the votes cast in any municipality in answer to any local option question is in the affirmative, the commission may issue licenses of the type authorized by such affirmative vote in such municipality.

If a majority of the votes cast in any municipality in answer to any local option question is in the negative, no licenses for sale of the type denied by such negative vote shall be issued in such municipality.

In case of a tie vote on any of the preceding questions, the law shall remain as it was before the voting.

Upon this ballot no other referendum question shall be printed.