

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 858

H. P. 599

House of Representatives, January 30, 1963

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Choate of Windsor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Providing Local Option to Prohibit Operation of Business on Sunday and Certain Holidays.

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

Sec. 1. R. S., c. 134, § 38, amended. Section 38 of chapter 134 of the Revised Statutes, as repealed and replaced by section 1 of chapter 362 of the public laws of 1961, is amended to read as follows :

Sec. 38. Operating business on Lord's Day and certain holidays. No person shall on the Lord's Day, Memorial Day, July 4th, November 11th and Thanksgiving Day, as proclaimed by the Governor, keep open his place of business to the public except for works of necessity or charity.

~~This section shall not apply to common, contract and private carriers; taxicabs; airplanes; radio and television stations; newspaper publishers; hotels, motels, rooming houses, tourist and trailer camps; restaurants; garages and motor vehicle service stations; retail monument dealers; automatic laundries; grocery stores; drug stores; book stores; stores selling gifts or souvenirs; greenhouses; roadside stands engaged in sale of farm produce or dairy products; public utilities; industries normally kept in continuous operation including but not limited to pulp and paper plants and textile plants; processing plants handling agricultural produce or products of the sea; ship chandleries; marinas; sports; athletic events; motion picture theaters; musical concerts; religious, educational, scientific or philosophical lectures; scenic, historic, recreational and amusement facilities~~

It is not intended by this section that any business or facility which is exempt from closing on the Lord's Day and the aforementioned holidays shall

~~be permitted to remain open until it has complied with any other provision of this chapter which requires a vote of the municipality~~

This section shall not be effective in any municipality until a majority of the legal voters, present and voting at any regular election, so vote. This provision shall not be effective in any municipality until a majority of the legal voters, present and voting at any regular election, so vote. The question in appropriate terms may be submitted to the voters at any such election by the municipal officers thereof, and shall by them be so submitted when thereto requested in writing by 100 legal voters therein at least 21 days before such regular election; nor shall it be effective in any town until an article in such town warrant so providing shall have been adopted at an annual town meeting. When a city or town has voted in favor of adopting this section, this section shall remain in effect therein until repealed in the same manner as provided for its adoption.

Any person violating this section shall be punished by a fine of not more than \$100 for the first offense, nor more than \$200 for any subsequent offense occurring within one year following a conviction. No complaint charging violation of this section shall issue later than 5 days after its alleged commission.'

Sec. 2. R. S., c. 134, §§ 38-A - 38-B, repealed. Section 38-A of chapter 134 of the Revised Statutes, as enacted by section 2 of chapter 362 of the public laws of 1961 and section 38-B of chapter 134 of the Revised Statutes, as enacted by section 2 of chapter 302 of the public laws of 1959 and as amended by section 3 of chapter 362 of the public laws of 1961, are repealed.