

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

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**Legislative Document**

**No. 698**

H. P. 524

House of Representatives, January 27, 1965

Referred to Committee on Liquor Control. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Lent of Scarborough.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-FIVE

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**AN ACT Relating to Sunday Sale of Liquor.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the tourist business is one of Maine's substantial and growing industries and should be encouraged as much as possible for the economic well-being of the people of Maine; and

Whereas, Sunday sales of liquor is necessary to encourage more summer visitors to Maine; and

Whereas, the following legislation is vitally necessary for the 1965 summer business; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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**R. S., T. 28, § 4, repealed and replaced.** Section 4 of Title 28 of the Revised Statutes is repealed and the following enacted in place thereof:

**'Sec. 4. Business days and hours.** No liquor shall be sold in this State on Sunday, except as provided, and no licensee by himself, clerk, servant or agent shall, between the hours of 1:00 a.m. and 6 a.m., sell or deliver any liquors, except

that liquors may be sold and delivered on Sundays from midnight until 12:45 a.m. and liquors may be sold and delivered on January 1st of any year from midnight to 2:00 a.m., including such dates which fall on Sundays. 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. No licensee shall permit the consumption of liquors on his premises on Sunday, except as provided, 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 according to the prevailing time in the State of Maine. 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 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.

Duly licensed hotels, class A restaurants and clubs, as defined under section 2, shall have the right to sell liquor on Sundays between the hours of noon and midnight in accordance with the prevailing time for the State of Maine and such sales may be made during such time by the licensee himself, a clerk, servant or agent.

If any licensee or any clerk, servant or agent of a licensee is convicted of a violation of this section and appeals from the judgment and sentence of the trial court, the licensee's license to sell liquor shall be suspended during the time such appeal is pending in the appellate court, unless the trial court shall otherwise order, and no new or renewal license to sell liquor shall be granted to the licensee during the time of such appeal.'

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