

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
104th LEGISLATURE

SENATE AMENDMENT "A" to H.P. 1224, L.D. 1556, Bill, "AN ACT to Revise the Liquor Laws."

Amend said Bill by inserting after section 5, 2 new sections, as follows:

'Sec. 5-A. R. S., T. 28, §4, amended. The 4th paragraph of section 4 of Title 28 of the Revised Statutes, as enacted by section 1 of chapter 183 of the public laws of 1969, is amended to read as follows:

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 12 noon and midnight and such sales may be made during such time by the licensee himself, a clerk, servant or agent in a municipality or unincorporated place where a majority of votes cast in the municipality or unincorporated place in a state-wide special election ~~to be held on the Tuesday following the first Monday in November in 1969~~ shall answer in the affirmative to the following local option question:

Shall this municipality or unincorporated place authorize the sale on Sunday of liquor in those licensed hotels, class A restaurants and clubs where liquor is permitted to be sold during the rest of the week?

and where there was a majority of affirmative votes cast on any local liquor option question voted upon, other than questions 1, 5 and 6, at the last election at which local liquor option questions were on the ballot in the municipality or unincorporated place.

The foregoing state-wide special election shall be held on November 4, 1969, if there is no referendum under Article IV, Part Third, Section 17 of the Constitution of Maine; if there is a referendum under the above provisions of the Constitution, which referendum ratifies this Act, the state-wide special election shall be held at the general election in November, 1970.

Subsequent to the 1969 special election or, the general election subsequent to the referendum if there is a referendum under Article IV, Part Third, Section 17 of the Constitution of Maine ratifying this Act, electors in any municipality or unincorporated place may place on a ballot and vote upon local option question numbered 11 in the manner provided by section 101 and electors in an unincorporated place may place on a ballot and vote upon local option question numbered 11 in the manner provided by section 103.

Sec. 5-B. R. S., T. 28, §4, amended. Section 4 of Title 28 of the Revised Statutes, as repealed and replaced by section 1 of chapter 183 of the public laws of 1969, is amended by adding at the end, a new paragraph, as follows:

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Unincorporated place shall mean for purposes of this section an unincorporated place where the total number of persons resident is 20 or more as shown by returns to the State Tax Assessor as provided by Title 36, section 1421.'

Further amend said Bill by inserting after section 6, a new section, as follows:

'Sec. 6-A. R. S., T. 28, §103, amended. The 4th paragraph of section 103 of Title 28 of the Revised Statutes is amended by adding at the end, a new sentence, as follows:

The county commissioners or the commission shall have the authority in such unincorporated place to authorize the sale of liquor on Sunday in those licensed hotels, class A restaurants and clubs where liquor is permitted to be sold during the rest of the week.'

Further amend said Bill in that part designated "§ 801" of section 13 by adding after the words "liquor or wine" in the 12th line (same in L.D.) the underlined punctuation and words ', or both'

Further amend said Bill by adding at the end, the following:

'Sec. 17. R. S., T. 28, §751, amended. The first paragraph of section 751 of Title 28 of the Revised Statutes, as last amended by section 24 of chapter 360 of the public laws of 1969, is further amended to read as follows:

Licenses for sale and distribution of malt liquor or table wine, or both, in retail stores may be issued by the commission upon application and under such regulations as the commission may prescribe. No such license or licenses shall be issued to any person who is not engaged in a bona fide retail business other than the sale of malt liquors or table wine at retail and no person licensed to sell malt liquor or table wine under this section shall sell malt liquor or table wine for consumption on the premises where sold.

Sec. 18. Effective date. Section 17 of this Act shall become effective January 2, 1971.

Sec. 19. R.S., T. 28, §751-A, amended. Section 751-A of Title 28 of the Revised Statutes, as enacted by chapter 91 of the public laws of 1967 and as amended by section 25 of chapter 360 of the public laws of 1969, is further amended to read as follows:

§ 751-A. Payment for sales in retail stores

For the purpose of receiving payment at the check-out counters for the sale of malt liquor or table wine in retail stores, the age of such employee receiving the payment shall not be under ~~18~~ 17 years of age for malt liquor and 18 years for table wine, provided that an employee who is 21 years of age or older is present in the retail store in a supervisory capacity.

Sec. 20. Effective date. Section 19 of this Act shall become effective 91 days after adjournment of the Legislature.

Sec. 21. Residents in unincorporated places. Notwithstanding the provisions of Title 21, section 246, subsection 3, of the Revised Statutes, a duly qualified voter who is a resident in a township may vote in a town within his representative district relative to the sale of liquor on Sunday for his township in the state-wide special election to be held on November 4, 1969 or at the general election

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in November, 1970 if there is a referendum under Article IV, Part Third, Section 17, of the Constitution of Maine ratifying the public laws of 1969, chapter 183.

Sec. 22. Effective date. The effective dates of section 5-A, 5-B, 6-A and 21 of this Act shall be the 91st day after the adjournment of this legislative session.

Sec. 23. P.L., 1969, c. 360, §32, additional. Chapter 360 of the public laws of 1969 is amended by adding at the end a new section as follows:

Sec. 32. Effective date. This Act shall become effective January 1, 1971.'

Proposed by Senator BERRY of Cumberland.

Reproduced and distributed pursuant to Senate Rule No. 11A.

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6/17/69