

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
109TH LEGISLATURE  
FIRST REGULAR SESSION

(Filing No. S-101)

SENATE AMENDMENT "A " to H.P. 188, L.D. 238, Bill,  
"AN ACT to Authorize the Town of Dennysville to vote on Certain  
Local Option Questions Concerning the Sale of Liquor.

Amend the Bill by striking out all of the title and  
inserting in its place the following: 'AN ACT to Authorize  
Municipalities to Vote on Certain Local Option Questions Concerning  
the Sale of Liquor.'

Further amend the Bill in the emergency preamble by striking  
out all of the 2nd, 3rd and 4th paragraphs and inserting in their  
place the following:

'Whereas, some municipalities are located in areas remote  
to an established state liquor store; and

Whereas, the citizens of those towns are required to travel  
long distances to obtain the service of liquor, thereby creating  
an extra expense to the inhabitants; and

Whereas, the immediate resolution of these questions is of  
great importance to the citizens of these towns; and'

Further amend the bill by striking out everything after the  
enacting clause and before the emergency clause and inserting  
in its place the following:

'Sec. 1. 28 MRSA §101, first paragraph, as repealed and replaced  
PL 1977, c. 630, §2, is repealed and the following enacted in its  
place:

The municipal officers of cities and towns and the assessors  
of plantations, upon receipt of a petition signed by at least

15% of the voters, voting in that municipality in the last gubernatorial election and addressed to the municipal officers, as defined in Title 30, Section 1901, subsection 7, at least 21 days prior to holding any primary, special statewide, general or municipal election or annual or special town meeting, are empowered and directed to notify the inhabitants of their respective municipalities to meet, in the manner prescribed by law to vote upon any or all of the following questions:

Sec. 2. Authorization and validation. Notwithstanding any other provision of law pursuant to specific referendum instructions of the Commissioner of Alcoholic Beverages, the affirmative vote recorded at town meeting in Frankfort, Maine on March 23, 1979, by which the inhabitants approved the Sunday sale for on-premises consumption of alcoholic beverages, is hereby validated, confirmed and made effective and upon passage of this Act, the town clerk of Frankfort shall incorporate this validation into the official records of the Town of Frankfort.'

#### Statement of Fact

On March 23, 1979 at the regular town meeting in Frankfort, Maine in what appeared to be a valid vote from instructions followed by the Commissioner of Alcoholic Beverages, the residents approved Sunday sale for on-premise consumption of Alcoholic beverages by a substantial margin.

Under present law this action was illegal and therefore the vote was held invalid.

These events were approved before cloture date, therefore prohibited the introduction of legislation to validate the referendum vote taken on the question.

This section of the amendment would validate that vote thus eliminating the cost of a third vote on this question.

(Shute)

NAME:



FROM: Waldo

Reproduced and distributed pursuant to Senate Rule 11-A.

April 11, 1979

(Filing No. S-101)