

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1199**

S. P. 388

In Senate, March 14, 1979

On Motion of Senator Katz of Kennebec, referred to the Committee on Business Legislation. Sent down for concurrence and ordered printed.

Presented by Senator Trafton of Androscoggin.

MAY M. ROSS, Secretary of the Senate

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT Relating to the Sunday Sale of Furniture.**

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

**17 MRSA § 3204, 2nd ¶**, as last amended by PL 1977, c. 284, § 3, is further amended to read:

This section shall not apply to: The operation or maintenance of common, contract and private carriers; taxicabs; airplanes, newspapers; radio and television stations; hotels, motels, rooming houses, tourist and trailer camps; restaurants; garages and motor vehicle service stations; retail monument dealers; automatic laundries; machines that vend anything of value, including, but not limited to, a product, money or service; pharmacies; greenhouses; seasonal stands engaged in sale of farm produce, dairy products, sea food or Christmas trees; public utilities; industries normally kept in continuous operations, 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, establishments primarily selling boats, boating equipment, sporting equipment, souvenirs and novelties; motion picture theatres; public dancing; sports and athletic events; bowling alleys; displaying or exploding fireworks, under Title 8, chapter 9; musical concerts; religious, educational, scientific or philosophical lectures; scenic, historic, recreational and amusement facilities; real estate brokers and real estate salesmen; mobile home brokers and

mobile home salesmen; provided that this section shall not exempt the businesses or facilities specified in sections 3205, 3206 and 3207 from closing in any municipality until the requirements of those sections have been met; stores wherein no more than 5 persons, including the proprietor, are employed in the usual and regular conduct of business; stores which have no more than 5,000 square feet of interior customer selling space, excluding back room storage, office and processing space; **provided that a retail furniture store may not open for business in violation of this section regardless of the number of employees or the size of interior customer selling space.**

#### STATEMENT OF FACT

The Sunday closing law currently permits stores with showrooms of less than 5,000 square feet to remain open on Sundays and holidays. Where furniture stores are concerned, the result is frequently ironic: Many large, high-volume discount houses which happen to have small showrooms may stay open while their local competitors must close. The law was never intended to create this inequity. This bill eliminates the irrational and unfair discrimination against ordinary furniture stores by prohibiting any furniture store from opening Sundays or holidays.