

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 156

S. P. 62

House of Representatives, January 19, 1943.

Referred to Committee on Temperance in concurrence and 750 ordered printed.

HARVEY R. PEASE, Clerk.

Referred to 91st Legislature by 90th Legislature.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Relating to the Regulation of the Sale of Malt Liquors to Minors.

Emergency preamble. Whereas, a state of war exists between the United States and Germany, Italy, Japan and other foreign countries; and

Whereas, we are, more than ever, in need of sober, keen-minded youth; and

Whereas, in the judgment of the legislature this fact creates an emergency within the meaning of section 16 of Article XXXI of the Constitution of Maine and requires 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:

Regulation of the sale of malt liquors to minors. Section 12-C of chapter 268 of the public laws of 1933, as enacted by chapter 235 of the public laws of 1937 and amended by chapter 250 of the public laws of 1941, is hereby further amended to read as follows:

'Sec. 12-C. Limitations on sales by licensees. No licensee shall sell, or offer to sell, any malt liquor, wine or spirits, except for cash, excepting credits extended by a hotel or club to bona fide registered guests or mem-

bers. No right of action shall exist to collect claims for credits extended contrary to the provisions of this section. Nothing herein contained shall prohibit a licensee from giving credit to a purchaser for the actual price charged for packages or original containers to be returned by the original purchaser as a credit on any sale, or from refunding to a purchaser the amount actually paid by such purchaser for packages or original containers.

No licensee shall sell, offer to sell, or furnish any liquor, malt liquor, wines, or spirits to any person on a pass book or store order, or receive from any person any goods, wares, merchandise or other article in exchange for liquor, malt liquors, wines, or spirits, except only such packages or original containers as were originally purchased from such licensee by the person returning the same. No licensee shall sell, furnish, give, serve, or permit to be served any liquor, malt liquor, wine, or spirits to any person visibly intoxicated, to any insane person, to a known habitual drunkard, to any pauper, to persons of known intemperate habits, or to any minor under the age of ~~18~~ 21 years, ~~except that a licensee for the sale of malt liquor to be consumed on the premises shall not furnish and sell such malt liquor in conformity with such license to persons under the age of 21 years.~~

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