

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 732**

H. P. 1233

House of Representatives, February 25, 1943.

Referred to Committee on Temperance, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented By Mr. Bubar of Weston.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-THREE

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

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

**Sec. 1. Permit card.** No person may purchase liquor unless he has permit so to do. The permits shall be issued by the liquor commission, in such form as they may designate, through the agencies of the state liquor stores, and shall entitle the holder to purchase liquor in the state. No one may purchase a permit who is under 21 years of age, or whose permit has been suspended. Each applicant for a permit must file a statement as to his age and as to whether or not he has previously received a permit. The liquor commission may make such rules and regulations as may be necessary to carry out the provisions of sections 1 and 2 hereof.

**Sec. 2. Restriction on use of permit; penalties.** Any person convicted of drunkenness, or drunken driving, or illegal sale of liquor shall surrender up his permit to the court, which shall forthwith mail the permit and a copy of the court record to the liquor commission. The liquor commission shall suspend the permit for a period of 2 weeks from the date of the conviction on the 1st reported conviction of drunkenness, and for 30 days on the 2nd conviction, and for 6 months on the 3rd conviction.

The commission shall suspend the permit for a period of 1 year upon the 1st reported conviction of the operating of a motor vehicle while under the influence of liquor, and for a period of 3 years upon the 2nd conviction.

Any person who sells liquor to a person who does not have a permit, shall be punished by a fine of not more than \$100.

**Sec. 3. P. L., 1937, c. 223, § 3, amended.** Section 3 of chapter 223 of the public laws of 1937 is hereby amended to read as follows:

**'Sec. 3. Delivery of liquors regulated.** No person, association, partnership or body corporate, shall knowingly transport to, or cause to be delivered to, any person, firm or corporation, other than the state liquor commission, unless upon written permission of said commission, any spirituous or vinous liquors, ~~except liquors purchased from a state store or the state liquor commission.~~ Any officer of any transportation company, express company, carrier for hire, or other person who knowingly transports or delivers intoxicating liquors, contrary to the provisions hereof, shall be punished by a fine of not more than \$500, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.'

**Sec. 4. R. S., c. 137, § 3, amended.** Section 3 of chapter 137 of the revised statutes, as amended by section 1 of chapter 226 of the public laws of 1933 and further amended by section 2 of chapter 296 of the public laws of 1933, and further amended by chapter 224 of the public laws of 1937, is hereby further amended to read as follows:

**'Sec. 3. Transportation of intoxicating liquor regulated.** No person shall knowingly transport from place to place in this state, any intoxicating liquors, with intent to sell the same in this state in violation of law, or with intent that the same shall be so sold by any person, or to aid any person in such sale, and no person shall transport any spirituous or vinous liquors in this state in a greater quantity than 3 quarts, unless said liquor was purchased from a state store or the state liquor commission. Provided, however, that the state liquor commission in its discretion may grant to an individual, upon application made by such individual, a permit to transport liquor purchased for his own personal use. It shall be lawful for common carriers and contract carriers duly authorized as such by the public utilities commission to transport liquor to state stores, to state warehouses, to licensees of the state liquor commission, ~~to purchasers of liquor at state stores,~~ and from manufacturers to state warehouses, state stores and to the state line for transportation outside the state; for licensees of the state

liquor commission to transport liquor from state stores to their place of business; and for manufacturers to transport within the state to state warehouses and state stores and to the state line for transportation outside the state. Whoever knowingly violates any of the provisions of this section shall be punished by a fine of not less than \$100 nor more than \$1,000 and costs of prosecution and by imprisonment for not less than 2 months nor more than 6 months and in default of payment of such fine and costs by imprisonment for not less than 2 months nor more than 6 months additional.'