

MAINE STATE LEGISLATURE

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NEW DRAFT OF S. P. 352, L. D. 984

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

Legislative Document

No. 1382

S. P. 503

In Senate, April 8, 1947.

Reported by Senator Baker of Kennebec from Committee on Temperance and laid on the table to be printed under joint rules.

CHESTER T. WINSLOW, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT Relating to Local Option Provisions.

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

Sec. 1. R. S., c. 57, § 2, amended. Section 2 of chapter 57 of the revised statutes is hereby amended to read as follows:

Sec. 2. Local option. The aldermen of cities, the selectmen of towns, and the assessors of plantations are empowered and directed to notify the inhabitants of their respective cities, towns, and plantations to meet, in the manner prescribed by law for the calling and holding of biennial meetings of said inhabitants for the election of senators and representatives, at the time of holding such biennial meeting to give in their votes upon the following questions:

- I.** Shall state stores for the sale of liquor be operated by permission of the state liquor commission in this city or town?
- II.** Shall licenses be granted in this city or town under regulation of the state liquor commission for the sale herein of wine and spirits to be consumed on the premises?
- III.** Shall licenses be granted in this city or town for the sale herein of

malt liquor (beer, ale, and other malt liquors) to be consumed on the premises?

IV. Shall licenses be granted in this city or town for the sale herein of malt liquor (beer, ale, and other malt liquors) not to be consumed on the premises?

Upon receipt of a petition of electors resident in that city or town in writing addressed to the secretary of state and signed by at least 15% of the number of voters voting for the gubernatorial candidates at the last state-wide election in that city or town, which petition shall be filed with the secretary of state on or before the 1st day of July preceding the day of the biennial election, the ballots for that city or town shall carry **in accordance with the petition any or all of the following additional ~~question~~ questions:**

V. Shall licenses be granted in this city or town for the sale therein under the regulation of the state liquor commission of wine and spirits to be consumed on the premises of a hotel or club that operates only during the months of June, July, August, and September?

VI. Shall licenses be granted in this city or town for the sale therein under the regulation of the state liquor commission of wine and spirits to be consumed on the premises of a club only?

VII. Shall licenses be granted in this city or town for the sale therein under the regulation of the state liquor commission of malt liquor (beer, ale, and other malt liquors) to be consumed on the premises of a club only?

The secretary of state shall prepare and furnish to the several cities, towns, and plantations ballots in manner and form as prescribed in section 5 of chapter 5 for constitutional amendment or other questions, together with all such other forms including those for instructions and returns as are prescribed in said chapter 5.

The inhabitants of the several cities, towns, and plantations shall vote by ballot on said questions, those in favor voting "Yes" on their ballots and those opposed "No", and the ballots shall be received, sorted, counted, and declared in open ward, town, and plantation meetings and return made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall canvass the same and the results shall be determined as provided in section 52 of chapter 5.

If a majority of the votes cast in a city or town in answer to question I

is in the affirmative, the commission may operate therein a state store or stores for the sale of liquor, subject to all provisions of law.

If a majority of such votes in answer to question II is in the affirmative, the commission may issue licenses for the sale therein of wine and spirits for consumption on the premises, subject to all provisions of law.

If a majority of such votes in answer to question III is in the affirmative, the commission may issue licenses for the sale therein of malt liquor to be consumed on the premises, subject to all provisions of law.

If a majority of such votes in answer to question IV is in the affirmative, the commission may issue licenses for the sale therein of malt liquor not to be consumed on the premises, subject to all provisions of law.

If a majority of the votes cast in a city or town in answer to question V are in the affirmative, the commission may issue licenses for the sale of wines and spirits to be consumed on the premises of a hotel or club therein that operates only during the months of June, July, August, and September.

If a majority of the votes cast in a city or town in answer to question VI are in the affirmative, the commission may issue licenses for the sale of wines and spirits to be consumed on the premises of a club only therein.

If a majority of the votes cast in a city or town in answer to question VII are in the affirmative, the commission may issue licenses for the sale of malt liquor (beer, ale, and other malt liquors) to be consumed on the premises of a club only therein.

If a majority of such votes cast on question I is in the negative, the operation of state stores in that city or town for a period of 2 calendar years next following shall be unlawful.

If a majority of such votes cast on question II is in the negative, licenses shall not be issued for the sale therein of wines and spirits for consumption on the premises, for the 2 calendar years next following.

If a majority of such votes cast on question III is in the negative, licenses for the sale therein of malt liquor to be consumed on the premises shall not be issued, for the 2 calendar years next following.

If a majority of such votes cast on question IV is in the negative, licenses for the sale therein of malt liquor not to be consumed on the premises shall not be issued for the 2 calendar years next following.

If a majority of the votes cast on question V are in the negative, licenses shall not be issued for the sale of wines and spirits to be consumed on the

premises of a hotel or club that operates therein only during the months of June, July, August, and September for the 2 calendar years next following.

If a majority of the votes cast on question VI are in the negative, licenses shall not be issued for the sale of wines and spirits to be consumed on the premises of a club only therein.

If a majority of the votes cast on question VII are in the negative, licenses shall not be issued for the sale of malt liquor (beer, ale, and other malt liquors) to be consumed on the premises of a club only therein.

In case of a tie vote on any of the preceding questions, the law shall remain as it was before the voting.

Upon this ballot no other referendum question shall be printed.'

Sec. 2. P. L., 1947, c. 138, repealed; limitation. Chapter 138 of the public laws of 1947, heretofore passed by this legislature, amending section 2 of chapter 57 of the revised statutes, is hereby repealed and shall not be printed as part of the session laws of 1947.