

# MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

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Legislative Document

No. 822

H. P. 1545

House of Representatives, February 17, 1949

Referred to the Committee on Temperance. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Martin of Augusta.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-NINE

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AN ACT Relating to Local Option Liquor Voting in Unincorporated  
Places.

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

R. S., c. 57, § 21-A, repealed and replaced. Section 21-A of chapter 57 of the revised statutes, as enacted by section 1 of chapter 372 of the public laws of 1947, is hereby repealed and the following enacted in place thereof:

'Sec. 21-A. Liquor licenses in unincorporated places. Upon petition addressed to the secretary of state, signed by 20% or more of the inhabitants of any unincorporated place enumerated on the list of the state tax assessor and designated as qualified voters under the provisions of section 101-A of chapter 14, requiring a vote on local option questions, he shall forthwith set a date, give public notice in the same manner as provided for notice in section 22 of this chapter and cause a vote to be taken in such unincorporated place under his supervision. For the purposes of this election, the secretary of state shall prepare ballots and submit such questions as are requested by such a petition, in the same form as provided for the local option vote in section 2 of this chapter, and he is authorized to make necessary rules and regulations for preparing, carrying out and determining the result of such vote. He shall promptly certify the results of any such vote taken to the state liquor commission.

If a majority of the votes cast on any of the local option questions by voters qualified to vote under the provisions of this section is in the affirmative, the commission may issue licenses in such unincorporated place of the type approved by such affirmative vote subject to all the provisions of law.

If a majority of the votes cast on any of the local option questions by voters qualified to vote under the provisions of this section is in the negative, no new or renewal license shall be issued in such unincorporated place of the type disapproved by such negative vote.

In either case, the period during which licenses may or may not issue in such unincorporated place shall be the balance of the 2-year period provided for in the state-wide local option, and no new vote shall be taken in such unincorporated place until the time of another biennial state-wide local option vote.

Provided, however, that if the total number of votes cast on any option question in any election held under the provisions of this section is less than 25 or in any unincorporated place where no vote as herein provided has been taken, the decision of the county commissioners of the county in which such unincorporated place is located as provided in section 22, shall not be subject to the appeal provided by section 23; and provided further, that in no event shall the liquor commission issue a license to any person when it appears to them that he or his family or some other person whom in fact he represents has moved a licensed store or restaurant from some organized or unincorporated place where a local option vote has resulted in his being unable to continue the business.'