

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-second and Ninety-third
Legislatures
OF THE
STATE OF MAINE

From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
From May 25, 1945 to May 14, 1947

Published by the Revisor of Statutes in accordance
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

PUBLIC, 1947

CHAP. 165

section III of section 60 of chapter 57 of the revised statutes is hereby amended to read as follows:

'A. Conviction of violation of any law of this state or of the United States relating to the manufacture, possession, transportation or sale of intoxicating liquor, except sales to minors;'

Effective August 13, 1947

Chapter 164

AN ACT Relating to Licenses for 'On Premise' Sale of Malt Liquor.

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

R. S., c. 57, § 23, amended. Section 23 of chapter 57 of the revised statutes, as amended by chapter 245 of the public laws of 1945, is hereby further amended by adding at the end thereof a new paragraph, to read as follows:

'No licenses shall be issued to any retail establishment under the provisions of this section unless it has been in operation as such for a period of at least 3 months next prior to the date of the application, except that anyone who formerly held a malt liquor license or who formerly was owner of a retail store, shall not be subject to the provisions of this sentence.'

Effective August 13, 1947

Chapter 165

AN ACT Relating to Manufacture and Sale of Apple Cider.

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

Sec. 1. R. S., c. 57, § 1, amended. The 3rd paragraph of section 1 of chapter 57 of the revised statutes is hereby amended to read as follows:

'"Apple ~~wine~~ cider" as used in section 14 shall mean "liquor" made from apples.'

Sec. 2. R. S., c. 57, § 14, amended. Section 14 of chapter 57 of the revised statutes is hereby amended to read as follows:

'Sec. 14. Sale of apple cider, regulated; records; notice to the commissioner of quantity; apple cider, how sold; containers; interstate shipment; penalty. The commission is authorized and empowered to issue licenses under the provisions of this section for the manufacture of apple ~~wine~~

cider from apples grown in this state. The annual fee for such license shall be \$100, and such license shall expire on August 31st of the year next ensuing.

The licensee or operator of an apple ~~winery~~ cider processing plant under the provisions of this section shall keep an accurate record in detail showing the date and number of bushels by weight of apples received at such apple ~~winery~~ cider processing plant, the number of gallons of apple ~~wine~~ cider manufactured therefrom, the name of the owner, and the place in the state where such apples were grown, together with such other information as may be required by the commission, and process the same in conformity with the regulations of the commission.

On or before September 1 in each year, any person, firm or corporation, hereinafter called "owners", desiring to sell apples to said apple ~~wineries~~ cider processing plants, shall notify ~~said apple wineries~~ the proprietors of said plants in writing of the estimated number of bushels of apples such owner will sell to ~~such apple winery~~ said proprietors of such cider processing plants, and the locality wherein the apples from which such apple ~~wine~~ cider is to be manufactured are to be raised. Upon the acceptance by any ~~apple winery~~ proprietor of a cider processing plant, of the offer of such owner, such owner shall deliver to the apple ~~winery~~ cider processing plant the number of bushels of apples. The commission is authorized to issue regulations so that not less than 40% of the established wholesale price shall be given to all such owners. In case the offering for sale of apples in any year is greater than is needed by the apple ~~winery~~ cider processing plant, the purchase of the apples from the various owners shall be on a pro rata basis. The commission shall notify the ~~apple wineries~~ proprietors of the cider processing plants of the amount of apple ~~wine~~ cider that it intends to purchase, and the price per gallon that it will pay, and shall pro rate its purchases from the ~~apple wineries~~ apple cider processors according to the amounts offered for sale to the commission by the various ~~apple wineries~~ apple cider processors.

All licenses issued by the commission for the sale of spirituous and vinous liquors shall contain an indorsement to the effect that the licensee is authorized to sell apple ~~wine~~ cider. The commission shall offer for sale at the various state liquor stores apple ~~wine~~ cider.

The commission shall cause each and every container taken from an apple ~~winery~~ cider processing plant for sale to be labeled, marked or branded as to the quantity contained in it, the place of origin, and the approximate per cent of alcoholic content by volume.

The commission ~~is authorized~~ may authorize licensees and operators of cider processing plants to sell and ship apple ~~wine~~ cider to purchasers out-

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side of the state of **Maine** under such rules and regulations as the commission may prescribe.

Whoever, other than the commission or the licensees as specified in this section, sells apple ~~wine~~ cider of more than 1% of alcoholic content by volume shall be punished by a fine of not less than \$50, nor more than \$200, or by imprisonment for not less than 30 days, nor more than 90 days, or by both such fine and imprisonment.'

Effective August 13, 1947

Chapter 166

AN ACT Providing for Payment of Personal Property Tax on Trailers Before Motor Vehicle Registration Permitted.

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

R. S., c. 19, § 15, sub-§ III, amended. Subsection III of section 15 of chapter 19 of the revised statutes is hereby amended by adding at the end thereof a new paragraph, to read as follows:

'No registration or license shall be granted to the owner of a house trailer or camp trailer of the covered wagon type until he shall present a receipt or certificate that the personal property tax assessed on said trailer has been paid for the year preceding that for which the registration or license is applied for, or written evidence from the taxing authority of that city or town that he was legally exempted therefrom or that the tax has been abated.'

Effective August 13, 1947

Chapter 167

AN ACT Relating to Burglary and Breaking and Entering.

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

Sec. 1. R. S., c. 118, § 8, amended. Section 8 of chapter 118 of the revised statutes is hereby amended to read as follows:

'Sec. 8. Burglary, definition; penalty. Whoever breaks and enters in the night-time, with intent to commit a felony or any larceny, or, having entered with such intent, breaks, in the night-time, a dwelling-house, any person being then lawfully therein, is guilty of burglary; and whether he is, before or after entering, armed with a dangerous weapon, or whether