

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 26 of chapter 9 of the Revised Statutes of 1944.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1951

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-fifth Legislature

1951

Chapter 77

AN ACT Relating to Sales of Liquor to Minors.

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

R. S., c. 57, § 55, amended. The 2nd sentence of the 2nd paragraph of section 55 of chapter 57 of the revised statutes is hereby amended to read as follows:

'No licensee, by himself, clerk, servant or agent entitled to sell malt liquor not to be consumed on the premises shall sell, furnish, give or deliver such malt liquor 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.'

Effective August 20, 1951

Chapter 78

AN ACT Prohibiting the Procuring of Liquor for Certain Persons.

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

R. S., c. 57, § 69-A, additional. Chapter 57 of the revised statutes is hereby amended by adding thereto a new section to be numbered 69-A, to read as follows:

'Sec. 69-A. Procuring liquor for certain persons forbidden; penalty. Whoever knowingly procures or in any way aids or assists in procuring liquor for a minor who may not legally purchase liquor for himself or for any intoxicated person, pauper, insane person or person of known intemperate habits, except that this provision shall not apply to liquor served to a minor in the home, shall be punished by a fine of not more than \$100, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.'

Effective August 20, 1951

Chapter 79

AN ACT Relating to the Practice of Optometry.

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

R. S., c. 69, § 17, repealed and replaced. Section 17 of chapter 69 of the revised statutes, as enacted by section 12 of chapter 336 of the public laws of 1949, is hereby repealed and the following enacted in place thereof:

'Sec. 17. Appeal from decree of suspension or revocation. A person whose certificate has been suspended or revoked may secure judicial review thereof by commencing within 30 days after the decision of the board an action in the superior court of Kennebec county against the board for the review of its decision. In such action, a petition, which need not be verified, but which shall state the grounds upon which a review is sought, shall be served upon the board or upon such person as the board may designate together with as many copies of the petition as there are members of the board and the party so served shall forthwith mail one such copy to each such board member. With its answer, the board shall certify and file with said court the original or a certified copy of all documents and papers and transcript of all testimony taken in the matter, together with its findings of fact and decision therein. In any judicial proceeding under this section, the findings of the board as to the facts, if supported by evidence and in the absence of fraud, shall be conclusive, and the jurisdiction of said court shall be confined to questions of law. An appeal may be taken from the decision of the superior court of Kennebec county to the supreme judicial court for the state of Maine, in the same manner, but not inconsistent with the provisions hereof, as is provided in civil cases. It shall not be necessary, in any judicial proceedings under this section, to enter exceptions to the rulings of the board and no bond shall be required for entering such an appeal. Upon the final determination of such judicial proceedings, the board shall enter an order in accordance with such determination. Pending such final determination and the entry of such order in accordance therewith, the action of the board in suspending or revoking the certificate of the petitioner shall be stayed by such an appeal.'

Effective August 20, 1951.

Chapter 80

AN ACT Relating to Estimates for Taxes by County Commissioners.

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

R. S., c. 79, § 13, amended. Section 13 of chapter 79 of the revised statutes is hereby amended to read as follows:

'Sec. 13. County commissioners to make annual estimates for county taxes. In order to assess a county tax, county commissioners, at their regular session next before the 1st day of each January in which the legislature meets, shall prepare estimates of the sums necessary to defray the expenses which have accrued or may probably accrue for 1 year from said