

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

constitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to other persons and circumstances shall not be effected thereby.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective April 20, 1951

Chapter 174

AN ACT Relating to Liquor Licenses in Unincorporated Places.

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

Sec. 1. R. S., c. 57, § 21-A, repealed and replaced.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of chapter 57 of the revised statutes, as enacted by section 1 of chapter 372 of the public laws of 1947, is hereby repealed and the following enacted in place thereof: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 signed by 20% or more of the persons resident in an unincorporated place as shown by returns to the state tax assessor provided for by section 101-A of chapter 14, as amended, requesting a vote on local option questions, the secretary of state shall forthwith appoint a time and place, give public notice in the same manner as provided for notice in section 22 and cause a vote on such questions to be taken in such unincorporated place under his supervision and subject to such rules and regulations as he shall promulgate.

If a majority of the votes cast on any such question 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 such question is in the negative, no new or renewal license shall be issued in such unincorporated place of the type disapproved by such negative vote.

The affirmative or negative vote, as hereinbefore cast, on each such local option question, shall prevail, in such unincorporated place, unless and until changed by another such local option vote, subsequently held, on petition to said secretary of state as hereinbefore provided. No such local option vote shall be taken more often than once in any 2-year period.

Provided, however, that if the total number of persons shown by returns of the state tax assessor in such unincorporated place is less than 20 or the

number signing any petition for local option vote is less than 20, the secretary of state shall not hold any election in such unincorporated place and in event no such vote is taken, the county commissioners, if their approval of application is required, or the liquor commission may refuse approval of such application on the basis that such license is not warranted for any substantial public convenience, necessity or demand.

In no event shall the commission issue a license to any person when it appears to it that such person or any other person for his benefit has moved a store or restaurant into an unincorporated place from an organized or unincorporated place where a local option vote has resulted in his being unable to procure a liquor license.'

Sec. 2. Repealed by P. L., 1951, c. 356, § 14.

Sec. 3. Repealed by P. L., 1951, c. 356, § 15.

Effective August 20, 1951

Chapter 175

AN ACT Relating to Sea and Shore Fisheries Laws.

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

Sec. 1. R. S., c. 34, § 5, 6th ¶, amended. The last sentence of the 6th paragraph of section 5 of chapter 34 of the revised statutes, as revised, is hereby amended to read as follows:

'He shall reduce the regulations to writing ~~and provide for the expiration date thereof~~ and shall cause notice of the same to be published, the regulations to take effect upon the day following the publication thereof.'

Sec. 2. R. S., c. 34, § 8, amended. Section 8 of chapter 34 of the revised statutes, as revised, is hereby amended by adding at the end thereof a new paragraph, to read as follows:

'Coastal wardens shall have all of the powers of sheriffs and constables in all the counties of the state, and in all the waters within the jurisdiction of the state, for the purpose of arresting and prosecuting persons for the malicious destruction, damage or larceny of fishing gear, fish, shellfish, lobsters, crabs, shrimp and marine worms, and any contrivance that is used for taking, holding or processing marine species.'