

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and Fourth Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1969

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
ONE HUNDRED AND FOURTH LEGISLATURE  
1969

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States registered mail, certified mail or certificate of mailing, a record authenticated by the United States Post Office of such registration, certification or certificate shall be considered competent evidence that the report, claim, tax return, statement, remittance or other document was mailed, and the date of registration, certification or certificate shall be deemed the postmarked date.

3. Saturdays, Sundays and legal holidays. If the date for filing any report, claim, tax return, statement, remittance or other document falls upon a Saturday, Sunday or legal holiday, the filing shall be considered timely if performed on the next business day.

Effective October 1, 1969

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## Chapter 183

### AN ACT Relating to Sunday Sale of Liquor.

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

Sec. 1. R. S., T. 28, § 4, repealed and replaced. Section 4 of Title 28 of the Revised Statutes is repealed and the following enacted in place thereof:

#### § 4. Business days and hours

No liquor shall be sold in this State on Sundays except as hereinafter provided, and no licensee by himself, clerk, servant or agent shall, between the hours of midnight and 6 a.m., sell or deliver any liquors, except no liquors shall be sold or delivered on Saturdays after 11:45 p.m. Liquor may be sold on January 1st of any year from midnight to 2 a.m. unless January 1st falls on Sunday. Liquor may be sold in any municipality on the day of holding a general election or state-wide primary only after the closing of the polls in such municipality. Except as hereafter provided, no licensee shall permit the consumption of liquors on his premises on Sundays, or after 15 minutes past the hours prohibited for sale thereof, except by bona fide guests in their rooms. No liquor shall be sold in this State on Memorial Day prior to 12 noon. The hours of selling or delivering referred to shall be United States Eastern Standard Time.

Any person, except an officer in performance of his duties, who purchases liquor on Sunday, in violation of this section shall be guilty of a misdemeanor and shall be subject to the same penalty provided in this section for the illegal sale of liquor on Sunday.

Any licensee by himself, clerk, servant or agent, except as hereafter provided, who sells liquor on Sunday shall be punished by a fine of not less than \$100 nor more than \$500, and costs, and a penalty of not less than 2 months nor more than 6 months in jail, at the discretion of the court; and in default of fine and costs an additional penalty by imprisonment for 6 months. Any clerk, servant, agent or other person in the employment of a licensee, who violates or in any manner aids or assists in violating the law relating to Sunday sale of liquor, shall suffer like penalties.

Licensed hotels, class A restaurants and clubs, as defined under section 2, shall have the right to sell liquor on Sundays between the hours of 12 noon and midnight and such sales may be made during such time by the licensee himself, a clerk, servant or agent in a municipality or unincorporated place where a majority of votes cast in the municipality or unincorporated place in a state-wide special election to be held on the Tuesday following the first Monday in November in 1969 shall answer in the affirmative to the following local option question:

Shall this municipality or unincorporated place authorize the sale on Sunday of liquor in those licensed hotels, class A restaurants and clubs where liquor is permitted to be sold during the rest of the week?

and where there was a majority of affirmative votes cast on any local liquor option question voted upon, other than questions 1, 5 and 6, at the last election at which local liquor option questions were on the ballot in the municipality or unincorporated place. Subsequent to the 1969 special election, electors in any municipality or unincorporated place may place on a ballot and vote upon local option question numbered 11 in the manner provided by section 101.

Any violation by a licensee of this section or commission rules and regulations related thereto, upon conviction after hearing before the Hearing Commissioner, shall be grounds for suspension or revocation, or both, of the license or right to sell on Sunday.

If any licensee or any clerk, servant or agent of a licensee is convicted of a violation of this section and appeals from the judgment and sentence of the trial court, the licensee's license to sell liquor shall be suspended during the time such appeal is pending in the appellate court unless the trial court shall otherwise order and no new or renewal license to sell liquor shall be granted to the licensee during the time of such appeal.

**Sec. 2. R. S., T. 28, § 101, amended.** Section 101 of Title 28 of the Revised Statutes, as amended, is further amended by inserting after question 10 a new question 11, to read as follows:

11. Shall the municipality or unincorporated place authorize the sale of liquor on Sunday in those licensed hotels, class A restaurants and clubs where liquor is permitted to be sold during the rest of the week or shall be so permitted by this election?

**Sec. 3. R. S., T. 28, § 101, amended.** The 4th and 5th paragraphs from the end of section 101 of Title 28 of the Revised Statutes, as repealed and replaced by section 1 of chapter 49 of the public laws of 1967, are amended to read as follows:

Where a city or town has voted in favor of accepting or not accepting questions 1, 2, 3, 4, 5, 6, 7, 8, 9 ~~and~~, 10 and 11, said vote shall be effective until repealed in the manner hereinafter provided.

A new vote may be held in a municipality upon one or more of questions 1 through ~~10~~ 11, upon receipt of a petition of electors resident in that municipality, 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 municipality, which petition shall be filed with the Secretary of State on or before the first day of July preceding the day of the biennial election. The ballots for that municipality shall carry questions in accordance with the petition.

Director's note: See 1969 Public Laws, chapters 220, 284, 500, sections 4-A, 4-B and 20 and chapter 504, section 44-A.

Effective October 1, 1969

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## Chapter 184

### AN ACT to Exempt Seamen from the Payment of Overtime Wages.

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

R. S., T. 26, § 664, amended. The last sentence of the first paragraph of section 664 of Title 26 of the Revised Statutes, as amended by chapter 333 of the public laws of 1967, is further amended to read as follows:

The overtime provision of this section shall not apply to **seamen**, the canning, processing, preserving, freezing, drying, marketing, storing, packing for shipment or distribution of herring as sardines, of perishable foods, of agricultural produce, and meat and fish products, nor to the canning of perishable goods, nor to nursing homes and hospitals nor to hotels, motels, restaurants and other eating establishments.

Effective October 1, 1969

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## Chapter 185

### AN ACT Relating to Turn Signals.

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

R. S., T. 29, § 1192, amended. The last sentence of section 1192 of Title 29 of the Revised Statutes, as enacted by section 3 of chapter 248 of the public laws of 1965, is amended to read as follows:

If said signals are given by a lamp or lamps, such lamp or lamps shall emit a white ~~or~~ to amber light to the front and a red to amber light to the rear.

Effective October 1, 1969