

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

CHAPTER 80

AN ACT to Allow Municipalities to Permit the Sale of Malt Liquor in All Restaurants, Restaurants Operating under a Part-time Malt Liquor License, Class A Taverns and Taverns on Sunday.

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

Sec. 1. 28 MRSA § 4, is amended by adding after the 4th ¶, the following new ¶ to read:

Restaurants operating under a part-time restaurant malt liquor license, 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 or general election shall answer in the affirmative to the following local option question:

Shall this municipality or unincorporated place authorize the sale on Sunday of malt liquor in those restaurants operating under a part-time restaurant malt liquor license 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.

Sec. 2. 28 MRSA § 4, as last amended by PL 1973, c. 788, § 122, is further amended by adding before the next to the last paragraph the following new paragraph:

Restaurants, class A taverns and taverns, as defined under section 2, shall be permitted to sell malt 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 or general election shall answer in the affirmative to the following local option question:

Shall this municipality or unincorporated place authorize the sale on Sunday of malt liquor (beer, ale and other malt liquors) to be consumed on the premises of those restaurants, class A taverns and taverns where malt liquor is permitted to be sold during the rest of the week or shall be so permitted by this election?

Sec. 3. 28 MRSA § 101, sub-§ 16 is enacted to read:

16. Shall this municipality or unincorporated place authorize the sale on Sunday of malt liquor (beer, ale and other malt liquors) to be consumed on the premises of those restaurants, class A taverns and taverns where malt liquor is permitted to be sold during the rest of the week or shall be so permitted by this election?

Sec. 4. 28 MRSA § 101, sub-§ 17 is enacted to read:

17. Shall this municipality or unincorporated place authorize the sale on Sunday of malt liquor in those restaurants operating under a part-time restaurant malt liquor license during the rest of the week?

Sec. 5. 28 MRSA § 103, 4th ¶, as amended by PL 1969, c. 500, § 5-A, is further amended by inserting at the end the following:

The county commissioners or the commission shall also have the authority in such unincorporated place to authorize the sale on Sunday of malt liquor and table wine for consumption on the premises by those licensees who are permitted to make such sales during the rest of the week.

Sec. 6. Transition. The first election to be held under section 2 of this Act shall be held at the next state-wide special or general election following the effective date of this Act and the question specified in section 3 and section 4 of this Act shall be placed on the ballot to be voted on by the electors of each municipality or unincorporated place in this State in which malt liquor is permitted to be sold during all days of the week except Sunday or in which the question of whether to allow the sale of malt liquor in that municipality during all days of the week except Sunday in restaurants, Class A taverns or taverns is to be voted on at that election.

Effective October 1, 1975

CHAPTER 81

AN ACT Relating to the Use of Leg Hold Traps under the Inland Fish and Game Law.

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

12 MRSA § 2403 is enacted to read:

§ 2403. Trap restrictions

It shall be unlawful for any person to use auxiliary teeth on any leg hold trap set on land.

Effective October 1, 1975

CHAPTER 82

AN ACT Relating to Nepotism in State Hiring and Promotional Practices.

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

5 MRSA § 558 is enacted to read:

§ 558. Hiring and promoting neutrality

The final decision of whether a person will be hired or promoted by the State cannot be made in part or wholly by a person related to the job candi-