

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 1240**

H. P. 1106

House of Representatives, March 3, 1953

Referred to the Committee on Liquor Control. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Childs of Portland by request.

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**STATE OF MAINE**

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

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**AN ACT Relating to Consumption Sale of Spirituous Liquor in  
Restaurants.**

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

**Sec. 1. R. S., c. 57, § 1, amended.** Section 1 of chapter 57 of the revised statutes, as amended, is hereby further amended by adding after the paragraph which defines "Restaurant" a new paragraph, to read as follows:

“Restaurant, Class A,” shall mean a reputable place operated by responsible persons of good reputation, and habitually and regularly used for the purpose of providing food for the public, and provided with adequate and sanitary kitchen and dining room equipment and having a sufficient number of employees to serve meals regularly to not less than 25 persons at one time. Regular meals for the purpose of this section shall mean the usual assortment of foods commonly ordered at various hours of the day.’

**Sec. 2. R. S., c. 57, § 2, sub-§ 11-A, additional.** Section 2 of chapter 57 of the revised statutes, as amended, is hereby further amended by adding thereto a new subsection to be numbered 11-A, to read as follows:

**'II-A. Shall licenses be granted in this city or town for the sale herein of spirituous liquors in restaurants of Class A?'**

**Sec. 3. R. S., c. 57, § 2, amended.** Section 2 of chapter 57 of the revised statutes, as amended, is hereby further amended by adding after the 14th paragraph thereof a new paragraph, to read as follows:

**'If a majority of such votes in answer to question II-A is in the affirmative, the commission may issue licenses for the sale therein of spirituous liquors in restaurants of Class A for consumption on the premises for the 2 calendar years next following subject to all the provisions of law.'**

**Sec. 4. R. S., c. 57, § 2, amended.** Section 2 of chapter 57 of the revised statutes, as amended, is hereby further amended by adding after the 22nd paragraph thereof a new paragraph, to read as follows:

**'If a majority of such votes cast on question II-A is in the negative, licenses shall not be issued for the sale therein of spirituous liquors in restaurants of Class A for consumption on the premises for 2 calendar years next following.'**

**Sec. 5. R. S., c. 57, § 22-F, amended.** Section 22-F of chapter 57 of the revised statutes, as enacted by section 1 of chapter 85 of the public laws of 1949, and as amended, is hereby further amended by adding after the 10th paragraph thereof a new paragraph, to read as follows:

**'Restaurant, Class A—Spirituous liquor .....\$600.00'**

**Sec. 6. R. S., c. 57, § 22-F, amended.** Section 22-F of chapter 57 of the revised statutes, as enacted by section 1 of chapter 85 of the public laws of 1949, and as amended, is hereby further amended by adding after the 13th paragraph thereof a new paragraph, to read as follows:

**No restaurant, Class A, license shall be issued unless the restaurant shall have been operated for a period of 3 years previous to the issuance of the license, in such manner as to have complied with the requirements for such a license throughout the 3 year period. It shall be cause for the revocation of such license if the major portion of the restaurant's receipts is not derived from the sale of food. It shall be further cause for the revocation of such license if the licensee shall display or cause to be displayed on the premises any advertisements regarding the sale of spirituous liquor therein except on the menu card.'**

**Sec. 7. R. S., c. 57, § 40, amended.** The 1st sentence of section 40 of chapter 57 of the revised statutes, as amended, is hereby further amended to read as follows:

'Licenses for the sale of spirituous and vinous liquor to be consumed on the premises where sold may be issued, **in the discretion of the commission**, to clubs and to bona fide hotels, restaurants, **restaurants Class A**, steamboats and railroad dining cars on payment of the fees herein provided; subject, however, to the condition that the application therefor be approved by the municipal officers of the town or city in which such intended licensee, if operating a club, restaurant, **restaurant Class A**, or hotel, is operating the same, and if said hotel, restaurant, **restaurant Class A**, or club is located in an unorganized place, said application shall be approved by the county commissioners of the county, within which such unorganized place is located, and subject to the further condition that licenses issued to restaurants **not Class A classification** shall be limited to malt liquor or wine.'