

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH  
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,  
SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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

Effective May 2, 1985.

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## CHAPTER 132

H.P. 905 - L.D. 1282

### AN ACT to Provide for Registration of Bottle Clubs.

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

Sec. 1. 28 MRS.A §2, sub-§1-A, as enacted by PL 1979, c. 576, §1, is repealed and the following enacted in its place:

1-A. Bottle club. "Bottle club" means an establishment not licensed or permitted to sell liquor which is operated on a regular, profit or nonprofit basis where members, guests or others are regularly permitted to consume liquor. Charges paid by the bottle club's members or the general public for membership, admission, food, mixers or other supplies used with liquor or storage or handling of liquor belonging to members or the general public are not sales, as defined in this Title, or gifts. A bottle club is not a public place as defined in Title 17, section 2003-A.

Sec. 2. 28 MRS.A §809 is enacted to read:

§809. Bottle clubs

1. Registration. Each bottle club as defined in section 2, subsection 1-A, shall register annually with the State Liquor Commission on forms provided by the commission. Registration shall consist of payment of the registration fee and submission of the information required in paragraph A.

A. The information each bottle club is required to submit consists of only the following:

(1) The name and address of each owner of the bottle club;

(2) The name and address of each operator of the bottle club; and

(3) The regular hours of operation.

B. The annual fee for registration of a bottle club is \$50. Each bottle club shall submit the registration fee with the required information.

C. Any bottle club which does not register with the commission commits a civil violation for which a forfeiture not to exceed \$500 may be adjudged.

2. Minors on the premises. No minor not employed by the bottle club or accompanied by his parent, legal guardian or custodian, as defined in Title 22, section 4002, may be permitted to remain on the premises except on special occasions when liquor is prohibited on the premises. A bottle club may employ minors only if an employee of legal drinking age or older is present in a supervisory capacity.

3. Consumption on premises. No bottle club may permit consumption of liquor on the bottle club premises by minors or persons visibly intoxicated.

4. Violation of state law. No bottle club may knowingly allow any violation of any state law on the bottle club premises.

5. Civil violations and jurisdiction. A bottle club which violates any provision of subsections 2, 3 or 4 commits a civil violation for which a forfeiture may be adjudged of not less than \$100 nor more than \$300 for the first offense; not less than \$200 nor more than \$500 for the 2nd offense; and \$500 for the 3rd and subsequent offenses. The District Court has jurisdiction over civil violations defined in this section pursuant to Title 17-A, section 9.

6. Right of access. Every bottle club shall allow liquor enforcement officers and other law enforcement officers to enter the premises at reasonable times for the purpose of investigating compliance with the liquor laws of this Title. The liquor enforcement officers and other law enforcement officers have the power to enforce all provisions of this Title. Entry into the premises under this subsection shall be conducted in a reasonable manner so as not to disrupt the operation of the bottle club. The investigation shall be limited to those areas involved

in the actual operation of the bottle club, including storage areas.

Effective September 19, 1985.

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## CHAPTER 133

H.P. 904 - L.D. 1281

AN ACT to Amend the Liquor Laws.

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

Sec. 1. 28 MRSA §751-A, as amended by PL 1971, c. 598, §60, is further amended to read:

§751-A. Payment for sales in retail stores

For the purpose of receiving payment at the check-out counters for the sale of malt liquor or table wine in retail stores, the age of ~~such the~~ employee receiving the payment shall not be under 17 years of age, provided that in any event an employee who is ~~18 years of age~~ of legal drinking age as provided in this Title or older is present in the retail store in a supervisory capacity.

Sec. 2. 28 MRSA §852, first ¶, as amended by PL 1979, c. 541, Pt. A, §187, is further amended to read:

No licensee for the sale of liquor to be consumed on licensed premises, except in Class A restaurants, Class A taverns, clubs and hotel dining rooms, ~~shall~~ may employ any person under the age of ~~18 years~~ legal drinking age as provided in this Title in the direct handling or selling of liquor on the premises where ~~such the~~ liquor is sold. No licensee for the sale of liquor to be consumed on the licensed premises of Class A restaurants, Class A taverns, clubs and hotel dining rooms ~~shall~~ may employ any person under the age of 17 years in the direct handling or selling of liquor on the premises where ~~such the~~ liquor is sold, unless provided that in any event an employee who is 18 years of age of legal drinking age as provided in