

# MAINE STATE LEGISLATURE

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CHAPTER 19  
ON PREMISES CONSUMPTION

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SUBCHAPTER I

GENERAL PROVISIONS

Sec.

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- 804. —Public service corporations.
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**§ 801. Licenses generally**

Licenses for the sale of spirituous and vinous liquor to be consumed on the premises where sold may be issued to clubs and to bona fide hotels, restaurants, steamboats and railroad dining cars on payment of the fees provided; subject 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 or hotel, is operating the same, and if said hotel, restaurant 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, except class A restaurants, shall be limited to malt liquor or wine. No licensee for the sale of liquor to be consumed on the premises where sold shall by himself, clerk, servant or agent, sell, give, furnish or deliver any liquor to be consumed elsewhere than upon the licensed premises, except, subject to the provisions of law and the rules and regulations of the commission, hotel licensees may sell liquor in the original packages to bona fide registered room guests.

R.S.1954, c. 61, § 42; 1959, c. 378, § 55.

**§ 802. Licenses for railroads or steamboats; restrictions**

A public service spirituous and vinous liquor license granted to any railroad corporation operating dining cars within the State shall authorize the holder thereof to sell spirituous and vinous liquors in such cars only after leaving and before reaching the terminal stops, to be consumed in such cars. Such licenses shall be good throughout the State.

Such license granted to any steamboat corporation operating boats within the State shall authorize the holder thereof to sell spirituous and vinous liquors in such boats on which food is served only after leaving and before reaching ports within the State.

R.S.1954, c. 61, § 47.

**§ 803. Bond; hotels, clubs and restaurants**

No spirituous or vinous license shall be granted to a hotel, club or restaurant until the applicant therefor has filed with the commission a bond to the State of Maine in the penal sum of \$1,000 as liquidated damages in case of default. Such bond shall have as surety a duly authorized surety company or 2 individuals to be approved by the commission. All such bonds shall be conditioned for the faithful observance of all the laws relating to spirituous and vinous liquor. Such bonds shall be filed with and retained by the commission. Upon the revocation, for a 3-year period or more, of the license of any licensee in this section mentioned, the Attorney General shall bring a civil action in any county in the State, upon the bond given by such licensee, to recover the penal sum thereof as liquidated damages.

R.S.1954, c. 61, § 45; 1961, c. 317, § 209.

**§ 804. —Public service corporations**

A public service spirituous and vinous liquor license shall not be issued to any railroad or steamship company until the applicant therefor has filed with the commission a surety bond similar in form and amount to that required to be filed by a hotel or club licensee, except that in the case of a railroad company or steamship company, one bond shall cover every dining car or steamboat of such company.

R.S.1954, c. 61, § 46.

**§ 805. Clubs; registers, sales to nonmembers**

Every club shall keep and maintain a register which shall disclose the name, identity and address of each member of the club and shall be open for inspection at all reasonable times to any inspector or other authorized agent of the commission. Licensed clubs shall not sell liquor except to members and their guests accompanying them, except that veterans' and fraternal organizations duly licensed may sell liquor to members of the same national organization and to members of auxiliaries of the same national organization and their guests accompanying them.

R.S.1954, c. 61, § 48; 1961, c. 151; 1963, c. 130.

**§ 806. —Sales in containers forbidden**

No club shall be permitted to sell spirituous or vinous liquors in the original container.

R.S.1954, c. 61, § 49.

SUBCHAPTER II

CONDITIONS AND RESTRICTIONS

Sec.

- 851. Certain clubs ineligible.
- 852. Employment of minors.
- 853. Obstructions in windows.
- 854. Lighting of premises.

**§ 851. Certain clubs ineligible**

Clubs operated unlawfully or for another's profit shall not be licensed. A club spirituous and vinous liquor license shall not be granted to any group of persons, incorporated, which is organized or operated for the following objects and purposes:

1. **Gambling.** For gambling or other illegitimate purposes;
2. **Profits to one other than applicant.** For the sale of spirituous and vinous liquors, the profits from which accrue to an individual or corporation other than the applicant.

R.S.1954, c. 61, § 44.

**§ 852. Employment of minors**

No licensee for the sale of liquor to be consumed on licensed premises shall employ any person under the age of 21 years in

the direct handling or selling of liquor on the premises where such liquor is sold.

Whoever violates any provision of this section shall be punished by a fine of not less than \$50 nor more than \$100, or by imprisonment for not less than 30 days nor more than 6 months, or by both.

R.S.1954, c. 61, § 41.

**§ 853. Obstructions in windows**

No licensee of a malt liquor licensed restaurant shall place any object in the street floor windows of his premises that would obstruct in a material or substantial manner a clear view of the interior of said premises. The license of any person violating this section shall be suspended until such obstruction has been removed.

1957, c. 335.

**§ 854. Lighting of premises**

All premises licensed for sale of liquor to be consumed on the premises shall be adequately lighted. The license of any person violating this section shall be suspended until the licensee has conformed to the requirements of this section.

1959, c. 261; 1961, c. 344, § 9.