

MAINE STATE LEGISLATURE

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January 24, 1973

Keith H. Ingraham, Director

Bureau Alcoholic Beverages

John Kendrick, Assistant

Attorney General

28 M.R.S.A. § 801 A sub-§3

It is my opinion that the requirement set out in this section that applications for catered events licensing must be made at least 10 days in advance of the event cannot be waived.

The authority contained in sub-§5.B. for the commission to promulgate rules and regulations concerning catered events does not authorize rule-making in direct contravention of the statutory law. There is no discretion vested in the Commission to shorten or waive the 10-day requirement by virtue of its power to make rules to better carry out the law.

JK/mf