

# MAINE STATE LEGISLATURE

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Keith H. Ingraham, Director

Bureau of Alcoholic Beverages

Phillip M. Kilmister, Assistant

Attorney General

Interpretation of P. & S. Laws of 1975, c. 70

In answer to your questions concerning the meaning of P. & S. Laws of 1975, c. 70 as said law pertains to licensing procedures, it is the opinion of this Office that the word "liquor" as used in the recently enacted statute should be broadly construed to include all alcoholic beverages as defined by the terminology of 28 M.R.S.A. § 2(13).

The language of the question set forth in P. & S. Laws 1975, c. 70 upon which the voters of the Town of St. George voted in an affirmative manner, reads as follows:

"Shall licenses be granted in this town for the sale herein of liquor to be consumed on the premises?  
{Class A restaurants}

Approval of the "on premises" sale of wine and spirits and malt liquor should have been by ratification of two separate questions, as clearly set forth by the terms of 28 M.R.S.A. § 101 (3) and (4). Because this was not done, a reasonable argument can be advanced that the voters of the Town of St. George never intended to give their approval to the sale of malt liquor on the premises of Class A restaurants. By comparison, it would be most unreasonable to conclude that the voters did not approve the sale of "wine and spirits" on the premises of Class A restaurants, simply because the more generic term "liquor" was used to designate said beverages.

In summary, we believe the most logical of several interpretations, all of which involve a degree of speculation, is that the voters of St. George, by voting to approve the sale of liquor on the premises of Class A restaurants, gave approval for the sale of all beverages envisioned by the definition of "liquor" as set forth in 28 M.R.S.A. § 2 (13), and this would include all malt liquor.

In answer to your second question, as noted above, the ambiguous language of the question submitted to the voters of St. George, non-the-less clearly negates any interpretation that the voters could approve any sale of alcoholic beverages other than the sale of said beverages on the premises of Class A restaurants.

*Phillip M. Kilmister*  
PHILLIP M. KILMISTER  
Assistant Attorney General

PMK:jg