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Liquor Licensing: Certain Sports Facilities  
28 M.R.S.A. 807

# STATE OF MAINE

Inter-Departmental Memorandum Date June 21, 1977

To Keith H. Ingraham, Director Dept. Bureau of Alcoholic Beverages  
From Phillip M. Kilmister, Assistant Dept. Attorney General  
Subject Interpretation of 28 M.R.S.A. § 807

In your memorandum under date of June 13, 1977; you make reference to the "self-destruct" provisions of P.L. 1975, c. 540, § 6 and P.L. 1975, c. 741, § 35, which set forth time limitations in regard to the licensing of certain premises, to wit; Indoor tennis clubs, ice skating clubs and golf club facilities:

you ask the following question:

"Must we (Commission) have some form of legislation undertaken in order to continue licensing these premises after the legislature adjourns?"


Answer: Yes.

The language of P.L. 1975, c. 741, § 35 is unambiguous and precise and sets forth a clearly ascertainable date when the licensing provisions enunciated in 28 M.R.S.A. § 807 will terminate.

As set forth in your memo, the language of P.L. 1975, c. 741 § 35 reads as follows:

"Sec. 6 Application limited. This Act should remain in effect for 90 days following the adjournment of the 108th Legislature in 1977. The State Liquor Commission shall evaluate the effectiveness of this law and make a written report to the 108th Legislature by January 15, 1977." (emphasis supplied)

All that is necessary to insure the resurrection of the licensing provisions of 28 M.R.S.A. § 807 upon the expiration of 90 days after adjournment of the Legislature, would be to submit legislation either repealing, in toto, the provisions of P.L. of 1975, c. 741, § 35, or, alternatively, submitting legislation which would set forth a more remote date of termination.

  
PHILLIP M. KILMISTER  
Assistant Attorney General

PMK:jg