

MAINE STATE LEGISLATURE

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*Licensed School Premises
28 M.R.S.A. § 301*

STATE OF MAINE

Inter-Departmental Memorandum Date December 14, 1977

To Keith H. Ingraham, Director

Dept. Bureau of Alcoholic Beverages

From Donald G. Alexander, Deputy

Dept. Attorney General

Subject Licensing of Premises Rented for School Building

This responds to your request for advice on whether the American Legion Club of Stockholm, Maine, which has rented a portion of its premises for use as a school, may also obtain a liquor license. We would advise that by leasing or renting a portion of its premises to be used as a public school classroom, the American Legion Club of Stockholm, Maine, is precluded from obtaining a license for the sale of alcoholic beverages on another part of its premises. 28 M.R.S.A. § 301 prohibits the licensing of premises for sale of alcoholic beverages within 300 feet of a school. Here, the Stockholm American Legion Club has, in effect, made their premises a school premises by licensing a portion of the premises for use as a classroom. That being the case, the prohibitions of § 301 apply and, as the licensed premises would be within 300 feet of a school, the license for sale of alcoholic beverages cannot issue.



DONALD G. ALEXANDER
Deputy Attorney General

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