

# MAINE STATE LEGISLATURE

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# ONE - HUNDRETH LEGISLATURE

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**Legislative Document**

**No. 49**

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S. P. 24

Office of the Clerk of the House

Filed December 21, 1960 under Joint Rule 19A by Senator Christie of Aroostook. To be printed and delivered to the Senate of the 100th Legislature.

HARVEY R. PEASE, Clerk

Presented by Senator Christie of Aroostook.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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### **AN ACT Prohibiting the Sale of Alcoholic Beverages in the Unorganized Territory.**

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. R. S., c. 61, § 23, repealed.** Section 23 of chapter 61 of the Revised Statutes, as amended by section 6 of chapter 218 of the public laws of 1957, is repealed.

**Sec. 2. R. S., c. 61, § 24, amended.** Section 24 of chapter 61 of the Revised Statutes is amended to read as follows:

**‘Sec. 24. Hearings on applications for liquor licenses; publication; appeal.** The municipal officers ~~or in case of unincorporated places, the county commissioners of the county wherein such unincorporated place is located~~ shall hold public hearings for the consideration of all applications for liquor licenses requiring their approval, after giving public notice at the applicant's expense, which shall be prepaid, by causing a notice, stating the name and business address of the applicant and the time and place of hearing, to be printed for at least 6 consecutive days prior to the date of hearing in a daily newspaper published in the city or town in which the premises proposed to be licensed are situated; or, if no daily newspaper is so published, the notice shall be printed for 2 consecutive weeks prior to the date of hearing in any newspaper published in such city or town; or, if no newspaper is published in such city or town, the notice shall be printed for at least 6 consecutive days in a daily newspaper published in the county in which the premises are situated or for 2 consecutive weeks prior to the date of hearing in any newspaper published in that county.

Any applicant for license aggrieved by the refusal of municipal officers ~~or county commissioners~~ to approve any application for license requiring their

approval or a transfer of location of licensed premises under the provisions of section 39 may appeal to the commission, who shall hold a public hearing thereon in the city or town or unincorporated place where such license is applied for and, if it finds the refusal arbitrary or without justifiable cause, it may issue license or transfer notwithstanding the lack of such approval. Upon notification of appeal as herein provided, the municipal officers or county commissioners refusing approval shall certify to the commission their reasons for refusal and evidence on such appeal shall be limited to the reasons specified. The commission shall furnish the appellant with a copy of such reasons for refusal and give adequate public notice of the time and place of such hearing.'

**Sec. 3. R. S., c. 61, § 31, amended.** The next to last paragraph of section 31 of chapter 61 of the Revised Statutes, as amended by section 7 of chapter 355 of the public laws of 1955, is further amended to read as follows:

'Every applicant for an original or renewal malt liquor license shall remit with his application a filing fee of \$10 except in unorganized places the filing fee of \$10 shall be paid to the county treasurer of the county in which the unincorporated place is located, and all such applications for license in unincorporated places shall be accompanied by evidence of payment of filing fee to the county treasurer.'

**Sec. 4. R. S., c. 61, § 32, amended.** The 2nd paragraph of section 32 of chapter 61 of the Revised Statutes is repealed as follows:

'Provided, however, that licenses in an unincorporated place, where no local option vote is taken under the provisions of section 23, shall require the approval of the county commissioners of the county.'

**Sec. 5. R. S., c. 61, § 33, amended.** The first sentence of section 33 of chapter 61 of the Revised Statutes is amended to read as follows:

'No license to sell malt liquor to be consumed on the premises where sold shall be issued to any person for any premises, except a bona fide hotel, restaurant, tavern or club, nor unless the application therefor be approved by the municipal officers of the city or town where such hotel, restaurant, tavern or club is located and if such hotel, restaurant, tavern or club is located in an unorganized place, the application shall be approved by the county commissioners of the county within which such unorganized place is located.'

**Sec. 6. R. S., c. 61, § 42, amended.** The first sentence of section 42 of chapter 61 of the Revised Statutes, as amended by section 55 of chapter 378 of the public laws of 1959, is further amended to read as follows:

'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.'