

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

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Legislative Document

No. 1556

H. P. 1224

House of Representatives, May 28, 1969

Reported by Mr. Stillings from Committee on Liquor Control. Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-NINE

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AN ACT to Revise the Liquor Laws.

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

Sec. 1. R. S., T. 17, § 851, amended. Section 851 of Title 17 of the Revised Statutes is amended to read as follows:

§ 851. Permitting children in disorderly house

Whoever admits or allows to remain in any disorderly house, house of ill fame, gambling place or place where intoxicating liquors are sold or other place injurious to health or morals, owned, kept, maintained, managed or controlled by him in whole or in part, any child under the age of 16 years, shall be punished by a fine of not more than \$100 or by imprisonment for not more than 60 days. ~~A child or children under the age of 16 years may enter places where intoxicating liquor is sold when accompanied by a parent, guardian or other adult person in charge of such child or children, with the consent of the parent or guardian of such child or children~~

Sec. 2. R. S., T. 28, § 2, sub-§ 1-A, additional. Section 2 of Title 28 of the Revised Statutes, as amended, is further amended by adding a new subsection 1-A, to read as follows:

1-A. Airline. "Airline" shall mean any person operating regularly scheduled intrastate or interstate passenger air transportation.

Sec. 3. R. S., T. 28, § 2, sub-§ 8, repealed. Subsection 8 of section 2 of Title 28 of the Revised Statutes is repealed, as follows:

8. Dining cars. "Dining cars" and "cars supplying food" shall mean and include cars in which food is prepared and served and also other cars, for

accommodations in which an extra charge is made, in which food is served from a dining car or from a car supplying food in the same train.

**Sec. 4. R. S., T. 28, § 2, sub-§ 9, amended.** Subsection 9 of section 2 of Title 28 of the Revised Statutes, as amended by sections 1 and 2 of chapter 404 of the public laws of 1965, is further amended by inserting after the first sentence, a new sentence, as follows:

**At least 10% of the total volume of business shall be from the sale of food.**

**Sec. 5. R. S., T. 28, § 2, sub-§ 22-A, amended.** Subsection 22-A of section 2 of Title 28 of the Revised Statutes, as enacted by section 1 of chapter 243 of the public laws of 1965, is amended to read as follows:

**22-A. Class A tavern.** "Class A tavern" shall mean a reputable place operated by responsible persons of good reputation where no food is sold other than prepared packaged snacks and no business is carried on except the sale of cigarettes and tobacco products and except the sale of malt liquors at tables, booths and counters, and where no minor shall be permitted to remain on the licensed premises. **All such taverns shall comply with the rules and regulations of the Department of Health and Welfare and be licensed by same and this license fee shall be \$15.**

**Sec. 6. R. S., T. 28, § 55, sub-§ 12, amended.** Subsection 12 of section 55 of Title 28 of the Revised Statutes is amended to read as follows:

**12. Pamphlet of regulations.** To publish at least annually on or before August 31st or 90 days after becoming law in a convenient pamphlet from all regulations then in force and to furnish copies of such pamphlets to every licensee authorized by law to sell liquor.

**Sec. 7. R. S., T. 28, § 156, amended.** Section 156 of Title 28 of the Revised Statutes, as enacted by section 1 of chapter 177 of the public laws of 1965, is amended to read as follows:

**§ 156. Closed in cases of riots, etc.**

The Governor or the commission may, in cases of riots, hurricanes and floods, order any or all state liquor stores to be closed.

**Sec. 8. R. S., T. 28, § 205, amended.** Section 205 of Title 28 of the Revised Statutes, as enacted by section 2 of chapter 177 of the public laws of 1965, is amended to read as follows:

**§ 205. Closed in case of riots, etc.**

The Governor or the commission may, in cases of riots, hurricanes and floods, order any or all licensees not to sell any liquor.

**Sec. 9. R. S., T. 28, § 701, amended.** The 2nd paragraph of section 701 of Title 28 of the Revised Statutes, as amended by section 54 of chapter 513 of the public laws of 1965, is further amended by inserting after the 8th line the following:

<b>Public service — Airlines - Spirituous and vinous</b> .....	<b>500.00</b>
<b>Public service — Airlines - Malt liquor</b> .....	<b>200.00</b>

**Sec. 10. R. S., T. 28, § 701, amended.** The 6th paragraph of section 701 of Title 28 of the Revised Statutes is amended to read as follows:

One public service license shall be sufficient to cover all steamboats ~~and~~, cars **and aircraft** operated by any one owner.

**Sec. 11. R. S., T. 28, § 751-A, amended.** Section 751-A of Title 28 of the Revised Statutes, as enacted by chapter 91 of the public laws of 1967, is amended to read as follows:

**§ 751-A. Payment for sales in retail stores**

For the purpose of receiving payment at the check-out counters for the sale of malt liquor in retail stores, the age of such employee receiving the payment shall not be under ~~18~~ **16** years of age, provided that an employee who is 21 years of age or older is present in the retail store in a supervisory capacity.

**Sec. 12. R. S., T. 28, § 753-A, additional.** Title 28 of the Revised Statutes is amended by adding a new section 753-A, to read as follows:

**§ 753-A. Public service — airlines**

**Licenses for the sale of malt liquor by airlines, in their aircraft, under such regulations as the commission may prescribe, may be issued by the commission upon written application in such form as they may prescribe, and upon payment of the fee of \$200 per year for each airline.**

**Sec. 13. R. S., T. 28, § 801, amended.** Section 801 of Title 28 of the Revised Statutes, as amended by section 3 of chapter 144 of the public laws of 1965, is further amended to read as follows:

**§ 801. Licenses generally**

Licenses for the sale of spirituous and vinous liquor and malt liquor to be consumed on the premises where sold may be issued to clubs and to bona fide hotels, restaurants, vessels ~~and~~, railroad dining cars **and airlines** 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. No licensee for the sale of liquor to be consumed on the premises where sold shall by himself, clerk, servant or agent, sell, give, furnish or deliver any liquor to be consumed elsewhere than upon the licensed premises, except, subject to the provisions of law and the rules and regulations of the commission, hotel licensees may sell liquor in the original packages to bona fide registered room guests.

**Sec. 14. R. S., T. 28, § 802, amended.** Section 802 of Title 28 of the Revised Statutes, as amended by section 4 of chapter 144 of the public laws of 1965, is further amended by inserting after the 2nd paragraph the following new paragraph:

**A public service spirituous and vinous liquor and malt liquor license granted to any airline operating aircraft within the State shall authorize the holder thereof to sell spirituous and vinous liquors and malt liquors in such aircraft to be consumed in the aircraft only after leaving and before reaching airports within the State.**

**Sec. 15. R. S., T. 28, § 804, amended.** Section 804 of Title 28 of the Revised Statutes, as amended by section 5 of chapter 144 of the public laws of 1965, is further amended to read as follows:

**§ 804. Public service corporations**

A public service spirituous and vinous liquor and malt liquor license shall not be issued to any railroad ~~or~~ **company**, vessel company ~~or~~ **airline** until the applicant therefor has filed with the commission a surety bond similar in form and amount to that required to be filed by a hotel or club licensee, except that in the case of a railroad company ~~or~~, vessel company ~~or~~ **airline**, one bond shall cover every ~~dining car~~ ~~or~~ **vessel** ~~or~~ **aircraft** of such company.

**Sec. 16. R. S., T. 28, § 852, amended.** Section 852 of Title 28 of the Revised Statutes is amended to read as follows:

**§ 852. Employment of minors**

No licensee for the sale of liquor to be consumed on licensed premises, **except in Class A restaurants, clubs and hotel dining rooms**, shall employ any person under the age of 21 years in the direct handling or selling of liquor on the premises where such liquor is sold. **No licensee for the sale of liquor to be consumed on the licensed premises of Class A restaurants, clubs and hotel dining rooms shall employ any person under the age of 19 years in the direct handling or selling of liquors on the premises where such liquor is sold, provided that an employee who is 21 years of age or older is present in a supervisory capacity.**

Whoever violates any provision of this section shall be punished by a fine of not less than \$50 nor more than \$100, or by imprisonment for not less than 30 days nor more than 6 months, or by both.