

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1624

H. P. 1170

House of Representatives, March 17, 1971

Referred to Committee on Liquor Control. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Stillings of Berwick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT Adjusting Fees for Liquor Licenses.

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

Sec. 1. R. S., T. 28, § 501, sub-§§ 2 and 3, amended. Subsections 2 and 3 of section 501 of Title 28 of the Revised Statutes are amended to read as follows:

2. **Rectifiers.** Rectifiers' fee ~~\$500~~ \$700.
3. **Bottlers.** Bottlers' fee ~~\$500~~ \$700.

Sec. 2. R. S., T. 28, § 604, amended. The last sentence of the first paragraph of section 604 of Title 28 of the Revised Statutes, as last repealed and replaced by section 49 of chapter 590 of the public laws of 1969, is amended to read as follows:

The fee therefor shall be \$500 per year for malt liquor only and ~~\$300~~ \$500 for table wine only, which sum shall accompany the application for such certificate.

Sec. 3. R. S., T. 28, § 651, amended. The first sentence of section 651 of Title 28 of the Revised Statutes, as amended by section 21 of chapter 360 of the public laws of 1969, is further amended to read as follows:

Licenses for the sale and distribution of malt liquor or table wine at wholesale under such regulations as the commission may prescribe may be issued by the commission upon an application in such form as they may prescribe and upon payment of an annual fee of ~~\$300~~ \$500 for the principal place of business, and ~~\$300~~ \$500 for each additional warehouse maintained by such wholesale licensee, except that the commission may issue special permits,

upon application in writing, for the temporary storage of malt liquors or table wine under such terms and upon such conditions as the commission may prescribe.

Sec. 4. R. S., T. 28, § 701, amended. Section 701 of Title 28 of the Revised Statutes, as amended, is further amended to read as follows:

§ 701. Fees

Fees for full-year licenses shall be:

Hotel—Spirituous and vinous, in cities or towns having population of 10,000 or more, serving meals	\$600.00	\$900.00
Hotel—Spirituous and vinous, in cities or towns having population of 10,000 or more, either serving or not serving meals		\$1,000.00
Hotel—Spirituous and vinous, in cities or towns having population of less than 10,000, serving meals	300.00	450.00
Hotel—Spirituous and vinous, in cities or towns having population of less than 10,000 either serving or not serving meals		500.00

Population shall be determined according to each Federal Decennial Census as shown by any official report authorized by the Federal Census Act and shall apply to the licensing period next following such official report.

Hotel—Malt liquor	\$200.00	\$300.00
Club—Spirituous and vinous	200.00	300.00
Club—Malt liquor	100.00	150.00
Public service—Spirituous and vinous	200.00	
Public service—Malt liquor	100.00	
Public service—Airlines—Spirituous and vinous	500.00	
Public service—Airlines—Malt liquor	200.00	
Restaurant, class A—Spirituous and vinous	750.00	
Restaurant, class A—Malt liquor	200.00	300.00
Restaurant—Malt liquor only	200.00	300.00
Restaurant—Vinous liquor only	200.00	300.00
Tavern—Malt liquor only	300.00	450.00
Tavern, class A—Malt liquor only	100.00	600.00
Retail store—Malt liquor only		
If merchandise is groceries only, wholesale inventory \$1,000 to \$2,000	100.00	200.00

If merchandise is groceries only, wholesale inventory over \$2,000	300.00	
If other stock of merchandise	200.00	300.00
Retail store—Table wine only		
If merchandise is groceries only, wholesale inventory \$1,000 to \$2,000	200.00	
If merchandise is groceries only, wholesale inventory over \$2,000	300.00	
If other stock of merchandise	300.00	

Any club maintaining a dining room and catering either privately or for functions to a group of nonmembers of the club, and any club with dining rooms letting rooms to nonmembers, must pay the same fee as required by a hotel located in the same municipality.

The commission may grant part-time licenses for a period not in excess of 6 consecutive months from the date of issuance by the commission.

Fees for part-time licenses shall be:

Part-time—Hotels and clubs—Spirituous and vinous— $\frac{1}{2}$ full-time fee at their location.		
Part-time—Restaurant, class A—Spirituous and vinous	\$375.00	
Part-time—Hotel or restaurant—Malt liquor only	125.00	200.00
Part-time—Club—Malt liquor only	50.00	75.00
Part-time—Tavern—Malt liquor only	150.00	
Part-time—Tavern, class A—Malt liquor only	200.00	300.00

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

All full-year licenses shall be issued for the license year and on a calendar year basis and the prescribed fee shall accompany the application for license.

Licenses may be renewed upon application therefor and payment of the annual fee, subject to commission rules and regulations.

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.

Any licensee applying for license to operate more than one premise shall pay the fee prescribed for the type of license to be exercised at each such premise.

Sec. 5. R. S., T. 28, § 204, amended. The 2nd sentence of section 204 of Title 28 of the Revised Statutes, as last repealed and replaced by section 44 of chapter 590 of the public laws of 1969, is repealed as follows:

~~The commission shall sell to such licensees spirituous and vinous liquor, except table wine, for a price of 10% less than the retail price in state retail stores provided that such discount shall not apply to federal taxes levied on and after November 1, 1941.~~

Sec. 6. R. S., T. 28, § 452, amended. The last paragraph of section 452 of Title 28 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

A refund shall be granted for the excise tax imposed by this State on malt beverages and vinous liquors sold by wholesalers to any vessel of foreign registry. Any wholesaler selling to such vessel shall present proof of such sale to the commission and shall thereupon receive from the Treasurer of State a refund of all state excise taxes paid in connection with such sale.

FISCAL NOTE

It is estimated that this Act will produce additional revenues during the next biennium of approximately \$2,000,000.

STATEMENT OF FACT

The purpose of this bill is reflected in the title.