

# MAINE STATE LEGISLATURE

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New Draft of: H. P. 1785, L. D. 2257  
FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 2552

H. P. 2012

House of Representatives, March 5, 1974

Reported by Report A from the Committee on Liquor Control and printed under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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**AN ACT** Relating to the Sale of Spirituous and Vinous Liquor at  
Post-secondary Schools.

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

**Sec. 1. R. S., T. 28, § 701, amended.** The first paragraph of section 701 of Title 28 of the Revised Statutes, as amended by section 2 of chapter 165 of the public laws of 1969, is further amended by adding at the end the following:

Post-secondary schools—Malt liquor	200
Post-secondary schools—Spirituous	750

**Sec. 2. R. S., T. 28, § 752, amended.** The first sentence of section 752 of Title 28 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, **an incorporated post-secondary school** or club, nor unless the application therefor be approved by the municipal officers of the city or town where such hotel, restaurant, tavern, **an incorporated post-secondary school** or club is located, and if such hotel, restaurant, tavern, **an incorporated post-secondary school** 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. 3. R. S., T. 28, § 801, amended.** The first sentence of section 801 of Title 28 of the Revised Statutes, as amended, is further amended to read as follows:

Licenses for the sale of spirituous and vinous liquor and malt liquor to be consumed on the premises where sold may be issued to **incorporated post-secondary schools** and to clubs and to bona fide hotels, restaurants, vessels, 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 an **incorporated post-secondary school**, a club, restaurant or hotel, is operating the same, and if said hotel, restaurant, ~~or club or incorporated post-secondary school~~ 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, or both.

**Sec. 4. R. S., T. 28, § 804-A, additional.** Title 28 of the Revised Statutes is amended by adding a new section 804-A to read as follows:

**§ 804-A. Incorporated post-secondary schools, nongovernmental; restrictions**

Licenses for the sale of malt, spirituous and vinous liquor to be consumed on the premises may be issued to incorporated post-secondary schools. Such licenses shall authorize the licensee to sell malt, spirituous and vinous liquors to students, faculty and staff and invited guests at premises on the school property provided such premises are approved by the commission. The commission shall not issue licenses to vocational and technical institutes operated by the Department of Educational and Cultural Services. It shall not be deemed ultra vires for a public or private incorporated post-secondary school, not specifically authorized by charter to operate a licensed premise, to become licensed under this section.