

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1516

H. P. 1276

House of Representatives, April 11, 1977

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

EDWIN H. PERT, Clerk

Presented by Ms. Clark of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Provide Malt Liquor Licenses for Caterers.

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

Sec. 1. 28 MRSA § 2, sub-§ 13-A is enacted to read:

13-A. Qualified catering service. "Qualified catering service" means a catering establishment licensed pursuant to Title 22, chapter 562. Catering services applying for year-round licenses shall, in the calendar year prior to the year in which application is made, do a minimum of \$50,000 in sale and service of food to the public. Catering services applying for part-time licenses shall, in the calendar year prior to the year in which application is made, operate for a minimum of 4 months and shall do a minimum of \$25,000 in sale and service of food to the public for a part-time license not in excess of 6 consecutive months. If the judgment of the commission is that the applicant would probably qualify, then a license shall be issued. In no case shall the commission renew any license for the sale of malt liquor under this subsection, unless they are furnished with proof that the previous year's business conformed to the income provisions of this subsection. The commission is specifically authorized to make any rules and regulations which they deem necessary to carry out the purposes of this subsection.

As used in this Title to refer to qualified catering service the term "on premises" shall mean on the premises where any event, function or gathering is being held at which the licensee is providing catering service including the service or sale of malt liquor.

Sec. 2. 28 MRSA § 701-A, sub-§ 4, ¶ I-1 is enacted to read:

I-1. Qualified catering services;

Sec. 3. 28 MRSA § 702, as last amended by PL 1975, c. 74, is further amended by adding after the first paragraph a new paragraph to read:

The provisions of this section shall not apply to qualified catering services.

Sec. 4. 28 MRSA § 801-C is enacted to read:

§ 801-C. Licenses for qualified catering services

Licenses for the sale or service of malt liquor to be consumed on the premises where sold or served may be issued to qualified catering services 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 that catering service maintains its business establishment and if that catering service is located in an unorganized place, that application shall be approved by the county commissioners of the county within which that unorganized place is located.

The licensee shall notify the Liquor Commission at least 24 hours in advance of any function or event at which malt liquor is to be served or sold.

Sec. 5. 28 MRSA § 801-D is enacted to read:

§ 801-D. Sale or service of malt liquor by catering services

Any qualified catering service licensed pursuant to section 801-C, may without further municipal approval except as provided in section 801-C, serve or sell malt liquor at any function or event at which the licensee is providing catering service within any municipality which, pursuant to section 101, has approved the sale of malt liquor within that municipality to be consumed on premises.

STATEMENT OF FACT

This bill would provide for the securing of malt liquor licenses for qualified Maine caterers.