

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1852

6
7 S.P. 662

In Senate, January 4, 1984

8 Reference to the Committee on Legal Affairs. Ordered printed and sent
9 down for concurrence.

10 Approved for introduction by the Legislative Council pursuant to Joint
Rule 26.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Danton of York.
11

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FOUR
16

17 AN ACT to Amend the Liquor Laws to Permit
18 the Sale of Beer and Wine at Outdoor Stadiums.
19

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

22 Sec. 1. 28 MRSA §2, sub-§8, ¶P is enacted to
23 read:

24 P. "Stadium" means any commercially-operated
25 outdoor facility with 1,000 or more seats de-
26 signed or used for the playing of any sport or
27 event, which is open to the general public, which
28 charges a fee and which has adequate facilities
29 for the sale and consumption of spirituous and
30 vinous beverages.

31 Sec. 2. 28 MRSA §701-A, sub-§3, ¶I-1, as enacted
32 by PL 1979, c. 432, §4, is amended to read:

33 I-1. Performing arts centers-;

1 Sec. 3. 28 MRSA §701-A, sub-§3, ¶¶J and K, as
2 enacted by PL 1975, c. 741, §22, are amended to read:

3 J. Restaurants and;

4 K. Vessels-;

5 Sec. 4. 28 MRSA §701-A, sub-§3, ¶L, as enacted
6 by PL 1977, c. 246, §4, is amended to read:

7 L. Qualified catering services-; and

8 Sec. 5. 28 MRSA §701-A, sub-§3, ¶M is enacted to
9 read:

10 M. Outdoor stadiums.

11 Sec. 6. 28 MRSA §701-A, sub-§4, ¶I-1, as enacted
12 by PL 1979, c. 432, §5, is amended to read:

13 I-1. Performing arts centers-;

14 Sec. 7. 28 MRSA §701-A, sub-§4, ¶¶K and L, as
15 enacted by PL 1975, c. 741, §22, are amended to read:

16 K. Taverns and;

17 L. Class A taverns-;

18 Sec. 8. 28 MRSA §701-A, sub-§4, ¶M, as enacted
19 by PL 1977, c. 211, §14, is amended to read:

20 M. Vessels-;

21 Sec. 9. 28 MRSA §701-A, sub-§4, ¶N, as enacted
22 by PL 1977, c. 564, §102, is amended to read:

23 N. Qualified catering services-; and

24 Sec. 10. 28 MRSA §701-A, sub-§4, ¶O is enacted
25 to read:

26 O. Outdoor stadiums.

27 Sec. 11. 28 MRSA §752, first ¶, as amended by PL
28 1979, c. 432, §6, is further amended to read:

1 A license to sell malt liquor to be consumed on
2 the premises where sold may be issued to an incorpo-
3 rated civic organization pursuant to section 801-B.
4 No other license to sell malt liquor to be consumed
5 on the premises where sold ~~shall~~ may be issued to any
6 person for any premises, except a bona fide hotel,
7 restaurant, tavern, club, qualified catering service,
8 civic auditorium ~~or~~, performing arts center or out-
9 door stadium, nor unless the application therefor be
10 approved by the municipal officers of the city or
11 town where such hotel, restaurant, tavern, club,
12 qualified catering service, civic auditorium ~~or~~, per-
13 forming arts center, or outdoor stadium is located,
14 and if such hotel, restaurant, tavern or club or
15 qualified catering service is located in an unorga-
16 nized place, the application shall be approved by the
17 county commissioners of the county within which such
18 unorganized place is located. No license ~~shall~~ may
19 be issued to a new restaurant premise, unless it has
20 been in operation as such for a period of at least 3
21 months next prior to the application therefor or un-
22 less such applicant proves to the satisfaction of the
23 commission that all proper standards and requirements
24 of laws and rules ~~and regulations~~ of the commission
25 have been met and ~~said~~ the applicant has been a resi-
26 dent of the State for at least 6 months prior to fil-
27 ing his application, and provided, in the case of
28 part-time premises, that operation next prior to time
29 of application shall be held to mean operation during
30 the season when ~~such~~ the part-time premise is ordi-
31 narily open for business. Licenses issued under this
32 section shall specify the premises to which the li-
33 cense shall apply.

34 Sec. 12. 28 MRSA §801, as amended by PL 1981, c.
35 698, §128, is further amended to read:

36 §801. Licenses generally

37 Licenses for the sale of spirituous and vinous
38 liquor and malt liquor to be consumed on the premises
39 where sold may be issued to clubs and to bona fide
40 qualified catering services, hotels, restaurants,
41 vessels, railroad dining cars, airlines, to incorpo-
42 rated civic organizations pursuant to section 801-B,
43 civic auditoriums ~~and~~, performing arts centers or
44 outdoor stadiums on payment of the fees provided;

1 subject to the provisions of section 252-A and to the
2 condition that the initial application therefor be
3 approved by the municipal officers of the town or
4 city in which that intended licensee, if operating a
5 qualified catering service, club, restaurant, hotel
6 ~~or~~, civic auditorium or outdoor stadium is operating
7 the same, and if that qualified catering service, hotel,
8 restaurant ~~or~~, club or outdoor stadium is located
9 in an unorganized place, that application shall
10 be approved by the county commissioners of the county,
11 within which that unorganized place is located,
12 and subject to the further condition that licenses
13 issued to restaurants, except class A restaurants,
14 shall be limited to malt liquor or wine, or both. No
15 licensee for the sale of liquor to be consumed on the
16 premises where sold ~~shall~~ may, by himself, clerk,
17 servant or agent, sell, give, furnish or deliver any
18 liquor to be consumed elsewhere than upon the licensed
19 premises, except, subject to the provisions of
20 law and the rules and regulations of the commission,
21 hotel licensees may sell liquor in the original packages
22 to bona fide registered room guests.

23

STATEMENT OF FACT

24 The purpose of this bill is to permit the sale of
25 beer and wine at commercially-operated outdoor stadiums
26 with more than 1,000 seats. The law now permits
27 the sale of beer and wine in civic auditoriums, airlines,
28 golf clubs, hotels, indoor ice skating rinks, indoor
29 tennis clubs, performing arts centers, restaurants
30 and vessels, and this bill merely extends the
31 right to commercially-operated outdoor stadiums.

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