

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST SPECIAL SESSION - 1989

Legislative Document

No. 1784

H.P. 1291

House of Representatives, August 17, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on August 16, 1989. Referred to the Committee on Legal Affairs and 1,400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative GWADOSKY of Fairfield.

Cosponsored by Senator MATTHEWS of Kennebec, Representative PRIEST of Brunswick and Representative MURPHY of Berwick.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Improve Enforcement of Liquor Licensure Laws.



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

2
4 **Sec. 1. 28-A MRSA §601, sub-§2, ¶¶G and H, as enacted by PL 1987, c. 45, Pt. A, §4, are amended to read:**

6 G. The applicant was denied a license within the 6 months
8 before the application was filed, unless the commission's
10 denial of the license is overruled by the court under an
12 appeal provided by section 805; ~~or~~

14 H. The applicant is the husband, wife, father, mother,
16 child or other close relation of a person whose license or
18 application for a license for the same premises was revoked
20 by the Administrative Court Judge or denied by the
22 commission within the 6 months before the application was
24 filed; or

26 **Sec. 2. 28-A MRSA §601, sub-§2, ¶I is enacted to read:**

28 I. The commission determines that the applicant has a
30 personal or business relationship with the owner of the
32 premises proposed for licensure and that the purpose of the
34 application is to circumvent the intent of this section.

STATEMENT OF FACT

36 This bill grants authority to the State Liquor Commission to
deny a liquor license when the intent of the application is to
circumvent the eligibility provisions of the Maine Revised
Statutes, Title 28-A. For example, this bill would permit the
commission to deny a license to a friend of the owner of an
establishment if the owner was not eligible for or had been
denied a license and the commission determined that the intent of
the application was to retain actual control of the premises with
the owner.