

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 1161

H.P. 830

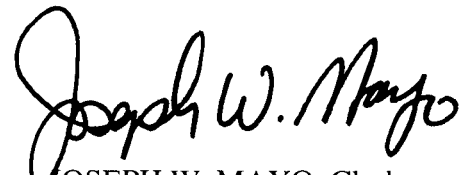
House of Representatives, April 4, 1995

**An Act Regarding the Granting of Hotel Liquor Licenses to  
Establishments Located on Offshore Islands.**

(EMERGENCY)

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Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative VIGUE of Winslow.  
Cosponsored by Senator: ABROMSON of Cumberland.

2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4           **Whereas,** current law provides different criteria for the  
6           issuing of a hotel liquor license depending on whether the  
establishment is in a heavily populated area; and

8           **Whereas,** there are many places where large municipalities  
10           consist of varied population areas, such as a lightly populated  
offshore island being part of a large mainland city; and

12           **Whereas,** the islands of Maine are a unique and special part  
14           of the State's culture, history and economy, especially in the  
summer months when so much of the State's income depends on the  
16           tourist trade; and

18           **Whereas,** it is necessary to support and maintain the  
businesses that make up the State's economy; and

20           **Whereas,** in the judgment of the Legislature, these facts  
22           create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
24           necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

28           **Sec. 1. 28-A MRSA §1061, sub-§4, ¶A,** as repealed and replaced  
30           by PL 1991, c. 824, Pt. D, §4, is amended to read:

32           A. The number of rooms required is based on the population  
of the municipality in which the hotel is located, as  
34           reported in the 1960 Federal Decennial Census. If the  
population reported in the most recent Federal Decennial  
36           Census is at least 20% less than the population reported in  
the 1960 census, the most recent Federal Decennial Census  
38           must be used to determine the number of rooms required.

40                   (1) If the hotel is located in a municipality having a  
population of 7,500 or less, the hotel must have at  
42                   least 12 adequate sleeping rooms.

44                   (2) If the hotel is located in a municipality having a  
population of more than 7,500, the hotel must have at  
46                   least 30 adequate sleeping rooms.

48           If the hotel is located on an offshore island that is part  
of a mainland municipality, then the number of rooms  
50           required is based on the population of the island, rather  
than that of the municipality as a whole.

2           **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.

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### STATEMENT OF FACT

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10           This bill amends the law on the issuing of hotel liquor  
licenses. Current law allows for the issuing of licenses  
depending on the population of the municipality the establishment  
is in and the number of rooms the establishment has. This bill  
12 allows hotels on islands that are part of mainland municipalities  
to have the island population count as a true measure of  
14 population, rather than including the mainland population.