MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1742

H.P. 1267

House of Representatives, January 30, 1996

An Act to Amend the Definition of Outdoor Stadium in the Liquor Licensing Laws.

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative STONE of Bangor. Cosponsored by Representatives: BARTH of Bethel, BUNKER of Kossuth Township, CAMPBELL of Holden, CARLETON of Wells, CARR of Hermon, CLARK of Millinocket, CROSS of Dover-Foxcroft, DEXTER of Kingfield, DiPIETRO of South Portland, DONNELLY of Presque Isle, DORE of Auburn, DUNN of Gray, FARNUM of South Berwick, FISHER of Brewer, GIERINGER of Portland, GREEN of Monmouth, GUERRETTE of Pittston, GWADOSKY of Fairfield, HARTNETT of Freeport, JACQUES of Waterville, JOSEPH of Waterville, JOYCE of Biddeford, KERR of Old Orchard Beach, LEMONT of Kittery, LUMBRA of Bangor, MORRISON of Bangor, NASS of Acton, O'GARA of Westbrook, O'NEAL of Limestone, PINKHAM of Lamoine, PLOWMAN of Hampden, POVICH of Ellsworth, REED of Dexter, RICE of South Bristol, ROSEBUSH of East Millinocket, ROWE of Portland, SAMSON of Jay, SAXL of Bangor, SAXL of Portland, STEVENS of Orono, TUTTLE of Sanford, TYLER of Windham, WHITCOMB of Waldo, WINN of Glenburn, WINSOR of Norway, Senators: AMERO of Cumberland, CAREY of Kennebec, CARPENTER of York, CIANCHETTE of Somerset, FAIRCLOTH of Penobscot, FERGUSON of Oxford, HALL of Piscataquis, LAWRENCE of York, O'DEA of Penobscot, PARADIS of Aroostook, PINGREE of Knox, RUHLIN of Penobscot, STEVENS of Androscoggin.

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| | Emergency preamble. Whereas, Acts of the Legislature do not |
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| 2 | become effective until 90 days after adjournment unless enacted as emergencies; and |
| 4 | Whereas, the professional baseball season will begin on or |
| 6 | before June 1, 1996; and |
| 8 | Whereas, in the judgment of the Legislature, these facts |
| 10 | create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and |
| 12 | safety; now, therefore, |
| 14 | Be it enacted by the People of the State of Maine as follows: |
| 16 | Sec. 1. 28-A MRSA §2, sub-§15, ¶M, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read: |
| 18 | M. "Outdoor stadium" means any commercially operated |
| 20 | outdoor facility with 5,000 or more seats designed or used for the playing of any sport or event, which or any outdoor |
| 22 | facility with 3,000 or more seats at times when that facility is being used for the playing of professional |
| 24 | baseball, that is open to the general public, which charges a fee and which has adequate facilities for the sale and |
| 26 | consumption of wine and malt liquor. |
| 28 | Sec. 2. 28-A MRSA §1074, sub-§1, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read: |
| 30 | 1. Issuance of licenses. The commission may issue licenses |
| 32 | under this section for the sale of wine and malt liquor to be consumed on the premises to outdoor stadiums, as defined in |
| 34 | section 2, subsection 15, paragraph M. A concessionaire or lessee may be issued a license, regardless of whether it controls |
| 36 | the premises, as long as that concessionaire or lessee complies with the notice provisions applicable to qualified catering |
| 38 | services in section 1076, subsection 7 prior to exercising the license. |
| 40 | Emergency clause. In view of the emergency cited in the |
| 42 | preamble, this Act takes effect when approved. |
| 44 | STATEMENT OF FACT |
| 46 | |
| 48 | This bill allows a stadium with 3,000 or more seats to be a licensed establishment for purposes of selling wine or malt liquors at times when the facility is being used for the playing |
| | |

of professional baseball. It also allows concessionaires or lessees of such facilities to be issued licenses for the sale of wine or malt liquor.