

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST SPECIAL SESSION-1997

Legislative Document

No. 1720

S.P. 563

In Senate, April 1, 1997

An Act to Repeal the Requirement That Victualers Be Licensed by a Municipality.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GOLDTHWAIT of Hancock.

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

2 **Sec. 1. 30-A MRSA §3811, first ¶**, as amended by PL 1989, c.
4 104, Pt. C, §§8 and 10, is further amended to read:

6 No A person may not be a common innkeeper, ~~victualer~~ or
8 tavernkeeper without a license. A person who violates this
 section commits a civil violation for which a forfeiture of not
 more than \$50 may be adjudged.

10 **Sec. 2. 30-A MRSA §3812, sub-§1**, as amended by PL 1989, c.
12 104, Pt. C, §§8 and 10, is further amended to read:

14 **1. Licensing board.** The municipal officers of every
 municipality shall serve as the licensing board for the issuance
16 of innkeepers' ~~victualers'~~ and tavernkeepers' licenses.

18 **Sec. 3. 30-A MRSA §3812, sub-§3, ¶A**, as amended by PL 1989, c.
20 104, Pt. C, §§8 and 10, is further amended to read:

22 A. The board may license as many persons of good moral
 character to be innkeepers, ~~victualers~~ ~~and~~ or tavernkeepers
 in the municipality as ~~they consider~~ it considers necessary.

24 (1) The license must specify the building in which the
26 business will be conducted.

28 (2) The board may issue the license under any
 restrictions and regulations that ~~they consider~~ it
30 considers necessary.

32 **Sec. 4. 30-A MRSA §3813**, as amended by PL 1989, c. 104, Pt.
34 C, §§8 and 10, is further amended to read:

36 **§3813. Fee**

38 Every person licensed as an innkeeper, ~~victualer~~ or
 tavernkeeper shall pay to the treasurer for the use of the
40 municipality a fee of \$1 and any additional amount established by
 ordinance or bylaw of the municipality.

44 **SUMMARY**

46 This bill repeals the requirement that a victualer be
 licensed by a municipality, because eating establishments are
48 already required to be licensed by the Department of Human
 Services, which has detailed licensing standards and an extensive
50 inspection system.