

MAINE STATE LEGISLATURE

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L.D. 1254

DATE: 5-5-99

(Filing No. H-467)

MAJORITY
LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 897, L.D. 1254, Bill, "An Act to Allow Beverage Sales from Mobile Service Vehicles on Golf Courses"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 28-A MRSA §1012, sub-§4 is enacted to read:

4. Golf course mobile service bar. A licensee who is the owner of a golf course may apply for a license to sell malt liquor, wine and low-alcohol spirits products from a mobile service bar as provided in section 1075-A.

A. The license fee per calendar year is.....\$100.

Sec. 2. 28-A MRSA §1075, sub-§2, as enacted by PL 1995, c. 195, §2, is amended to read:

2. Sales for consumption on slopes or courses prohibited. Nothing in this section permits a ski area to sell liquor for consumption on the slopes away from the licensed area ~~or~~. Except as provided in section 1075-A, a golf course ~~to~~ may not sell liquor for consumption on the course away from the licensed area.

Sec. 3. 28-A MRSA §1075-A is enacted to read:

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§1075-A. Golf course mobile service bar

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1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Mobile service bar" means a golf cart or other similar vehicle staffed by an employee of a golf course and outfitted for storage, cooling or refrigeration and sale and service of malt liquor, wine or low-alcohol spirits products in cans or bottles.

2. License. The bureau may issue a license for a mobile service bar to a licensee who owns a golf course. The licensee shall ensure that:

A. All individuals selling, serving or dispensing liquor from a mobile service bar are employees of the licensee;

B. Liquor from a mobile service cart is purchased and consumed only by those engaged in a round of golf;

C. All liquor possessed and consumed on the golf course is sold by the licensee;

D. A sufficient number of employees is deployed to adequately control and ensure adherence to laws applying to the serving, sale and consumption of liquor on the golf course;

E. Service or consumption of any liquor is not allowed in parking lots except as otherwise provided in this chapter;

F. Patrons do not leave the golf course with liquor;

G. Only one standard serving of liquor is served to an individual at a time;

H. If a golf course crosses a public way, patrons do not transport open containers of malt liquor, wine or low-alcohol spirits products sold from a mobile service bar across that public way; and

I. The mobile service bar contains signage that indicates that it is illegal to serve liquor to persons younger than 21 years of age.

3. Revocation of license. Licenses issued by the bureau under this section and any other license to sell liquor for

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COMMITTEE AMENDMENT "A" to H.P. 897, L.D. 1254

on-premises consumption held by a licensee under this section must be revoked for violation of the liquor laws or any rule adopted by the bureau.

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

The Bureau of Liquor Enforcement within the Department of Public Safety may incur some minor additional costs to administer a licensing process for the sale of liquor on golf courses from mobile service bars. Any additional costs can be absorbed within the bureau's existing budgeted resources.

The licensing of mobile service bars to serve liquor on golf courses may result in insignificant increases of General Fund revenue from license fees. General Fund revenue from excise and premium taxes on liquor sales may also increase by an insignificant amount.

This bill may increase the number of cases filed in the administrative courts. The additional workload and administrative costs associated with the minimal number of new cases filed can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may also increase General Fund revenue by minor amounts.'

SUMMARY

The amendment sets the license fee for mobile service bars at \$100 annually.

It clarifies what may be served from a mobile service bar.

It adds a requirement that liquor may be served only to those engaged in a round of golf.

It provides for revocation of any license held by a golf course owner for violation of the liquor laws or of rules established by the Department of Public Safety, Bureau of Liquor Enforcement.