

MAINE STATE LEGISLATURE

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M
R. of S.

L.D. 133

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DATE: *April 25, 2001*

(Filing No. S-80)

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LEGAL AND VETERANS AFFAIRS

Reported by:

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**STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "*A*" to S.P. 35, L.D. 133, Bill, "An Act
to Allow Beverage Sales from Mobile Service Vehicles on Golf
Courses"

24
Amend the bill by striking out everything after the title
and before the enacting clause (page 1, lines 1 to 13 in L.D.)

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

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

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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 from a mobile service bar as provided in section 1075-A.
The license fee per calendar year is \$100.

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Sec. 2. 28-A MRSA §1075, sub-§2, as enacted by PL 1995, c.
195, §2, is repealed and the following enacted in its place:

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2. Sales for consumption on slopes or courses prohibited.
This section does not permit a ski area to sell liquor for
consumption on the slopes away from the licensed area. Except as
provided in section 1075-A, a golf course may not sell liquor for
consumption on the course away from the licensed area.

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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

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following meanings.

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A. "Mobile service bar" means any golf cart or other similar vehicle staffed by an employee of the golf course and outfitted for storage, cooling or refrigeration and sale and service of malt liquor 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 or may issue a license for a mobile service bar to a Class A restaurant, Class A restaurant/lounge or Class I hotel located at a golf course and to a golf course owner. The licensee shall ensure that:

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

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

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

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

E. A licensee or licensee's employees may not allow patrons to leave the golf course with any liquor;

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

G. Signs are posted that state that a patron may not bring alcoholic beverages onto the premises of the golf course;

H. Signs are placed on the mobile service bar that state that service or consumption of any liquor by a person under 21 years of age is prohibited;

I. Malt liquor from a mobile service bar is purchased and consumed only by those patrons engaged in a round of golf;

J. The sale of malt liquor from a mobile service bar is not permitted during the time a tournament is taking place that includes players younger than 21 years of age;

K. If a golf course crosses a public way, patrons do not transport open containers of malt liquor sold from a mobile service bar across that public way; and

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COMMITTEE AMENDMENT "A" to S.P. 35, L.D. 133

2 L. The operator of a mobile service bar has successfully
4 completed an alcohol server education course approved by the
bureau.

6 3. Penalty. A person who brings alcoholic beverages onto
8 the premises of a golf course is subject to a civil penalty of
not less than \$250 nor more than \$1,500, payable to the State.
10 This penalty is recoverable in a civil action.

12 4. Revocation of license. Licenses issued by the bureau
under this section and any other license to sell liquor for
14 on-premises consumption held by a licensee under this section
must be revoked for violation of the liquor laws or any rule
16 adopted by the bureau.

18 5. Repeal. This section is repealed January 1, 2004.'

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

22 **FISCAL NOTE**

24 **2001-02** **2002-03**

26 **REVENUES**

28 General Fund \$4,000 \$4,000

30 Allowing a golf club to become licensed to serve malt liquor
32 from a mobile service bar will increase estimated annual General
Fund revenue collected by the Bureau of Liquor Enforcement within
the Department of Public Safety by \$4,000 beginning in fiscal
34 year 2001-02.

36 The additional enforcement costs can be absorbed by the
Bureau of Liquor Enforcement utilizing existing budgeted
38 resources.

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

46 **SUMMARY**

48 This amendment adds several new provisions to the original
50 bill pertaining to a golf course mobile service bar license. The

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COMMITTEE AMENDMENT "A" to S.P. 35, L.D. 133

2 amendment establishes the annual license fee for a mobile service
bar at \$100 and limits sales from a mobile service bar to just
4 malt liquor. It also requires that a licensee ensure that malt
liquor is served to only those engaged in a round of golf, that
6 the cart is not operated during a tournament including persons
under 21 years of age, that patrons do not transport open
8 containers across a public way and that the operator of a mobile
service bar successfully complete an alcohol server education
10 course approved by the Bureau of Liquor Enforcement within the
Department of Public Safety. The amendment also requires that
12 the bureau revoke a license for a mobile service bar for
violation of the liquor laws or any rule adopted by the bureau.
14 The amendment removes the emergency provision in the original
bill and adds a sunset that repeals the section that provides for
16 the mobile service bar license on January 1, 2004. It also adds
a fiscal note to the bill.

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