

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 133

S.P. 35

In Senate, January 16, 2001

An Act to Allow Beverage Sales from Mobile Service Vehicles on Golf Courses.

(EMERGENCY)

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by President MICHAUD of Penobscot.
Cosponsored by Representative TUTTLE of Sanford and
Senator TURNER of Cumberland, Representatives: LABRECQUE of Gorham, MAYO of Bath.

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

4
6 **Whereas,** this legislation needs to take effect before the
expiration of the 90-day period in order to apply to the golf
season that begins in April; and

8
10 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
12 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

16 **Sec. 1. 28-A MRSA §1075, sub-§2,** as enacted by PL 1995, c.
18 195, §2, is amended to read:

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

26 **Sec. 2. 28-A MRSA §1075-A** is enacted to read:

28 **§1075-A. Golf course mobile service bar**

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

34 A. "Mobile service bar" means any golf cart or other
similar vehicle staffed by an employee of the golf course
36 and outfitted for storage, cooling or refrigeration and sale
and service of liquor in cans or bottles.

38 **2. License.** The bureau may issue a license for a mobile
40 service bar to a licensee who owns a golf course or may issue a
dual license for a mobile service bar to a Class A restaurant,
42 Class A restaurant/lounge or Class I hotel located at a golf
course and a golf course owner. The licensee shall ensure that:

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

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

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

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

8
9 E. A licensee or licensee's employees may not allow patrons
10 to leave the golf course with liquor;

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

13
14 G. Signs are posted that state that a patron may not bring
15 alcoholic beverages onto the premises of the golf course; and

16
17 H. Signs are placed on the mobile service bar that state
18 that service or consumption of liquor by a person under 21
19 years of age is prohibited.

20
21 3. **Penalty.** A person who brings alcoholic beverages onto
22 the premises of a golf course is subject to a civil penalty of
23 not less than \$250 nor more than \$1,500, payable to the State.
24 This penalty is recoverable in a civil action.

25
26 **Emergency clause.** In view of the emergency cited in the
27 preamble, this Act takes effect when approved.

28
29
30
31 **SUMMARY**

32
33 This bill permits the Bureau of Liquor Enforcement to
34 license golf courses to serve liquor on the course from a mobile
35 service bar.