

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1323

H.P. 986

House of Representatives, March 5, 2001

**An Act to Shorten the Period in which the Bureau of Liquor Enforcement
Acts on Appeals.**

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative DUPLESSIE of Westbrook.
Cosponsored by Representatives: CHIZMAR of Lisbon, TUTTLE of Sanford, USHER of
Westbrook.

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

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Sec. 1. 28-A MRSA §653, sub-§3, as amended by PL 1995, c. 140, §6, is further amended to read:

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3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The Within 60 days of the filing of an appeal, the bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

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B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

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SUMMARY

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This bill requires the Department of Public Safety, Bureau of Liquor Enforcement to hold a hearing on an appeal of a liquor license denial by a municipality within 60 days of the filing of the appeal.