

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 290

H.P. 215

House of Representatives, January 18, 2005

An Act To Amend the Laws Governing Mobile Service Bars on Maine Golf Courses

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BROWNE of Vassalboro.
Cosponsored by Senator MAYO of Sagadahoc and
Representatives: BROWN of South Berwick, BRYANT-DESCHENES of Turner, FISCHER
of Presque Isle, HOTHAM of Dixfield, TARDY of Newport, Senators: DAMON of Hancock,
PLOWMAN of Penobscot.

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

4 **Sec. 1. 28-A MRSA §1012, sub-§4.** as enacted by PL 2003, c.
579, §1, is amended to read:

6 **4. Golf course mobile service bar.** A licensee who is the
7 owner of a golf course may apply for a license to sell malt
8 liquor from a mobile service bar as provided in section 1075-A.
9 The license fee per calendar year is \$100.

10 ~~This subsection is repealed January 1, 2006.~~

12 **Sec. 2. 28-A MRSA §1075, sub-§2,** as repealed and replaced by
13 PL 2003, c. 579, §2, is amended to read:

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

19 ~~This subsection is repealed January 1, 2006.~~

20 **Sec. 3. 28-A MRSA §1075, sub-§2-A,** as enacted by PL 2003, c.
21 579, §3, is repealed.

22 **Sec. 4. 28-A MRSA §1075-A, sub-§2, ¶B,** as enacted by PL 2003,
23 c. 579, §4, is repealed and the following enacted in its place:

24 B. The licensee does not possess or permit possession, sale
25 or consumption of any malt liquor on the golf course other
26 than that which is permitted and purchased by the licensee
27 in accordance with the license or licenses granted;

28 **Sec. 5. 28-A MRSA §1075-A, sub-§4,** as enacted by PL 2003, c.
29 579, §4, is repealed and the following enacted in its place:

30 4. Revocation and suspension of license. Licensees and
31 license applicants under this section are subject to chapter 33
32 to the same extent as other on-premises licensees.

33 **Sec. 6. 28-A MRSA §1075-A, sub-§6,** as enacted by PL 2003, c.
34 579, §4, is repealed.

35 **SUMMARY**

36 This bill amends current law permitting the licensure of
37 mobile service bars on golf courses. Current law requires that

2 mobile service bar licensees automatically lose all of their
liquor licenses in the event that any amount of malt liquor,
4 other than that which is sold by the licensee, is possessed and
consumed on the premises by members of the public. This bill
6 alters that standard to make it consistent with similar
provisions governing other on-premises licensees. Specifically,
8 it provides that mobile service bar licensees may not possess nor
permit possession, sale or consumption of unauthorized malt
10 liquor on the premises, and that a licensee's failure to adhere
to this standard subjects it to potential revocation and
12 suspension of the liquor license or other forms of discipline to
the same extent as other on-premises licensees. The bill also
14 removes the sunset provisions on the law allowing the sale of
malt liquor on golf courses.