

# MAINE STATE LEGISLATURE

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VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 90, L.D. 304, Bill, "An Act To Authorize Auxiliary Licenses at Disc Golf Courses"

Amend the bill by striking out the title and substituting the following:

'An Act To Authorize Auxiliary Liquor Licenses at Disc Golf Courses'

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the economic opportunities associated with the sport of disc golf are limited to the seasons of summer and early fall; and

Whereas, delaying the opportunity for disc golf courses to provide full-service recreation means a loss of those economic opportunities and a loss of potential revenue to the State; and

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 necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 28-A MRSA §2, sub-§15, ¶F-1 is enacted to read:

F-1. "Disc golf course" means any commercially operated facility offering disc golfing to the general public for a fee, food for sale and adequate facilities for the sale and consumption of liquor. A disc golf course consists of no less than 18 disc holes with a total distance of no less than 5,000 feet per 18 disc holes and has a value of not less than \$50,000.

COMMITTEE AMENDMENT

1           **Sec. 2. 28-A MRSA §1001, sub-§3, ¶F-1** is enacted to read:

2           F-1. Disc golf courses;

3           **Sec. 3. 28-A MRSA §1003, sub-§3, ¶F-1** is enacted to read:

4           F-1. Disc golf courses;

5           **Sec. 4. 28-A MRSA §1004, sub-§3, ¶F-1** is enacted to read:

6           F-1. Disc golf courses;

7           **Sec. 5. 28-A MRSA §1005, sub-§3, ¶F-1** is enacted to read:

8           F-1. Disc golf courses;

9           **Sec. 6. 28-A MRSA §1012, sub-§2**, as amended by PL 1995, c. 195, §1, is  
10 further amended to read:

11           **2. Auxiliary license.** A Class A restaurant or a Class I hotel located at a ski area ~~or~~,  
12 a golf course or a disc golf course, or a Class I golf club or a Class I or a Class V club  
13 located at a golf course or a disc golf course may apply for one additional licensed  
14 premises at the same area for consumption of spirits, wine or malt liquor on the premises.

15           A. The license fee is.....\$100.

16           **Sec. 7. 28-A MRSA §1012, sub-§4**, as amended by PL 2005, c. 108, §1, is  
17 further amended to read:

18           **4. Golf course or disc golf course mobile service bar.** A licensee who is the owner  
19 of a golf course or disc golf course may apply for a license to sell malt liquor from a  
20 mobile service bar as provided in section 1075-A. The license fee per calendar year is  
21 \$100.'

22           Amend the bill by inserting after section 1 the following:

23           '**Sec. 2. 28-A MRSA §1075-A**, as amended by PL 2009, c. 472, §§1 to 3, is  
24 further amended to read:

25           **§1075-A. Golf course and disc golf course mobile service bar**

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

28           A. "Mobile service bar" means a golf cart or other similar vehicle staffed by an  
29 employee of the golf course or disc golf course and outfitted for storage, cooling or  
30 refrigeration and sale and service of malt liquor in cans or bottles.

31           **2. License.** The bureau may issue a license for a mobile service bar to a licensee  
32 who owns a golf course or disc golf course or may issue a license for a mobile service bar  
33 to a Class A restaurant, Class A restaurant/lounge or Class I hotel located at a golf course  
34 or disc golf course and to a golf course or disc golf course owner. The licensee shall  
35 ensure that:

36           A. All individuals selling, serving or dispensing malt liquor from a mobile service  
37 bar are employees of the golf course or disc golf course, except as provided in  
38 subsection 2-A;

- 1           B. The licensee does not possess or permit possession, sale or consumption of any  
2 malt liquor on the golf course or disc golf course other than that which is permitted  
3 and purchased by the licensee in accordance with the license or licenses granted;
- 4           C. A sufficient number of employees are deployed to adequately control and ensure  
5 adherence to laws applying to the serving, sale and consumption of malt liquor on the  
6 golf course or disc golf course;
- 7           D. Service or consumption of any liquor is not allowed in parking lots except as  
8 otherwise provided in this chapter;
- 9           E. A licensee or licensee's employees do not allow patrons to leave the golf course or  
10 disc golf course with any liquor;
- 11          F. Only one standard serving of malt liquor is served to an individual at a time;
- 12          G. Signs are posted that state that a patron may not bring alcoholic beverages onto  
13 the premises of the golf course or disc golf course;
- 14          H. Signs are placed on the mobile service bar that state that service or consumption  
15 of any liquor by a person under 21 years of age is prohibited;
- 16          I. Malt liquor from a mobile service bar is purchased and consumed only by those  
17 patrons engaged in a round of golf or disc golf;
- 18          J. The operator of a mobile service bar is at least 21 years of age and has successfully  
19 completed an alcohol server education course; and
- 20          K. The operator of a mobile service bar has the ability and necessary tools to  
21 immediately contact a golf course or disc golf course employee working at the part of  
22 the golf course or disc golf course licensed as an on-premises establishment or an  
23 employee of a Class A restaurant or Class A restaurant/lounge operating under a  
24 contract with a municipal golf course or disc golf course for assistance in enforcing  
25 the provisions of this section.
- 26          **2-A. Municipal golf course or disc golf course.** Notwithstanding subsection 2,  
27 paragraph A, employees of a Class A restaurant or Class A restaurant/lounge operating  
28 under a contract with a municipal golf course or disc golf course that does not have a  
29 license to serve alcoholic beverages may sell, serve or dispense malt liquor from a mobile  
30 service bar under the same conditions prescribed by subsection 2.
- 31          **3. Penalty.** A person who brings alcoholic beverages onto the premises of a golf  
32 course or disc golf course commits a civil violation for which a fine of not less than \$250  
33 nor more than \$1,500 may be adjudged.
- 34          **4. Revocation and suspension of license.** A licensee who holds a license issued by  
35 the bureau under this section and any other licenses that that licensee holds to sell liquor  
36 for on-premises consumption are subject to chapter 33 to the same extent as are other on-  
37 premises licensees.
- 38          **5. Transportation of open containers prohibited.** A patron of a golf course or disc  
39 golf course licensed under this section who operates a golf cart is prohibited from  
40 transporting an open container of liquor across a public way as defined by Title 29-A,  
41 section 2112-A, subsection 1, paragraph D.'

1 Amend the bill by adding before the summary the following:

2 **'Emergency clause.** In view of the emergency cited in the preamble, this  
3 legislation takes effect when approved.'

4 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
5 section number to read consecutively.

6 **SUMMARY**

7 This amendment makes a disc golf course eligible for the same liquor licenses as a  
8 golf course. The amendment adds to the bill a definition of disc golf course and makes  
9 necessary references to a disc golf course to reflect the eligibility of a disc golf course for  
10 liquor licenses for which it may have an auxiliary license or mobile service bar license.  
11 The amendment also adds an emergency preamble and an emergency clause to the bill.

**FISCAL NOTE REQUIRED**  
**(See attached)**



# 128th MAINE LEGISLATURE

LD 304

LR 1455(02)

An Act To Authorize Auxiliary Licenses at Disc Golf Courses

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

(S-10)

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## Fiscal Note

Minor cost increase - General Fund  
Minor revenue increase - General Fund

### Fiscal Detail and Notes

The bill allows disc golf courses to apply for auxiliary liquor licenses. As an auxiliary liquor license requires a liquor license to augment, the number of disc golf courses eligible for auxiliary licenses is expected to be small. The additional inspection and enforcement activities associated with this amendment are anticipated to be minor and can be absorbed within existing budgeted resources of the Bureau of Alcoholic Beverages and Lottery Operations. Any additional revenue to the General Fund from the additional auxiliary licenses is expected to be minor.