

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 436

H. P. 1226

House of Representatives, February 7, 1935.

Referred to Committee on Temperance and 1,000 copies ordered printed.
Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Eveleth of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relating to Licenses for Sale of Liquor and Alcohol.

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

Sec. 1. Licenses for sale of malt liquor and wine for consumption off the premises. Licenses for the sale of malt liquor and wine not to be consumed on the premises where sold may be issued in the discretion of the commission to citizens of the United States, who are residents of Maine, and to domestic corporations. The license fee for such sale shall be \$50 annually for malt liquor only, and \$50 per year for wine only, and \$100 for both malt liquor and wine, and licenses may be issued to hotels, clubs, steamboats, dining cars, and restaurants who are licensed to sell malt liquor for consumption on the premises, if the additional license for off-premises consumption is for malt liquor only, and who are licensed to sell wine for consumption on the premises, if the additional license for off-premises consumption is for wine only.

Sec. 2. Cities and towns to receive abatement of taxes amounting to $\frac{1}{4}$ of license fees collected from licensees in the respective cities, towns and plantations. After the close of each fiscal year, beginning with the fiscal year closing on June 30, 1936, the commission shall determine, subject to audit by the state auditor, and when so determined and audited, the state auditor shall certify to the treasurer of state the amount collected in

license fees from licensees in each city, town and plantation, and the treasurer of state shall thereupon credit $\frac{1}{4}$ of said amount collected from licensees in each city, town and plantation upon the state tax assessed against said city, town or plantation for the then current tax year. No city, town or plantation shall impose any tax, or license fee, directly or indirectly, upon the sale of liquor.

Sec. 3. Registered pharmacies may use and sell alcohol. A pharmacy registered under the provisions of section 36 of chapter 48 of the public laws of 1931 may use alcohol for the manufacture of United States pharmacopoeia or national formulary preparation and all medicinal preparations unfit for beverage purposes, and may sell alcohol.

Sec. 4. License for wholesalers. Licenses for sale and distribution of malt liquor and wines at wholesale under such regulations as the state liquor commission may prescribe may be issued by the state liquor commission upon an application in such form as may be prescribed by said board and upon payment of an annual fee of \$300.

Sec. 5. P. L., 1934, c. 301, §§ 4 and 5, repealed. Sections 4 and 5 of chapter 301 of the public laws of 1934 are hereby repealed, and the following enacted in place thereof:

'Sec. 4. License fees. The fees for licenses for each hotel shall be \$600 per year in cities and towns having a population of 10,000 or more, and \$300 per year for cities and towns having less than 10,000 population; and for each club, steamboat, and dining car, \$200 per year, provided, however, that a single license for railroad dining-car service shall be sufficient to cover all dining cars operated by any one owner; and for each restaurant for the sale of malt liquor only \$100, for the sale of malt liquor and wine \$200, and for the sale of malt liquor, wine and spirits, \$300.'

'Sec. 5. Spirits to be bought from commission. All persons licensed under the provisions of this act shall purchase all spirits sold under license within the state from the commission.'

Sec. 6. Amending clause. All acts or parts of acts inconsistent herewith are hereby amended or repealed to conform with the provisions hereof.