

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 764

S. P. 630

In Senate, March 15, 1935.

Reported by Senator Hathaway of Piscataquis from Committee on Public Health and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

NEW DRAFT OF S. P. 124—L. D. 37

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relating to the Regulation of Eating and Lodging Places.

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

Sec. 1. P. L., 1933, c. 1, §§ 186 and 187, amended. Sections 186 and 187 of chapter 1 of the public laws of 1933 are hereby amended to read as follows:

'Sec. 186. Eating and lodging places, recreational and overnight camps to be licensed. No person, corporation, firm, or copartnership shall conduct, control, manage, or operate, directly or indirectly, any ~~overnight camp, recreational camp,~~ eating or lodging place, **recreational or overnight camp, which is operated only part of each year,** unless the same shall be licensed by the department. ~~Any person, corporation, association, firm, or copartnership violating the provisions of this section shall be punished by a fine of not more than \$100.'~~

'Sec. 187. Department authorized to license; terms and fees. The department is empowered to license ~~overnight camps, recreational camps~~ eating and lodging places, **recreational and overnight camps which are operated only part of each year.** Such licenses shall be issued by the

department under such terms and conditions as it deems advisable, and fees for licenses not exceeding \$5 may be charged.'

Sec. 2. Further regulations of eating and lodging places. Chapter 1 of the public laws of 1933 is hereby amended by adding thereto the following sections :

'Sec. 187-A. Licenses when, duration of, not transferable. On or before July 1st of each year every person, corporation, firm or copartnership now engaged in the business of conducting an eating or lodging place, recreational camp or overnight camp, and every person, corporation, firm or copartnership who shall hereafter engage in conducting such business shall procure a license from the department for each eating or lodging place, recreational camp or overnight camp, so conducted or proposed to be conducted, provided that 1 license shall be sufficient for each combined eating place and lodging place where both are conducted in the same building and under the same management. Each license shall expire on the 30th day of June next following the issuance and shall not be transferable.'

'Sec. 187-B. Exceptions to license requirements. Private homes shall not be deemed or considered lodging places and subject to a license where not more than 2 rooms are let to other than transient guests unless they hold themselves in any way as ready to accept or do accept transient guests. Licenses shall not be required from dormitories of charitable, educational or philanthropic institutions, nor from private homes used in emergencies for the accommodation of persons attending conventions, fairs or similar public gatherings, nor from temporary eating and lodging places for the same, nor from railroad dining or buffet cars, nor from construction camps, nor from boarding houses and camps conducted in connection with wood cutting and logging operations.'

'Sec. 187-C. Revocation of license. Whenever a person, corporation, firm or copartnership, in charge of any eating or lodging place, recreational or overnight camp, shall have been convicted of violating any provision of this act, or the rules and regulations pertaining thereto, and shall for a period of 10 days after such conviction, fail to comply with any provisions of this act, or the rules and regulations pertaining thereto, the license granted to such person to conduct such business may be revoked. Whenever the commissioner of agriculture informs the commissioner of health and welfare that a licensee holding a license to operate an eating place in a hotel, restaurant, lunch cart, or lunch counter, or any eating place, is not

complying with the laws and regulations governing the sale of food, the commissioner of health and welfare shall revoke the license of the licensee. Any person operating an eating or lodging place after such license shall have been revoked shall be considered as operating without a license and liable to all the penalties therefor.'

'**Sec. 187-D. Penalty.** Whoever violates any of the provisions of sections 186 to 187-D shall be punished by a fine of not less than \$10, nor more than \$100, for each offense.'