

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 490

S. P. 296

In Senate, February 11, 1937.

Referred to Committee on Temperance and 500 copies ordered printed.
Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Tompkins of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

AN ACT Relating to Malt Liquors.

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

P. L., 1933, c. 268, § 10, amended. Section 10 of chapter 268 of the public laws of 1933 is hereby amended to read as follows:

‘Sec. 10. Licenses to hotels, restaurants and clubs. No license to sell malt ~~beverages~~ **liquors** to be consumed on the premises where sold shall be issued to any person, firm or corporation for any premises except a bona fide hotel, restaurant or club nor unless the application therefor be approved by the municipal officers of the city or town where said hotel, restaurant or club is located, and if said hotel, restaurant or club is located in an unorganized place said application shall be approved by the county commissioners of the county, within which the same is located. **No license shall be issued to a restaurant unless that restaurant has been in operation as such for a period of at least 6 months prior to the application for the said license.** No licensee under this section of this act shall maintain a bar where malt ~~beverages~~ **liquors** are consumed. Clubs licensed under this act shall not sell malt ~~beverages~~ **liquors** for consumption on the premises except to its members and their guests accompanying them. The word “club” as used in this act means a group of individuals incorporated and which is organized and operated in a bona fide manner, solely

for objects of a recreational, social, patriotic or fraternal nature and not for pecuniary gain. Licenses issued under this section shall specify the premises to which the license shall apply, **and no license for such sale shall be granted to premises within a radius of 300 feet of a public or private school.**

Any applicant aggrieved by **the** refusal to approve an application as hereinbefore provided, may appeal to the state ~~licensing board~~ **liquor commission**, who shall hold a public hearing thereon in the city or town for which said license is requested and if it finds the refusal arbitrary or without justifiable cause, it may issue such license notwithstanding the lack of such approval.'