

# MAINE STATE LEGISLATURE

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

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**Legislative Document**

**No. 629**

H. P. 1463

House of Representatives, February 9, 1939.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Dow of Kennebunkport.

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## S T A T E   O F   M A I N E

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-NINE

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### AN ACT Amending Requirements for Licenses to Hotels, Restaurants and Clubs.

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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, as amended by chapter 201 of the public laws of 1937, is hereby further amended to read as follows:

**'Sec. 10. Licenses to hotels, restaurants and clubs.** No license to sell malt 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 special fees shall be due or payable to such cities, towns or county commissioners from applicants for licenses hereunder.** 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 liquors are consumed. Clubs licensed under this act shall not sell malt 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, except such premises as are used for hotel purposes or as holding licenses for the sale of vinous and spirituous liquors at the effective date of this act.

'Any applicant aggrieved by the refusal to approve an application as hereinbefore provided, may appeal to the state 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.'