

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 1076

H. P. 1405

House of Representatives, March 29, 1945.

Reported by Mr. Coombs from the Committee on Temperance and laid on table to be printed under Joint Rules.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

**AN ACT Relating to Liquor Licenses in Unorganized Territory Where
No Elections Are Held.**

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

R. S., c. 57, § 23, amended. Section 23 of chapter 57 of the revised statutes is hereby amended to read as follows:

‘Sec. 23. Retail licenses. Licenses for the sale and distribution of malt liquor at retail under such regulations as the commission may prescribe may be issued by the commission upon an application in such form as they may prescribe and upon payment of a fee as hereinafter provided. No person licensed to sell at retail shall sell malt liquor for consumption on the premises where sold except as hereinafter provided.

Provided, however, that licenses in an unincorporated place where no elections are held shall require the approval of the county commissioners of the county, after giving public notice at the applicant's expense which shall be prepaid, by causing a notice, stating the name and business address of the applicant and the time and place of hearing, to be printed for at least 6 consecutive days prior to the date of hearing in a daily newspaper published in the unorganized territory in which the premises proposed to be licensed are situated; or, if no daily newspaper is so published, the notice shall be printed for the same period in a daily newspaper published

in the county in which the premises are situated; or, if no daily newspaper is published in such county, then the notice shall be printed for 2 consecutive weeks prior to the date of hearing in a weekly newspaper published in the county nearest to said unincorporated place.

Any applicant, aggrieved by the refusal of the county commissioners to approve an application as hereinbefore provided, may appeal to the state liquor commission, who shall hold a public hearing thereon in the unincorporated place 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.'