

MAINE STATE LEGISLATURE

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

Legislative Document

No. 108

S. P. 83

In Senate, January 23, 1951.

Referred to Committee for Liquor Control. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Dennett of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

**AN ACT Relating to Appeals to Liquor Commission from Decisions of
Municipal Officers Disapproving License Applications.**

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

Sec. 1. R. S., c. 57, § 22, amended. Section 22 of chapter 57 of the revised statutes, as amended by chapter 75 of the public laws of 1947, is hereby further amended by adding at the end thereof the following new paragraph:

‘Except as provided by section 21-A, any applicant for license aggrieved by the refusal of municipal officers or county commissioners to approve any application for license requiring their approval or a transfer of location of licensed premises under the provisions of section 35 may appeal to the commission, who shall hold a public hearing thereon in the city, town or unincorporated place where such license is applied for and, if it finds the refusal arbitrary or without justifiable cause, it may issue license or transfer notwithstanding the lack of such approval. Upon notification of appeal as herein provided, the municipal officers or county commissioners refusing approval shall certify to the commission their reasons for refusal and evidence on such appeal shall be limited to the reasons specified. The commission

shall furnish the appellant with a copy of such reasons for refusal and give adequate public notice of the time and place of such hearing.'

Sec. 2. R. S., c. 57, § 23, amended. The 3rd paragraph of section 23 of chapter 57 of the revised statutes, as enacted by chapter 245 of the public laws of 1945 and amended by section 2 of chapter 372 of the public laws of 1947, is hereby repealed.

Sec. 3. R. S., c. 57, § 28, amended. The 2nd sentence of section 28 of chapter 57 of the revised statutes, as amended by chapter 159 of the public laws of 1945 and by section 3 of chapter 372 of the public laws of 1947, is hereby repealed.

Sec. 4. R. S., c. 57, § 40, amended. The last paragraph of section 40 of chapter 57 of the revised statutes, as amended by chapter 185 of the public laws of 1945 and by section 4 of chapter 372 of the public laws of 1947, is hereby repealed.