

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
95th LEGISLATURE

COMMITTEE AMENDMENT "A" to S. P. 118, L. D. 209, Bill "An Act to Clarify Provisions of the Liquor Law."

Amend said Bill by striking out the period at the end of section 4 of said Bill and inserting in place thereof the following: " and the following enacted in place thereof:

'No applicant whose application is denied by the commission shall be eligible to apply for a liquor license of the same type again for a period of 6 months from the date of such denial unless the commission denial is overruled by the court under appeal provided by section 60-A.'"

Further amend said Bill by adding before the single quote at the end of section 5 the following underlined paragraph:

'No license shall be issued to any law enforcement official who benefits either directly or indirectly.'

Further amend said Bill by striking out, at the end of section 10, the underlined punctuation and words ", or both"

Further amend said Bill by adding at the end thereof the following sections:

"Sec. 12. R. S., c. 57, §22, amended. Section 22 of chapter 57 of the revised statutes, as amended, is hereby further amended by adding at the end thereof a new paragraph to read as follows:

'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. 13. P. L., 1951, c. 13, §1, repealed; limitation. Section 1 of chapter 13 of the public laws of 1951, heretofore passed by this legislature, amending section 22 of chapter 57 of the revised statutes, is hereby repealed and shall not be printed as part of the session laws of 1951.

(OVER) *(Filing No. 359)*

Sec. 14. P. L., 1951, c. 174, §2, repealed; limitation.
Section 2 of chapter 174 of the public laws of 1951, heretofore passed by this legislature, amending section 28 of chapter 57 of the revised statutes, is hereby repealed and shall not be printed as part of the session laws of 1951.

Sec. 15. P.L., 1951, c. 174, §3, repealed; limitation.
Section 3 of chapter 174 of the public laws of 1951, heretofore passed by this legislature, amending section 40 of chapter 57 of the revised statutes, is hereby repealed and shall not be printed as part of the session laws of 1951.

Sec. 16. R. S., c. 57, §2, sub-§V, repealed and replaced.
Subsection V of section 2 of chapter 57 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

'V. Shall licenses be granted in this city or town for sale therein of wines and spirits to be consumed on the premises of part-time hotels and clubs?'

Sec. 17. R. S., c. 57, §2, amended. The 13th and 5th paragraphs from the end of section 2 of chapter 57 of the revised statutes, as amended, are hereby further amended to read as follows:

'If a majority of the votes cast in a city or town in answer to question V are in the affirmative, the commission may issue licenses for the sale of wines and spirits to be consumed on the premises of ~~a-hotel-or-club~~ part-time hotels and clubs therein ~~that-operates-only-during-the-months-of-June,-July,-August-and-September~~ for the 2 calendar years next following, subject to all provisions of law.'

'If a majority of the votes cast on question V are in the negative, licenses shall not be issued for the sale of wines and spirits to be consumed on the premises of ~~a-hotel-or-club~~ part-time hotels and clubs that ~~operates~~ operate therein ~~only-during-the-months-of-June,-July,-August-and-September~~ for the 2 calendar years next following.'

Sec. 18. R.S., c. 57, §23, amended. The 2nd paragraph of section 23 of chapter 57 of the revised statutes, as enacted by chapter 245 of the public laws of 1945, is hereby repealed and the following enacted in place thereof:

'Provided, however, that licenses in an unincorporated place, where no local option vote is taken under the provisions of section 21-A, shall require the approval of the county commissioners of the county.'

Reported by the Committee on Liquor Control.
Read and adopted in the Senate May 2, 1951.

Reproduced and distributed under direction of the Clerk of the House.