

MAINE STATE LEGISLATURE

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New Draft of: S. P. 218, L. D. 557

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

Legislative Document

No. 1295

S. P. 445

In Senate, April 7, 1959

Reported by the Majority from the Committee on Liquor Control, and printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT Relating to Sale of Spirituous Liquor in Class A Restaurants.

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

Sec. 1. R. S., c. 61, § 1, amended. Section 1 of chapter 61 of the Revised Statutes, as amended, is further amended by inserting before the 8th paragraph from the end, a new paragraph as follows :

“Class A restaurant” shall mean a reputable place operated by responsible persons of good reputation which is equipped for preparing and serving food on the premises. Year round class A restaurants must do a minimum of \$50,000 per year in sale and service of food to the public on their premises. Part-time licensees must do a minimum of \$30,000 business in sale or service of food to the public on their premises. In the case of both full-time and part-time licenses at least 60% of the total volume of business shall be sale of food. In no case shall the commission renew any licenses for sale of liquor under this section unless they are furnished with proof that the previous year’s business conformed with the restrictions and provisions of this paragraph. In the case of new original licenses, the commission shall be authorized to exercise its judgment in respect to its probable qualifications with the provisions of this paragraph, and the commission is specifically authorized to make such rules and regulations as they deem necessary for carrying out this paragraph.

Sec. 2. R. S., c. 61, § 2, sub-§ II-A, additional. Section 2 of chapter 61 of the Revised Statutes, as amended, is further amended by adding a new subsection II-A, to read as follows :

“II-A. Shall licenses be granted in this city or town for sale herein of wine and spirits to be consumed on the premises of class A restaurants?”

Sec. 3. R. S., c. 61, § 31, amended. Section 31 of chapter 61 of the Revised Statutes, as amended by sections 6, 7 and 8 of chapter 355 of the public laws of 1955, and by chapter 144 of the public laws of 1957, is further amended to read as follows :

**'Sec. 31. Fees for retail licenses, renewals, filing fee. Fees for full-year li-
censes shall be:**

| | |
|---|---------------|
| Hotel—Spirituos and vinous, in cities or towns having population of 10,000 or more | \$600.00 |
| Hotel—Spirituos and vinous, in cities or towns having population of less than 10,000 | \$300.00 |
| Population shall be determined according to each Federal Decennial Census as shown by any official report authorized by the Federal Census Act and shall apply to the licensing period next following such official report. | |
| Hotel—Malt liquor | \$200.00 |
| Club—Spirituos and vinous | 200.00 |
| Club—Malt liquor | 100.00 |
| Public service—Spirituos and vinous | 200.00 |
| Public service—Malt liquor | 100.00 |
| Restaurant, class A—Spirituos and vinous | 750.00 |
| Restaurant—Malt liquor only | 200.00 |
| Restaurant—Vinous liquor only | 200.00 |
| Tavern—Malt liquor only | 300.00 |
| Retail store—Malt liquor only | 100.00 |

Any club maintaining a dining room and catering either privately or for functions to a group of nonmembers of the club, ~~also and~~ any club with dining rooms letting rooms to nonmembers, must pay the same fee as required by a hotel located in the same municipality.

The commission may grant part-time licenses for a period not in excess of 6 consecutive months in any calendar year. A part-time hotel licensee shall conduct his hotel business on the premises only during the time when such part-time license is in effect.

Fees for part-time licenses shall be:

| | |
|---|-----------------|
| Part-time—Hotels and clubs—Spirituos and vinous— $\frac{1}{2}$ full-time fee at their location. | |
| Part-time—Restaurant, class A—Spirituos and vinous | \$375.00 |
| Part-time—Hotel or restaurant—Malt liquor only | 125.00 |
| Part-time—Club—Malt liquor only | 50.00 |
| Part-time—Tavern—Malt liquor only | 150.00 |

One public service license shall be sufficient to cover all steamboats and cars operated by any one owner.

All full-year licenses shall be issued for the license year and on a calendar year basis and the prescribed fee shall accompany the application for license.

Licenses may be renewed upon application therefor and payment of the annual fee, subject to commission rules and regulations.

Every applicant for an original or renewal malt liquor license shall remit with his application a filing fee of \$10, except in unorganized places the filing fee of \$10 shall be paid to the county treasurer of the county in which the unincorporated place is located, and all such applications for license in unincorporated places shall be accompanied by evidence of payment of filing fee to the county treasurer.

Any licensee applying for license to operate more than one premise shall pay the fee prescribed for the type of license to be exercised at each such premise.'