

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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## CHAPTER 473

## AN ACT Concerning the Income Requirements for Class A Restaurants under the Liquor Statutes.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there are a number of class A restaurants in the State which are experiencing financial problems and may lose their present liquor licenses; and

Whereas, the loss of a liquor license will have detrimental effects for many class A restaurants; and

Whereas, the economic failure of many class A restaurants will create more unemployment and accentuate the economic recession in Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

28 MRSA § 2, sub-§ 18, as last amended by PL 1973, c. 788, § 121-A, is repealed and the following enacted in place thereof:

18. Class A restaurant. "Class A restaurant" shall mean a reputable place operated by responsible persons of good reputation which is properly equipped and which prepares and serves full course meals. In municipalities having a population of above 50,000 persons, 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. In municipalities having a population of above 50,000 persons, part-time licensees must do a minimum of \$30,000 business in sale or service of food to the public on their premises as a requirement for a part-time license not in excess of 6 consecutive months and \$20,000 business in sale or service of food to the public on their premises as a requirement for a part-time license not in excess of 3 consecutive months. In municipalities having a population of 30,001 to 50,000 persons, year-round class A restaurants must do a minimum of \$40,000 per year in sale and service of food to the public on their premises. In municipalities having a population of 30,001 to 50,000 persons, part-time licensees must do a minimum of \$25,000 business in sale or service of food to the public on their premises as a requirement for a part-time license not in excess of 6 consecutive months and \$20,000 in sale or service of food to the public on their premises as a requirement for a part-time license not in excess of 3 consecutive months. In municipalities having a population of 20,001 to 30,000 persons, year-round class A restaurants must do a minimum of \$30,000 per year in sale and service of food to the public on their premises and part-time licensees must do a minimum of \$20,000 business in sale and service of food to the public on their premises as a requirement for a part-time license not in excess of 6 consecutive months. In municipalities having a population of 10,001 to 20,000 persons, year-round class A restaurants must do a minimum of \$20,000 per year in sale and service of food to the public on their premises and part-time licensees must do a minimum

of \$15,000 business in sale or service of food to the public on their premises as a requirement for a part-time license not in excess of 6 consecutive months. In municipalities having a population of 20,000 persons or less, year-round class A restaurants must do a minimum of \$20,000 per year in sale and service of food to the public on their premises, and part-time licensees must do a minimum of \$15,000 business in sale or service of food to the public on their premises as a requirement for a part-time license not in excess of 6 consecutive months. If the judgment of the commission is that the applicant would probably qualify, then a license shall be issued. In no case shall the commission renew any license for the sale of liquor under this subsection unless they are furnished with proof that the previous year's business conformed to the income provisions of this subsection. The commission is specifically authorized to make such rules and regulations as they deem necessary for carrying out this subsection.

Notwithstanding any other provision of law, and due to the lack of snow and the energy crisis, the commission is authorized to waive the dollar food requirements for 1975 upon renewal of class A licenses under this subsection.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective June 12, 1975

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## CHAPTER 474

### AN ACT to Clarify Certain Provisions of the Tax Lien Law.

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

Sec. 1. 36 MRSA § 943, as last amended by PL 1973, c. 368, is further amended by adding at the end the following new paragraph:

A discharge of a municipal tax lien mortgage given after the right of redemption has expired, which discharge has been recorded in the Registry of Deeds more than one year, shall terminate all title of the municipality derived from such tax lien mortgage.

Sec. 2. 36 MRSA § 5313, last sentence, as enacted by P&SL 1969, c. 154, § F, is repealed and the following enacted in place thereof:

The lien provided herein has the same force, effect and priority as a judgment lien and shall continue for 5 years from the date of recording unless sooner released or otherwise discharged. The lien may, within said 5-year period, or within 5 years from the date of the last extension of the lien in the manner provided in this section, be extended by filing for record in the office of the register of deeds a copy of said notice and from the time of such filing the lien shall be extended for 5 years, unless sooner released or otherwise discharged.

Effective October 1, 1975