

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH  
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,  
SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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3. Account holders; informational meetings and approval. The conversion plan shall be presented to the members who are eligible account holders at special informational meetings held in each county where a branch office of the institution is located. These meetings shall be monitored by the superintendent. The conversion plan, as approved by the superintendent, shall be submitted to the members ~~of~~ who are eligible account holders of the financial institution for their approval at an annual meeting or at a special meeting called for that purpose, pursuant to the requirements of section 353, subsection 3, with such information in the notice as the superintendent may prescribe. A 2/3 vote of the members or eligible account holders is necessary to approve the conversion plan. Voting on the conversion plan may be in person or by written ballot. Any members or eligible account holders not present at ~~such~~ the meeting in person or any member or eligible account holder not returning a written ballot shall be regarded as having affirmatively voted for the conversion and shall be counted among the required 2/3 vote; provided that notice of this fact shall have been contained in the published and mailed notices; and provided further that ~~such~~ the notice, along with a ballot, was mailed to the member or eligible account holder as required in section 353, subsection 3, paragraph A. The voting rights of account holders in a mutual savings bank or trust company shall be the same as granted to members of a mutual savings and loan association pursuant to section 325.

Effective September 19, 1985.

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## CHAPTER 252

S.P. 578 - L.D. 1520

### AN ACT to Provide a Class A Lounge Liquor License.

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

Sec. 1. 28 M.R.S.A. §2, sub-§8, ¶K, as repealed and replaced by PL 1975, c. 741, §1, is amended to read:

K. "Class A restaurant" ~~shall mean~~ means a reputable place operated by responsible persons of good reputation which is properly equipped and which prepares and serves full course meals hab-

itually and regularly used for the purpose of providing full course meals for the public on the premises. Class A restaurants shall be equipped with a separate and complete kitchen and shall maintain adequate dining room equipment and capacity for preparing and serving full course meals upon the premises. A full course meal shall consist of a diversified selection of food which ordinarily cannot be consumed without the use of tableware and which cannot be conveniently consumed while standing or walking. 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 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 li-

cense shall be issued. In no case shall the commission renew any license for the sale of liquor under this subsection unless they are it is 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 it deems necessary for carrying out this subsection.

Sec. 2. 28 MRSA §2, sub-§8, ¶K-1 is enacted to read:

K-1. "Class A lounge" means a reputable place operated by responsible persons of good reputation, where food and liquor are sold at tables, booths and counters. At least 10% of the total volume of business shall be the sale of food. Minors are not permitted to remain on the premises unless accompanied by a parent, legal guardian or custodian as defined in Title 22, section 4002. All Class A lounges shall be licensed by the Department of Human Services.

Sec. 3. 28 MRSA §301, as amended by PL 1973, c. 362, is further amended to read:

§301. Proximity to churches and schools; exception

No new hotel, restaurant, tavern or club licenses for the consumption of alcoholic beverages on the premises where sold shall be granted under this Title to new premises within 300 feet of a public or private school, school dormitory, church, chapel or parish house in existence as such at the time such new license is applied for, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel, except such premises as were in use as hotels or clubs on July 24, 1937. The commission may grant licenses to premises which are either in or within 300 feet of a church, chapel, parish house or post-secondary school, measured as aforesaid, when the application therefor has the unanimous approval of the members of the commission and the written approval of a majority of the officers or the written approval of the officer, person or pastor in charge of such church, chapel, parish house or post-secondary school.

Sec. 4. 28 MRSA §701, sub-§1, ¶F is enacted to read:

F. Class X License, Class A Lounge, spirituous, vinous and malt beverages.....\$2,000

Sec. 5. 28 MRSA §701, sub-§2, ¶A is enacted to read:

A. Notwithstanding this subsection, the fee for a part-time Class X license is the same as the full-time fee.

Sec. 6. 28 MRSA §701-A, subsection 8 is enacted to read:

8. Class X license. The following premises shall be eligible for a Class X license:

A. Class A lounges.

Sec. 7. 28 MRSA §801, as amended by PL 1983, c. 755, §§12 and 14, is repealed and the following enacted in its place:

§801. Licenses generally

Licenses for the sale of spirituous, vinous and malt liquor to be consumed on the premises where sold may be issued to qualified applicants for qualified premises, as defined in section 2, upon payment of the fees provided, subject to the provision that the initial application for the license is approved by the municipal officers of the town or city in which the intended qualified premises is located. If the qualified premises is located in an unorganized place, the application shall be approved by the county commission of the county within which the unorganized place is located. All approvals shall be accomplished pursuant to section 252-A.

No licensee for the sale of liquor to be consumed on the premises where sold may by himself, clerk, servant or agent, sell, give, furnish or deliver any liquor to be consumed elsewhere than upon the licensed premises, except that, subject to law and the rules of the commission, hotel licensees may sell liquor in the original packages to bona fide registered room guests.

Sec. 8. 28 MRSA §809 is enacted to read:

§809. Licenses for Class A lounges

1. Issue of licenses. The commission may issue licenses for the sale of spirituous and vinous liquor and malt liquor to be consumed on the premises to Class A lounges as defined in section 2, subsection 8, paragraph K-1.

2. Food availability. Food shall be for sale to the public at all times that liquor is for sale.

3. Sunset. The following provisions are repealed on September 30, 1987:

- A. Section 2, subsection 8, paragraph K-1;
- B. Section 701, subsection 1, paragraph F;
- C. Section 701, subsection 2, paragraph A;
- D. Section 701-A, subsection 8, paragraph A; and
- E. This section.

Prior to September 30, 1987, the State Liquor Commission shall evaluate the effectiveness of the Class A lounge license and shall make a written report to the 113th Legislature.

Effective September 19, 1985.

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## CHAPTER 253

H.P. 1034 - L.D. 1508

AN ACT to Grant Authority to the Maine State Ferry Advisory Board to Name Ferries and Ferry Terminals.

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

23 MRSA §4304, as enacted by PL 1975, c. 580, §4, is amended by adding at the end a new paragraph to read:

The board, in consultation with the Commissioner of Transportation, shall name ferry terminals and ferries constructed for and maintained by the Department of Transportation to operate as part of the Maine Ferry Service.

Effective September 19, 1985.

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