



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1543

S.P. 538

In Senate, April 27, 2017

An Act To Simplify the Licensing Process for Off-site Catering

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by President THIBODEAU of Waldo.
Cosponsored by Representative HERBIG of Belfast and
Senators: LANGLEY of Hancock, VOLK of Cumberland, Representatives: LUCHINI of
Ellsworth, MALABY of Hancock, SUTTON of Warren.

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

2 **Sec. 1. 28-A MRSA §1051, sub-§2**, as amended by PL 2003, c. 493, §9 and
3 affected by §14, is further amended to read:

4 **2. Local approval of application for license.** ~~The~~ Except as provided in section
5 1052, the initial application for the license must first be approved under section 653 by
6 the municipal officers of the municipality in which the applicant's premises are located or,
7 if the premises are located in an unincorporated place, the application must be approved
8 by the county commissioners of the county within which the unincorporated place is
9 located.

10 **Sec. 2. 28-A MRSA §1052, sub-§4**, as amended by PL 2005, c. 539, §8, is
11 further amended to read:

12 **4. Application.** The licensee must apply for an off-premises catering license by
13 filing a written application with the bureau at least 24 hours before the event or gathering.
14 The application must include the following:

- 15 A. Title and purpose of the event;
- 16 B. Date, time and duration;
- 17 C. Location;
- 18 D. Approximate number of persons to be accommodated;
- 19 E. Name and address of sponsoring person, organization or association; and
- 20 F. If food is to be served, the name and address of the food caterer, if other than the
21 licensee; ~~and,~~
- 22 ~~G. Approval by the municipal officers, or a municipal official designated by the~~
23 ~~municipal officers, of the municipality in which the proposed additional licensed~~
24 ~~premises are located, which, notwithstanding section 653, may be granted without~~
25 ~~public notice.~~

26 **SUMMARY**

27 Current law requires that a Class A restaurant, Class A lounge, Class A
28 restaurant/lounge, club licensed to sell liquor, hotel or bed and breakfast that wishes to
29 acquire an off-premises catering license from the State also receive approval from the
30 municipality in which the event is to occur, and a municipality may set its own fee for
31 granting a permit. This bill eliminates the requirement that an applicant for an off-
32 premises catering license from the State receive approval from the municipality.