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VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 34, L.D. 85, Bill, “An Act To Establish a Public Service Berthing Vessel License for the Sale of Liquor”

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Public Service Berthing Vessels Licensed for the Sale of Liquor'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 28-A MRSA §2, sub-§15, ¶W is enacted to read:

W. "Public service berthing vessel" means any ship, vessel or boat of any kind:

(1) That is used for navigation of the coastal waters of the State or for commercial navigation of inland waters of the State;

(2) That is licensed to carry not fewer than 6 passengers under the requirements of the Public Utilities Commission or the United States Coast Guard with overnight berthing capacity for all passengers;

(3) In which one or more meals are served to passengers on board the vessel daily; and

(4) That can accommodate no fewer than 6 passengers for overnight voyages of at least one night from the vessel's home port.

Sec. 2. 28-A MRSA §1006, sub-§2, as amended by PL 1993, c. 410, Pt. ZZ, §11, is further amended to read:

2. Fees. The fees for a Class V license are as follows:

A. Full-time (one year).....\$ 495-; and

E. Per single event.....\$ 100.

Sec. 3. 28-A MRSA §1006, sub-§3, as amended by PL 1993, c. 730, §§38 and 39, is further amended to read:

COMMITTEE AMENDMENT

1 **3. Eligible premises.** The following premises are eligible to obtain a Class V
2 license:

- 3 A. Clubs without catering privileges; ~~and~~
- 4 B. Bed and breakfasts; and
- 5 C. Public service berthing vessels.

6 **Sec. 4. 28-A MRSA §1080** is enacted to read:

7 **§1080. Public service berthing vessels**

8 **1. Issuance of licenses.** The bureau may issue a license under this section to a
9 public service berthing vessel for the sale of spirits, wine and malt liquor to be consumed
10 by vessel passengers on the premises.

11 **2. Requirements.** The requirements and conditions for issuing a license to a public
12 service berthing vessel are as follows.

13 A. The bureau shall require that a public service berthing vessel maintain a suitable
14 kitchen or galley and be able to prepare and serve meals to passengers on a daily
15 basis.

16 B. Except as provided in paragraph C, a license issued under this section to a public
17 service berthing vessel authorizes the licensee to sell liquor on the public service
18 berthing vessel.

19 C. A licensee may sell liquor for consumption on board a public service berthing
20 vessel that is in port or docked only if prior approval for the sale is obtained from the
21 bureau under the license application procedure in chapter 27. A separate approval
22 must be obtained for each port or dock location from which on-board sales of liquor
23 are to be made.

24 D. Notwithstanding the provisions of sections 121 and 122, a public service berthing
25 vessel navigating on inland waters may sell liquor without approval of the
26 municipality or, in the case of unincorporated places, the county commissioners.

27 E. If a public service berthing vessel sells liquor to passengers as authorized by the
28 license issued under this section, the licensee shall prohibit passengers from
29 consuming liquor other than that liquor provided by the licensee. If a public service
30 berthing vessel is not offering liquor for sale to passengers, nothing in this section
31 prohibits that public service berthing vessel from permitting a passenger to consume
32 on board the vessel liquor that the passenger has brought onto the vessel.

33 **3. Storage of liquor.** A public service berthing vessel licensee may store liquor to
34 be sold to passengers in accordance with this section on the vessel or at another storage
35 location as approved by the bureau.

36 **4. Records.** A public service berthing vessel licensee shall keep a record, in a
37 manner prescribed by the bureau, of each day in a calendar year when liquor is served to
38 passengers on board the vessel as authorized by a license issued under this section. A
39 public service berthing vessel is required to provide the records to the bureau upon
40 request of the bureau.

