

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 15

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H.P. 19

House of Representatives, January 15, 2013

### **An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative GILBERT of Jay.  
Cosponsored by Senator PATRICK of Oxford and  
Representatives: BLACK of Wilton, HARVELL of Farmington, KNIGHT of Livermore Falls,  
LAJOIE of Lewiston, McCABE of Skowhegan, SHORT of Pittsfield, STANLEY of Medway,  
THERIAULT of Madawaska.

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

2       **Sec. 1. 28-A MRSA §4, sub-§1**, as amended by PL 2001, c. 21, §1, is further  
3 amended to read:

4       **1. Hours for sale of liquor.** Except as provided in paragraphs ~~A to B~~ B and D,  
5 licensees may sell or deliver liquor from ~~6~~ 5 a.m. on any day until 1 a.m. of the following  
6 day.

7       ~~A. Licensees may not sell liquor on Sunday between the hours of 6 a.m. and 9 a.m.~~

8       B. Licensees may sell liquor on January 1st of any year from 12 midnight to 2 a.m.

9           (1) In areas in which liquor may be sold except on Sundays, if January 1st falls  
10 on a Monday, licensees may sell or deliver liquor between 9 p.m. Sunday,  
11 December 31st and 2 a.m. January 1st, notwithstanding any local option  
12 decisions to the contrary.

13       D. Wholesale licensees may sell or deliver liquor to licensed establishments from 4  
14 a.m. on any day until 1 a.m. the following day.

15       **Sec. 2. 28-A MRSA §4, sub-§§5 and 6**, as enacted by PL 1987, c. 45, Pt. A, §4,  
16 are repealed.

17       **Sec. 3. 28-A MRSA §353**, as amended by PL 1997, c. 373, §40, is further  
18 amended to read:

19       **§353. Business hours**

20       State liquor stores and agency liquor stores may be open for the sale and delivery of  
21 liquor between the hours of ~~6~~ 5 a.m. and 1 a.m. in municipalities and unincorporated  
22 places that have voted in favor of the operation of state liquor stores under local option  
23 provisions. Notwithstanding any local option decisions to the contrary, state liquor stores  
24 and agency liquor stores may be open from ~~9~~ 5 a.m. Sunday to 1 a.m. the next day. The  
25 alcohol bureau shall establish the hours of operation of each state liquor store.

26       **Sec. 4. 28-A MRSA §1077, sub-§2, ¶C**, as amended by PL 1997, c. 656, §3, is  
27 further amended to read:

28       C. A vessel licensed to sell liquor under this section may sell liquor on Sundays only  
29 between the hours of ~~9:00~~ 5 a.m. and midnight on inland waters and when operated  
30 within the 3-mile limit on coastal waters.

31       **Sec. 5. 28-A MRSA §1355-A, sub-§2, ¶E**, as enacted by PL 2011, c. 629, §22,  
32 is amended to read:

33       E. A licensee may serve complimentary samples of liquor on Sunday after the hour  
34 of ~~9~~ 5 a.m. and may sell liquor on Sunday after the hour of ~~9~~ 5 a.m. if the  
35 municipality in which the licensed premises is located has authorized the sale of  
36 liquor on Sunday for consumption off the premises under chapter 5.

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## **SUMMARY**

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This bill allows a holder of a liquor license to sell or deliver liquor from 5 a.m. on any day until 1 a.m. of the following day except in those areas in which liquor may not be sold on Sundays. The bill also amends sections of law that deal with the sale of liquor on Sundays to reflect this change.