

MAINE STATE LEGISLATURE

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2119
R. of S.

Date: 4-25-19

(Filing No. H-161)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 627, L.D. 853, Bill, "An Act To Facilitate Weekend Malt Liquor Purchases by Licensed Establishments"

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 28-A MRSA §1201, sub-§3-B is enacted to read:

3-B. Weekend sale of malt liquor to on-premises retailers. Notwithstanding any other provision of this Title to the contrary, a retailer licensed under this section for off-premises consumption may sell and deliver malt liquor to a retailer licensed under section 1051 for on-premises consumption on the weekend during the authorized hours for the wholesale sale and delivery of liquor set forth in section 4, subsection 1, paragraph D under the following conditions:

A. The retailer licensed for on-premises consumption shall provide immediate notification in a form prescribed by the bureau by the 2nd business day after making a purchase under this subsection;

B. The retailer licensed for on-premises consumption shall provide immediate notification to the wholesaler licensed under section 1401 that supplies malt liquor to that retailer that the retailer purchased malt liquor from an off-premises licensee in the wholesaler's assigned territory;

C. The retailer licensed for on-premises consumption may not purchase more than 10 gallons of malt liquor on a single weekend and shall purchase the malt liquor from a retailer licensed for off-premises consumption that is located in the same sales territory as the wholesaler licensed under section 1401 that supplies malt liquor to the retailer licensed for on-premises consumption;

D. The requirements of section 705, subsection 1 apply to purchases of malt liquor under this subsection; and

E. The retailer licensed for on-premises consumption may not purchase malt liquor under this subsection on more than 2 weekends in a single calendar year.

COMMITTEE AMENDMENT

H. of S.

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For the purposes of this subsection, "weekend" means the time period between 4:00 p.m. Friday and midnight Sunday.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment permits retailers licensed for on-premises consumption of malt liquor to purchase malt liquor from retailers licensed for the sale of malt liquor to be consumed off the licensed premises only during weekend hours and only 2 times annually. If an on-premises retailer purchases malt liquor from an off-premises retailer, the on-premises retailer must immediately notify both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the retailer's malt liquor wholesaler of the purchase. The on-premises retailer may not purchase more than 10 gallons of malt liquor in a single weekend and must purchase the malt liquor from an off-premises retailer located within the same malt liquor wholesaler's sales territory.

FISCAL NOTE REQUIRED

(See attached)



129th MAINE LEGISLATURE

LD 853

LR 1640(02)

An Act To Facilitate Weekend Malt Liquor Purchases by Licensed Establishments

Fiscal Note for Bill as Amended by Committee Amendment *AH-161*

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Bureau of Alcoholic Beverages and Lottery Operations to allow the weekend sale of malt liquor from off-premises retailers to on-premises retailers under specific conditions and to amend its rules are expected to be minor and can be absorbed within existing budgeted resources.