

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-146)
109TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to SENATE AMENDMENT "A" to S.P. 217,
L.D. 602, Bill, "AN ACT to Limit the Number and Location of
Agency Stores under the Statutes Relating to Alcoholic Beverages."

Amend the amendment by inserting after the title
the following:

'Amend the Bill by striking out all of the title and in-
serting in its place the following:

'AN ACT to Limit the Number, Location and Hours for Sale
of Liquor of Agency Stores under the Statutes Relating to
Alcoholic Beverages.'

Further amend the amendment by striking out everything after
the title and inserting in its place the following:

'Further amend the Bill by striking out everything after
the enacting clause and inserting in its place the following:

Sec 1. 28 MRSA §101, sub-^{last}§5, as repealed and replaced by
PL 1977, c. 630, §2, is amended to read:

5. Shall state stores and ~~special-agency-stores~~ for the
sale of liquor be operated by permission of the State Liquor
Commission in this city, or town on Sunday? (State Liquor Store)

Sec. 2. 28 MRSA §153, first paragraph, as last amended by
PL 1975, c. 770, §135, is further amended by adding at the end
the following new sentences:

HOUSE AMENDMENT "A" TO SENATE AMENDMENT "A" to S.P.217, L.D. 602

The commission shall not license any additional agency stores which would be within a 10-mile radius of a state store or agency store. If a state or agency store closes, it may not be replaced if there is another state or agency store within a 10-mile radius.

Sec. 3. 28 MRSA §153, as last amended by PL 1977, c. 551, §4, is further amended by adding at the end the following new paragraph:

The commission shall not close any state store unless, no fewer than 60 days before the effective date of the closing, it notifies the Joint Standing Committee on Legal Affairs, which may hold a public hearing on the proposed closing and advise the commission of its findings.

Sec. 4. 28 MRSA §154, as repealed and replaced by PL 1975, c. 741, §11, ^{is} repealed and the following enacted in its place:
§154. Business hours

State retail liquor stores may be open for the sale and delivery of liquor between the hours of 9 a.m. and midnight in municipalities and unincorporated places which have voted affirmatively on section 101, subsection 1. State agency stores may be open for the sale and delivery of liquor between the hours of 9 a.m. and 9 p.m. on weekdays and Saturdays, subject to further limitation by the State Liquor Commission. The State Liquor Commission shall establish the hours of operation of each state retail liquor store.

The hours of sale referred to _____ in this section

HOUSE AMENDMENT "A" to SENATE AMENDMENT "A" to S.P. 217, L.D. 602

shall be the legal time prevailing in the State on the day of the sale.'

Statement of Fact

The purposes of this amendment are to:

1. Clarify the time period for notification;
2. Explain the role of the Joint Standing Committee on Legal Affairs after notification; and
3. Establish limitations on the hours for sale of liquor of agency stores and preclude them from Sunday sales and delivery under local option.