

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 332

7 H.P. 272

House of Representatives, January 31, 1983

8 Reference to the Committee on Legal Affairs, sent up for concurrence
9 and ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Beaulieu of Portland.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Provide for Special Exception
18 Agency Liquor Stores in Communities of
19 Over 30,000 Population.
20

21 Be it enacted by the People of the State of Maine as
22 follows:

23 28 MRSA §153, first ¶, as amended by PL 1979, c.
24 117, §1, is further amended to read:

25 The State Liquor Commission shall have authority
26 to license and regulate, in cities, towns and
27 unorganized territories which have voted in favor of
28 the operation of state stores under local option
29 provisions and where there are no state stores, and
30 on islands which are within cities, towns and
31 unorganized territories where there are state stores
32 but which are not connected to those cities, towns
33 and unorganized territories by bridge and which have

1 no state stores on them, retailers as special agency
2 stores on an annual, seasonal or temporary basis for
3 the purposes of selling liquor in sealed bottles,
4 containers or original packages for consumption off
5 the premises. The liquor shall be sold by the State
6 Liquor Commission, to the special agency stores pur-
7 suant to section 204. The commission shall not li-
8 cense any additional agency stores which would be
9 within a 10-mile radius of a state store or agency
10 store, except that in cities of more than 30,000
11 inhabitants the commission may license an additional
12 agency store if the commission finds that there is a
13 significant population of potential customers, such
14 as transient operators or passengers of watercraft,
15 who could not conveniently reach any existing stores
16 and if there is no state or other agency store within
17 1/4 of a mile of the proposed location of the addi-
18 tional agency store. The commissioner may limit the
19 operation of the additional agency stores on a
20 seasonal or daily basis as it sees fit in order to
21 accommodate the intended population of users. If a
22 state or agency store closes, it may not be replaced
23 if there is another state or agency store within a
24 10-mile radius, except that, after the closing of any
25 agency store which was licensed prior to December 1,
26 1979 and which is within a 10-mile radius of a state
27 store or another agency store, that agency store may
28 be replaced once after December 1, 1979.

29

STATEMENT OF FACT

30 Many residents and nonresidents of Maine who
31 spend extended periods of time aboard private water-
32 craft along the Maine coast, particularly in the
33 summer months, are presently unable to conveniently
34 purchase liquor at state or agency stores. These
35 stores are generally not placed close enough to the
36 waterfront to benefit these potential customers.
37 This bill permits the State Liquor Commission to li-
38 cense agency stores in waterfront locations in commu-
39 nities of more than 30,000 inhabitants if no liquor
40 store exists within 1/4 of a mile of such location.
41 The operation of such stores may be limited on a
42 seasonal or other basis as the commission sees fit.

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