

MAINE STATE LEGISLATURE

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OK
R. J. S.

L.D. 1833

(Filing No. S- 360)

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT " B " to COMMITTEE AMENDMENT "A" to H.P.
1264, L.D. 1833, Bill, "An Act to Amend the Liquor Laws"

Amend the amendment in section 3 in that part designated
"§13." in the first paragraph in the 2nd line (page 1, line 39 in
amendment) by striking out the following: "wine" and inserting in
its place the following: 'spirits'

Further amend the amendment in section 3 in that part
designated "§13." in the first paragraph in the 2nd line (page 1,
line 39 in amendment) by striking out the following: "or off"

Further amend the amendment in section 3 in that part
designated "§13." in the first paragraph in the 4th line (page 1,
line 41 in amendment) by striking out the following: "wine" and
inserting in its place the following: 'spirits'

Further amend the amendment in section 3 in that part
designated "§13." in the first paragraph in the last line (page
1, line 43 in amendment) by striking out the following: "wine"
and inserting in its place the following: 'spirits'

Further amend the amendment in section 3 in that part
designated "§13." in the first paragraph in the last line (page
1, line 43 in amendment) by striking out the following: "or off"

Further amend the amendment by inserting after the 8th
indented paragraph (page 2, line 1 in amendment) the following:

'Sec. 4. 28-A MRS §§1013 and 1014 are enacted to read:

§1013. Class XI licenses

2

1. Types of liquor that may be sold. A Class XI licensee may sell low-alcohol spirits products to be consumed off the premises where sold.

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

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A. Full-time (one year) \$150;

10

B. Part-time (6 months) \$75; and

12

C. Extension (2 months) for part-time licenses only \$30.

14

3. Eligible premises. The following premises are eligible to obtain a Class XI license:

18

A. Off-premise retail licensees with a qualifying stock of groceries, compatible merchandise or a combination of both.

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§1014. Class XI-A licenses

22

1. Types of liquor that may be sold. A Class XI-A licensee may sell low-alcohol spirits products to be consumed off the premises where sold.

24

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2. Fees. The fees for a Class XI-A license are as follows:

28

A. Full-time (one year) \$150;

30

B. Part-time (6 months) \$75; and

32

C. Extension (2 months) for part-time licenses only \$30.

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36

3. Eligible premises. The following premises are eligible to obtain a Class XI-A license:

38

A. Ship chandlers without a qualifying stock of groceries, compatible merchandise or a combination of both.

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Sec. 5. 28-A M RSA §1201, sub-§§1, 2 and 3, as enacted by PL 1987, c. 45, Pt. A, §4, are amended to read:

44

1. Licenses for sale of low-alcohol spirits products, malt liquor and table wine. The commission may issue licenses under this section for the sale and distribution of low-alcohol spirits products, malt liquor or wine to off-premise retail licensees, as defined in section 2, subsection 27, paragraph A.

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L.D. 1833

2 2. **Ineligible as licensee.** The commission may not issue a
4 license for the sale of low-alcohol spirits products, malt liquor
6 or wine to any person who is not engaged in a bona fide retail
 business other than the sale of low-alcohol spirits products,
 malt liquor or wine at retail.

8 3. **Cannot sell liquor to be consumed on the premises.** No
10 person licensed under this section may sell low-alcohol spirits
12 products, malt liquor or wine to be consumed on the premises.

Sec. 6. 28-A MRSA §1202, sub-§1, as enacted by PL 1987, c. 45,
 Pt. A, §4, is amended to read:

14 1. **Employees under 17.** No employee under 17 years of age
16 may accept payment for the sale of low-alcohol spirits products,
18 malt liquor or wine at the check-out counter of an off-premise
 retail licensee.

Sec. 7. 28-A MRSA §1204, sub-§§1 and 2, as enacted by PL 1987,
20 c. 342, §106, are amended to read:

22 1. **Issuance of licenses.** The commission may issue licenses
24 under this section for the sale of low-alcohol spirits products,
26 malt liquor and table wine to be consumed off the premises to
 ship chandlers, as defined in section 2, subsection 15, paragraph
 S.

28 2. **Conditions on sales.** Ship chandlers may sell low-alcohol
30 spirits products, malt liquor and wine only to ships which are:

- 32 A. Not licensed as retail licensees; and
- 34 B. Registered in another state or another country.'

36 Further amend the amendment by striking out all of the
38 fiscal note (page 3, lines 35 to 47 in amendment) and inserting
 in its place:

40 **·FISCAL NOTE**

42 The licensing for off-premise sale of low-alcohol spirits
44 may result in an increase of General Fund revenue. The amount of
46 additional revenue will depend on the number of new licensees,
 which can not be estimated at this time.'

48 Further amend the amendment by renumbering the sections to
 read consecutively.

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SENATE AMENDMENT " B" to COMMITTEE AMENDMENT "A" to H.P. 1264,
L.D. 1833

STATEMENT OF FACT

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Separate licenses are required for the off-premise sale of beer and wine. This amendment ensures that the traditional separation between spirits, beer and wine is maintained by providing that low-alcohol spirits products may be sold on-premises by the same licensees and in the same way as regular spirit drinks are sold and that stores wishing to sell low-alcohol spirits products for off-premise consumption must be separately licensed. This will also allow better control, oversight and enforcement of licensees desiring to sell low-alcohol spirits products.

(Senator BUSTIN)
SPONSORED BY: Beverly M. Bustin

COUNTY: Kennebec

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