

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

No. 488

S.P. 157

In Senate, February 16, 1993

**An Act Concerning the Operation of Agency Liquor Stores.**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator SUMMERS of Cumberland. (GOVERNOR'S BILL).

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 115th Legislature adopted legislation to provide for the closure of state liquor stores; and

Whereas, the closure of some stores has been stalled pending clarification of the 10-mile rule; and

Whereas, the closure of these additional stores will result in immediate savings to the General Fund; and

Whereas, the legislative intent is to afford a smooth transition for existing agency liquor store licensees and to provide for a reasonable application procedure for future license applicants; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 28-A MRSA §453, sub-§1, ¶¶B and C, as enacted by PL 1987, c. 45, Pt. A, §4, are repealed.

Sec. 2. 28-A MRSA §453, sub-§2, as amended by PL 1987, c. 342, §22, is repealed.

Sec. 3. 28-A MRSA §453, sub-§3, as enacted by PL 1987, c. 45, Pt. A, §4, is repealed.

Sec. 4. 28-A MRSA §453-A, sub-§§5-A and 8 are enacted to read:

5-A. Hearings on applications. The commission shall, in accordance with the provisions of the Maine Administrative Procedure Act, conduct a hearing to take testimony to consider comment and to conduct deliberation on applications. In addition to giving any notice required by the Maine Administrative Procedure Act, the commission shall give notice of public hearing in writing to any existing agency liquor stores located within 5 miles of the applicant's proposed store location by regular mail at least 15 days prior to the hearing.

