

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 684

S.P. 213

In Senate, February 25, 1993

**An Act Concerning the Purchase of Liquor by Establishments Licensed
to Sell Liquor on Premises.**

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 BALDACCI of Penobscot.
Cosponsored by Senator: HANDY of Androscoggin, Representative: KUTASI of Bridgton.

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

4 Sec. 1. 28-A MRSA §459 is enacted to read:

6 §459. Delivery of liquor by agency liquor stores

8 Agency liquor stores may deliver liquor to establishments that are licensed to sell spirits for consumption on premises.

10 Sec. 2. 28-A MRSA §606, sub-§1, as repealed and replaced by PL 1991, c. 824, Pt. A, §57, is amended to read:

12 1. All licensees must buy liquor from commission; exception. Except as provided in this subsection and subsection 1-A, all persons licensed to sell spirits must purchase all such liquor from the commission and may do so at any state liquor store. Agency liquor stores may not sell liquor to retail licensees for resale.

20 A. This subsection does not apply to public service corporations operating interstate.

22 Sec. 3. 28-A MRSA §606, sub-§1-A, as amended by PL 1991, c. 24 791, §2, is further amended to read:

26 1-A. Exception. Notwithstanding subsection 1, a person licensed to sell spirits for consumption on the premises, whose premises are located at least 15 miles from the nearest state liquor store may purchase spirits from an agency liquor store in accordance with this subsection.

32 ~~A. Before purchasing spirits from an agency liquor store, the licensee must obtain written approval from the Bureau of Alcoholic Beverages. The bureau shall grant approval for the licensee to purchase spirits at one or more identified agency liquor stores for as long as the locations of the licensee and the agency liquor stores remain the same, if the licensee is at least 15 miles from the nearest state liquor store.~~

40 ~~B. Before selling to a licensee under this subsection, an agency liquor store must obtain written approval from the Bureau of Alcoholic Beverages. Approval of the agency liquor store permits that store to sell spirits to any licensee that has written approval to purchase from that identified agency liquor store.~~

48 C. The sale price of spirits sold to licensees under this subsection must equal 104% of the retail sales price set by 50 the State Liquor Commission for sales of those spirits.

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D. Upon completion of each transaction, the agency liquor store must deliver to the commission a copy of the licensee order form and an amount equal to 8% of the regular retail sales price of each item of spirits sold to a licensee pursuant to this subsection.

STATEMENT OF FACT

This bill permits agency liquor stores to deliver liquor to establishments that are licensed to sell spirits for consumption on premises. The bill also permits establishments licensed to sell spirits for consumption on premises to purchase liquor from any state liquor store or any agency store regardless of the establishment's distance from a state liquor store.