



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1272

H.P. 943

House of Representatives, April 15, 1993

An Act to Allow Agency Liquor Stores to Remain Open Past 5:00 P.M. on Sundays.

(EMERGENCY)

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

OSEPH W. MAYO, Clerk

Presented by Representative VIGUE of Winslow.

Cosponsored by Representatives: CAMERON of Rumford, CARON of Biddeford, DiPIETRO of South Portland, JACQUES of Waterville, JALBERT of Lisbon, KERR of Old Orchard Beach, MICHAUD of East Millinocket, PLOURDE of Biddeford, REED of Dexter, TARDY of Palmyra, Senator: BERUBE of Androscoggin.

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

Whereas, current law requires a referendum election in certain circumstances to establish hours for Sunday sales by agency liquor stores; and

Whereas, referendum elections are expensive to conduct and impose an unnecessary burden on municipal officials; and

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Whereas, these unnecessary burdens must be removed as soon as possible and before the expiration of the 90-day period; and

14 Whereas, in the judgment of the Legislature, these facts 16 create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately 18 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 §353, as amended by PL 1991, c. 591, Pt. PP, §2, is further amended to read:

26 §353. Business hours

State liquor stores and agency liquor stores may be open for 28 the sale and delivery of liquor between the hours of 6 a.m. and midnight in municipalities and unincorporated places that have 30 voted in favor of the operation of state liquor stores under 32 local option provisions. Notwithstanding any local option decisions to the contrary, state liquor stores and agency liquor stores may be open from noon to 5 p.m. on Sundays. 34 In municipalities where the authority to adopt ordinances is vested by charter in the municipal officers, those municipal officers 36 may set the Sunday closing hours for agency liquor stores. The commission shall establish the hours of operation of each state 38 liquor store.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

STATEMENT OF FACT

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This bill allows municipal officers to adopt ordinances to 48 set closing hours for agency liquor stores, so long as the municipality's charter generally allows the municipal officers to 50 adopt ordinances.

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