

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1514

H.P. 1075

House of Representatives, May 9, 1995

Resolve, Establishing the Task Force on Alcoholic Beverage Sales.

(EMERGENCY)

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative NADEAU of Saco. (GOVERNOR'S BILL)
Cosponsored by Senator: STEVENS of Androscoggin.

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

4
6 **Whereas,** the task force created by this legislation needs to
begin its work as soon as possible to deal with the complexity of
its charge and to meet the reporting date; and

8
10 **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
12 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

14 **Sec. 1. Task force established. Resolved:** That there is
16 established the Task Force on Alcoholic Beverage Sales, referred
to in this resolve as the "task force." The task force shall
18 study and report its recommendations regarding the following
matters:

20 1. The feasibility of closing all retail state-operated
22 liquor stores and replacing them with licensed agency stores,
including:

24 A. The number of replacement agency stores to be approved
26 and the maximum number, if any, of agency stores to be
licensed;

28 B. The financial implications of the staff reductions in
30 closing the state stores;

32 C. The financial implications of the increased volume of
wholesale discounts;

34 D. The financial implications of retail price control;

36 E. Whether current revenues from liquor sales can be
38 maintained under an agency store system; and

40 F. The adequacy of the public's liquor selection options
under an agency store system;

42 2. The discount liquor stores, including:

44 A. Analysis of the revenue streams from the discount stores
46 to determine options that will retain a revenue-neutral or
revenue-enhanced environment, including closing, expanding
48 or maintaining the discount stores;

- 2 B. Whether a 3rd discount liquor store, located in the
Bangor area, is in the best interest of the State; and
- 4 C. Whether the State can compete with New Hampshire's
pricing policy if the discount stores are discontinued;
- 6
- 8 3. Alcohol distribution, including:
- 10 A. The costs and pricing structures associated with various
delivery systems to all alcohol outlets; and
- 12 B. Whether a significant increase in agency stores would
have a financial impact on the State's revenue stream;
- 14
- 16 4. The State's present activity as liquor wholesaler,
including:
- 18 A. The effects of various wholesaling options on the
State's revenue stream; and
- 20
- 22 B. Options for delivery to agency stores;
- 24 5. The feasibility of an option for present employees to
own and operate those liquor stores presently operated by the
State;
- 26
- 28 6. Any improvements needed in the State's record-keeping
systems and procedures; and
- 30 7. Any changes to the statutes regarding the Bureau of
Alcoholic Beverages and Lottery Operations; and be it further
- 32

34 **Sec. 2. Membership. Resolved:** That the task force consists
of the following 9 members:

- 36 1. The chair, appointed by the Governor;
- 38 2. The Director of the Bureau of Alcoholic Beverages and
Lottery Operations;
- 40
- 42 3. The Director of the Division of Financial and Personnel
Services of the Department of Administrative and Financial
Services;
- 44
- 46 4. One member representing the Bureau of Liquor Enforcement
appointed by the Commissioner of Public Safety;
- 48 5. A commissioner from the State Liquor and Lottery
Commission appointed by the chair of that commission;
- 50

2 6. Two members of the Joint Standing Committee on Legal and
Veterans Affairs appointed by the chairs of that committee; and

4 7. Two members appointed by the Commissioner of
Administrative and Financial Services.

6 All appointments must be made within 30 days of the
8 effective date of this resolve; and be it further

10 **Sec. 3. Meetings. Resolved:** That the task force may meet as
often as necessary; and be it further

12 **Sec. 4. Public involvement. Resolved:** That the task force shall
14 consider information developed and presented by affected groups,
including, but not limited to, employees, distributors and agency
16 stores; and be it further

18 **Sec. 5. Staffing. Resolved:** That the task force may utilize
the staff resources of the Bureau of Alcoholic Beverages and
20 Lottery Operations and the Department of Administrative and
Financial Services for clerical, administrative and research
22 services. The Department of the Attorney General shall provide
legal assistance as requested by the task force; and be it further
24

26 **Sec. 6. Report. Resolved:** That the task force shall submit to
the Commissioner of Administrative and Financial Services for
transmittal to the Governor and the Joint Standing Committee on
28 Legal and Veterans Affairs, by December 1, 1995, a report on its
work and a draft legislative proposal to implement its
30 recommendations. The draft legislation must be accompanied by a
report on the financial implications of each aspect of the
32 proposed legislation and the related revenues and costs
associated with each; and be it further
34

36 **Sec. 7. Compensation. Resolved:** That the task force members
who are Legislators are entitled to receive legislative per diem
and expenses, as defined in the Maine Revised Statutes, Title 3,
38 section 2, for each day's attendance at meetings of the task
force. The members of the task force who are neither employees
40 of the State nor Legislators are entitled to a per diem and
expenses equal to the legislative per diem and expenses; and be
42 it further

44 **Sec. 8. Allocation. Resolved:** That in order to provide for the
necessary expenditures of the task force, the following amounts
46 are allocated from the Alcoholic Beverage Fund.

2

**ADMINISTRATIVE AND FINANCIAL SERVICES,
DEPARTMENT OF**

4

6

**Bureau of Alcoholic Beverages and
Lottery Operations**

8

Personal Services

\$5,940

10

All Other

11,260

12

Provides funds for a per diem for authorized members of the Task Force on Alcoholic Beverage Sales and for travel, meeting and administrative expenses.

14

16

**DEPARTMENT OF ADMINISTRATIVE AND
FINANCIAL SERVICES
TOTAL**

18

\$17,200

20

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

22

24

STATEMENT OF FACT

26

This resolve establishes the Task Force on Alcoholic Beverage Sales to study issues relating to closure of state-operated liquor stores.

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