

MAINE STATE LEGISLATURE

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L.D. 1950

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DATE: 3-30-98

(Filing No. H-1103)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 1397, L.D. 1950, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and Changes to Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1998 and June 30, 1999"

Amend the amendment by inserting after Part DDD the following:

PART EEE

Sec. EEE-1. 28-A MRSA c. 18 is enacted to read:

CHAPTER 18

CLOSING STATE LIQUOR STORES

§411. State liquor stores closed

1. Closing by October 1, 1998. Notwithstanding any other provision of law, the Bureau of Alcoholic Beverages and Lottery Operations shall take any action necessary to close all state liquor stores as expeditiously as possible with the goal of closing all state liquor stores by October 1, 1998.

2. Replacement of state liquor stores. Notwithstanding any other provision of law, the bureau may license up to 3 agency liquor stores within a 10-mile radius of each closed state liquor store except the state liquor store in Kittery. The bureau shall license one agency liquor store that must be located within a

HOUSE AMENDMENT

10-mile radius of the closed state liquor store in Kittery. The
2 issuance of an agency liquor store license and the operation of
3 agency liquor stores licensed under this subsection are governed
4 by chapter 19.

6 3. Replacement of Kittery discount store. Notwithstanding
7 any other provision of law, the commission shall contract with
8 one agency liquor store licensee to replace the state discount
9 liquor store in Kittery. The replacement agency liquor store
10 must contract with the commission to sell state-owned consignment
11 inventory of spirits and fortified wines at discount prices
12 established by the commission. The contract must specify the
13 conditions of operation of the store, which need not be the same
14 as conditions applicable to other agency liquor stores.

16 4. Requirement of at least one replacement agency liquor
17 store before closing. Notwithstanding any other provision of
18 law, a state liquor store may not be closed unless at least one
19 replacement agency liquor store with a federal wholesale
20 registration has been licensed within 10 miles of the closed
21 state liquor store or unless the Director of the Bureau of
22 Alcoholic Beverages and Lottery Operations determines that
23 reasonable alternative access is available to persons previously
24 purchasing spirits from the closed state liquor store.

26 5. Law applicable to state liquor stores until sold.
27 Notwithstanding any other provision of law, until all state
28 liquor stores are closed, the provisions of law applying to state
29 liquor stores on January 1, 1998 continue to apply to the
30 operation of the stores remaining open and the bureau and the
31 Bureau of Alcoholic Beverages and Lottery Operations continue to
32 have authority to act under those laws as if those laws were
33 currently in effect.

34 **Sec. EEE-2. Report.** The Commissioner of Administrative and
35 Financial Services shall report to the joint standing committee
36 of the Legislature having jurisdiction over appropriations and
37 financial affairs and the joint standing committee of the
38 Legislature having jurisdiction over legal and veterans affairs
39 with any legislation necessary to further implement the closing
40 of the state liquor stores.'

41 Further amend the amendment by relettering or renumbering
42 any nonconsecutive Part letter or section number to read
43 consecutively.

FISCAL NOTE

44 This amendment will have no net effect on General Fund
45 appropriations and revenue in the 1998-1999 biennium and a

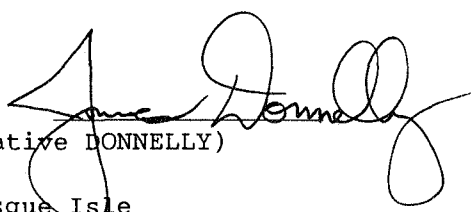
HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 1397,
L.D. 1950

balanced budget is maintained for fiscal year 1997-98 and fiscal
year 1998-99.

Closing the state liquor stores may result in future General
Fund revenue increases of approximately \$5,000,000 annually
beginning in fiscal year 1999-2000.

SUMMARY

This amendment adds a new Part that requires the closing of
all state liquor stores by October 1, 1998.

SPONSORED BY: 
(Representative DONNELLY)

TOWN: Presque Isle