

# MAINE STATE LEGISLATURE

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*[Handwritten signature]*  
R.D.B.

L.D. 1950

DATE: *March 30, 1998*

(Filing No. S- 648 )

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STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT "C" 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

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

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

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

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

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

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

**FISCAL NOTE**

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

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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: *Richard J. Bennett*  
(Senator BENNETT)

COUNTY: Oxford