

# MAINE STATE LEGISLATURE

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DATE: 4/1/02

(Filing No. H-1049)

LEGAL AND VETERANS AFFAIRS

Report A

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1623, L.D. 2123, Bill, "An Act to Implement the Recommendations of the Commission to Develop a Plan to Implement the Closure of State Liquor Stores"

Amend the bill in section 2 in that part designated "§453." in subsection 1 by inserting after paragraph A the following:

'A-1. In a municipality with a population of 20,000 or more based on the most recent census, a proposed agency liquor store licensed after the effective date of this paragraph may not be within 3.5 miles of an existing agency liquor store. This paragraph does not prohibit the bureau from renewing the license of an agency liquor store that was initially licensed prior to the effective date of this paragraph.'

Further amend the bill in section 2 in that part designated "§453." by inserting at the end the following:

'2-B. Number of agents per municipality. In a municipality with a population of 20,000 or more based on the most recent census, the bureau may license up to 6 agency liquor stores. In a municipality where no more than one state liquor store once operated, the bureau may license up to 3 agency liquor stores. In a municipality where no state liquor store has operated, the bureau may license one agency liquor store. If a municipality where no state liquor store has operated has more than one agency liquor store as of January 1, 2002, the bureau may license only as many agency liquor stores in that municipality as were licensed as of January 1, 2002.'

Further amend the bill by inserting after section 6 the following:

## COMMITTEE AMENDMENT

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 1623, L.D. 2123

Services by \$122,954 in fiscal year 2002-03, \$556,174 in fiscal year 2003-04 and \$578,177 in fiscal year 2004-05.

Adding a license fee for certain reselling agents, reinstituting the 3.5 mile radius restriction for locating an agency store and loss of additional licenses from retaining 6 stores originally scheduled to close in fiscal year 2002-03 will result in a net reduction of General Fund revenue received by the Bureau of Liquor Enforcement within the Department of Public Safety by \$30,250 in fiscal year 2002-03, \$1,350 in fiscal year 2003-04 and \$1,350 in fiscal year 2004-05.'

### SUMMARY

This amendment is the majority report of the committee. This amendment provides that an agency liquor store licensed after April 1, 2002 in a municipality with a population of 20,000 or more may not be licensed if the location is within 3.5 miles of an existing agency liquor store. The original bill repealed the 3.5 mile radius requirement for the location of an agency liquor store in any municipality. The amendment also provides that, if a licensee dies, the licensee's surviving spouse or designated heir must be issued the license if the spouse or heir requests it and meets all of the necessary requirements for an agency license at that location. The amendment also clarifies the number of agents that the law currently provides may be licensed per municipality. In the event that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations is required to close additional State liquor stores in the future, the department is required to get the approval of the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters for the state liquor stores selected for closure.