

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 422

H.P. 307

House of Representatives, January 27, 2005

An Act To Remove the Restriction on the Number of Liquor Licenses Issued

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FISCHER of Presque Isle.
Cosponsored by Representatives: BARSTOW of Gorham, SAVIELLO of Wilton.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 28-A MRSA §453, sub-§1, ¶A**, as amended by PL 1997, c.
373, §46, is further amended to read:

6 A. The proposed agency liquor store is located in a
8 municipality or unincorporated place that has voted in favor
of the operation of state liquor stores under local option
10 provisions. Licenses in an unincorporated place, where no
local option vote is taken under chapter 5, must be approved
by the county commissioners of the county.

12 **Sec. 2. 28-A MRSA §453, sub-§1-A** is enacted to read:

14 **1-A. Qualifications.** The bureau may not issue any license
16 for a new agency liquor store unless:

18 A. The premises have been in operation for at least 3
months immediately before the date of the application; or

20 B. The applicant proves to the satisfaction of the bureau
22 that all applicable standards and requirements of laws and
rules of the bureau have been met and that the applicant is
24 a resident of the State.

26 **Sec. 3. 28-A MRSA §453, sub-§2-A**, as repealed and replaced by
PL 2003, c. 20, Pt. SS, §1 and affected by §8, is repealed.

30 **SUMMARY**

32 This bill removes the current restriction on the number of
34 agency liquor store licenses that may be issued in a municipality
based on the population of that municipality. Instead, this bill
36 makes licensing for agency liquor stores contingent upon their
meeting requirements similar to those imposed on off-premise
retail licensees of malt liquor and wine.