

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1007

S.P. 347

In Senate, February 24, 2005

An Act To Eliminate Certain Limitations in the Siting of Agency Liquor Stores

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator NASS of York.

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

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4 **Sec. 1. 28-A MRSA §453-A, sub-§5**, as amended by PL 2001, c.
711, §5, is further amended to read:

6 **5. Licensing decisions.** The bureau shall conduct an
8 investigation to determine the feasibility of the location and
type of facility for the agency liquor store and shall issue the
license to one or more of the applicants, taking into
10 consideration any factors the bureau considers appropriate. When
considering the issuance of a license, the bureau shall consider
12 the proximity of the proposed agency store to existing agency
stores and the potential impact the location of the proposed
14 agency store may have on an existing agency store. ~~The bureau
may deny a license if the bureau determines the proposed agency
16 store location is in too close proximity to an existing agency
store.~~ The bureau may not deny a license application solely due
18 to the proposed agency store's proximity to an existing agency
store or the population of the municipality in which the proposed
20 agency store is to be located.

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SUMMARY

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26 This bill prohibits the Department of Public Safety from
denying an application for an agency liquor store solely due to
the proposed agency store's proximity to an existing agency
28 liquor store or the population of the municipality of the
proposed agency store.