

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 846

H.P. 645

House of Representatives, February 23, 2007

### **An Act To Increase the Distance from a School within Which an Agency Liquor Store May Not Be Located**

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

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND

Clerk

Presented by Representative MacDONALD of Boothbay.  
Cosponsored by Senator DOW of Lincoln and  
Representatives: GROSE of Woolwich, McKANE of Newcastle, MIRAMANT of Camden,  
PIEH of Bremen, WALCOTT of Lewiston.

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

2 **Sec. 1. 28-A MRSA §351, sub-§1**, as amended by PL 1997, c. 373, §38, is  
3 further amended to read:

4 **1. Agency liquor store may not be located within 750 feet of school or church.**  
5 ~~The alcohol bureau may not establish a state liquor store or the~~ Except as provided in  
6 subsection 3, beginning October 1, 2007, the bureau may not license or renew the  
7 existing license of an agency liquor store within 300 750 feet of any public or private  
8 school; or 300 feet of any church, chapel or parish house. Prior to October 1, 2007, the  
9 bureau shall notify by certified mail any existing agency liquor store within 750 feet of a  
10 public or private school of the requirements prescribed in subsection 3.

11 ~~A. The bureau, after holding a public hearing near the proposed location, may~~  
12 ~~locate an agency liquor store within 300 feet of a church, chapel, parish house or~~  
13 ~~postsecondary school.~~

14 **Sec. 2. 28-A MRSA §351, sub-§3** is enacted to read:

15 **3. Exception.** The bureau may locate an agency liquor store within 750 feet of a  
16 public or private school after holding a public hearing near the proposed location. Spirits  
17 sold by an agency liquor store located within 750 feet of a public or private school must  
18 be kept in a locked display case to be accessed only by an employee of the agency liquor  
19 store who is 17 years of age or older.

20 **SUMMARY**

21 This bill extends from 300 to 750 feet the distance from a school within which an  
22 agency liquor store may not be located. The bill provides an exception stating that an  
23 agency liquor store may be located within 750 feet of a school after a public hearing if  
24 spirits are kept in a locked display case.