

MAINE STATE LEGISLATURE

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LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 257, L.D. 682, Bill, "An Act Regarding Agency Liquor Stores"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

'Sec. 1. 28-A MRSA §453, sub-§2-A, as repealed and replaced by PL 2003, c. 20, Pt. SS, §1 and affected by §8, is amended to read:

2-A. Limitation on number of agency liquor stores. The Beginning July 1, 2009, the bureau may license up to 6 8 agency liquor stores in a municipality with a population over 20,000 where a state liquor store has been closed and; up to 3 5 agency liquor stores in a municipality with a population of 20,000 or less where a state liquor store has been closed at least 10,001 but less than 20,001; up to 4 agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001; and up to 3 agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001. In addition, the bureau may establish one agency liquor store in a municipality where ~~no state liquor store has operated, and, if the population is over 3,000, the bureau may locate 2 stores within the municipality less than 2,000.~~ The bureau may consider the impact of seasonal population or tourism and other related information provided by the town municipality requesting ~~a 2nd~~ an additional agency liquor store location.

Nothing in this subsection may be construed to reduce the number of agency stores the bureau may license in a municipality as of June 30, 2009.

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

2-C. Licenses issued on or after July 1, 2009. Beginning July 1, 2009, the bureau shall consider whether the applicant can satisfy the following criteria when determining whether to issue an agency liquor store license under this section:

A. The applicant has held a license to sell malt liquor and wine for off-premises consumption for more than one year immediately preceding application without a violation of any provision of this Title;

COMMITTEE AMENDMENT

R.O.S.

1 B. The applicant will be able to stock at least \$10,000 worth of spirits purchased
2 from the State or the State's wholesale distributor upon issuance of an agency liquor
3 store license; and

4 C. The applicant can purchase the initial stock of spirits using a bank check or other
5 financial instrument that certifies that funds are available.

6 **Sec. 3. Appropriations and allocations.** The following appropriations and
7 allocations are made.

8 **PUBLIC SAFETY, DEPARTMENT OF**
9 **Liquor Enforcement 0293**

10 Initiative: Establishes one Public Safety Inspector II position and related All Other to
11 administer an increased number of liquor licenses and ensure compliance.

12	GENERAL FUND	2009-10	2010-11
13	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
14	Personal Services	\$0	\$63,106
15	All Other	\$0	\$10,000
16			
17	GENERAL FUND TOTAL	\$0	\$73,106
18			

19 **SUMMARY**

20 This amendment replaces the bill. The amendment changes the current limitations on
21 the number of agency liquor stores that may be licensed per municipality and increases
22 how many may be licensed in some municipalities based on population. The maximum
23 number of agency liquor stores in any municipality would be 8. Applicants who are
24 licensed under this new structure must be able to purchase \$10,000 worth of spirits
25 initially with a bank check or other financial instrument that certifies that funds are
26 available. This amendment also adds an appropriations and allocations section.

27 **FISCAL NOTE REQUIRED**

28 (See attached)



124th MAINE LEGISLATURE

LD 682

LR 938(02)

An Act Regarding Agency Liquor Stores

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
Net Cost (Savings)				
General Fund	(\$1,117,111)	(\$883,153)	(\$813,209)	(\$811,206)
Appropriations/Allocations				
General Fund	\$0	\$73,106	\$75,050	\$77,053
Revenue				
General Fund	\$1,117,111	\$956,259	\$888,259	\$888,259

Fiscal Detail and Notes

The bill proposes to change the number of liquor stores which can be in one municipality and is expected to increase the number of stores by 40 each year of the biennium. This will increase General Fund revenue by \$1,037,111 in fiscal year 2009-10 and by \$864,259 in fiscal year 2010-11 from spirits net profit. It will also result in increased General Fund revenue of \$80,000 in fiscal year 2009-10 and \$92,000 in fiscal year 2010-11 from additional license fees related to the new stores. The bill includes a General Fund appropriation of \$73,106 in fiscal year 2010-11 to the Department of Public Safety for one Public Safety Inspector II position and related administrative costs to administer an increased number of liquor licenses and ensure compliance.