

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1140

H.P. 846

House of Representatives, March 16, 2011

An Act To Amend the Dual Liquor License Law

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

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST
Clerk

Presented by Representative PILON of Saco.
Cosponsored by Senator LANGLEY of Hancock and
Representatives: BENNETT of Kennebunk, CAREY of Lewiston, RUSSELL of Portland,
VALENTINO of Saco, Senator: HOBBS of York.

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

2 **Sec. 1. 28-A MRSA §1201, sub-§3**, as amended by PL 2009, c. 438, §3, is
3 further amended to read:

4 **3. Cannot sell liquor to be consumed on the premises.** Except as provided in
5 ~~section~~ sections 1207 and 1208, a person licensed under this section may not sell malt
6 liquor or wine to be consumed on the premises.

7 **Sec. 2. 28-A MRSA §1208, first ¶**, as reallocated by PL 2009, c. 510, §7, is
8 amended to read:

9 Notwithstanding any other provision of law, the bureau may issue a dual liquor
10 license to a retail establishment to serve wine or malt liquor, or both to be consumed on
11 the premises in accordance with subsection 2 if that establishment is licensed to sell wine
12 or malt liquor, or both to be consumed off the premises under section 1201 and meets the
13 criteria listed in subsection 1.

14 **Sec. 3. 28-A MRSA §1208, sub-§1, ¶E**, as reallocated by PL 2009, c. 510, §7, is
15 amended to read:

16 E. The licensee carries a stock of at least \$35,000 of wine and malt liquor;

17 **Sec. 4. 28-A MRSA §1208, sub-§2**, as reallocated by PL 2009, c. 510, §7, is
18 amended to read:

19 **2. License requirements.** The holder of a dual liquor license is governed by the
20 following when serving wine or malt liquor to be consumed on the premises:

21 A. Each serving of wine or malt liquor must be dispensed by the licensee or an
22 employee of the licensee who is at least 21 years of age from a stock ~~of wine~~ that is
23 separated from the wine and malt liquor that is for sale for consumption off the
24 premises;

25 B. The licensee shall ensure that at least 2 employees at least 21 years of age are
26 present at all times when wine or malt liquor is being consumed on the premises with
27 at least one whose primary responsibility is sales of wine, malt liquor and other items
28 sold to be consumed off the premises;

29 C. Wine and malt liquor may be served only to be consumed on the premises when
30 accompanied by a full meal. For the purposes of this paragraph, "full meal" means a
31 diversified selection of food that cannot ordinarily be consumed without the use of
32 tableware and cannot be conveniently consumed while standing or walking;

33 D. Patrons of the establishment may not consume any alcoholic beverage on the
34 premises unless it is served in accordance with this section by the licensee or an
35 employee of the licensee; and

36 E. A licensee may not serve wine or malt liquor to be consumed on the premises
37 after ~~8:00~~ 11:00 p.m.

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SUMMARY

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This bill allows a licensee who has a dual liquor license to serve wine and malt liquor on the premises. This bill also extends the time that wine and malt liquor may be served to 11:00 p.m.

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