

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1012

H.P. 713

House of Representatives, March 14, 2017

**An Act To Improve the Availability of Agency Liquor Stores in
Underserved Areas and To Expand the Sale of Spirits in New
Channels**

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative LUCHINI of Ellsworth.

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

2 **Sec. 1. 28-A MRSA §2, sub-§9-B** is enacted to read:

3 **9-B. Contract store.** "Contract store" means a person who is licensed by the bureau
4 to sell spirits to be consumed off the premises under section 453, subsection 2-F.

5 **Sec. 2. 28-A MRSA §453, sub-§§2-E and 2-F** are enacted to read:

6 **2-E. Exception for underserved municipality.** Notwithstanding subsection 2-A,
7 the bureau may license an agency liquor store in a municipality without an agency liquor
8 store as long as an agency liquor store is not located within 3.5 miles of the municipality.
9 The bureau may adopt rules to implement this subsection, including, but not limited to,
10 rules regarding hours of operation, seasons of operation and inventory on hand. Rules
11 adopted pursuant to this subsection are routine technical rules as defined in Title 5,
12 chapter 375, subchapter 2-A.

13 **2-F. Exception for interstate highways or airports.** Notwithstanding subsections
14 2-A and 2-E and section 1201, subsection 6, the bureau may license a contract store in a
15 municipality along an interstate highway in the State or at a major airport in the State.
16 With respect to a license issued pursuant to this subsection, the bureau shall enter into a
17 contract for establishing a partnership for the management of the contract store for a term
18 of 10 years. A contract must be awarded pursuant to a competitive bidding process
19 similar to the process described under Title 5, chapter 155, subchapter 1-A. The bureau
20 may not contract with a bidder who also holds a license in this State or another state to
21 distill, bottle or manufacture spirits.

22 **SUMMARY**

23 This bill creates an exception to the limit on the number of agency liquor stores
24 allowed by population threshold to allow the Department of Administrative and Financial
25 Services, Bureau of Alcoholic Beverages and Lottery Operations to license an agency
26 liquor store in a municipality without an agency liquor store as long as an agency liquor
27 store is not located within 3.5 miles of the municipality. With regard to such a store, it
28 allows the bureau to adopt rules regarding hours, seasons of operation and inventory. It
29 also allows the bureau to license stores in municipalities along interstate highways and at
30 major airports in the State and requires the bureau to enter into contracts for the
31 management of those stores.