

MAINE STATE LEGISLATURE

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SAK
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Date: 4-11-23

(Filing No. H-29)

MAJORITY
VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 87, L.D. 141, "An Act to Simplify the Sale of Food Requirement for Certain Licenses for the Sale of Liquor to Be Consumed on the Licensed Premises"

Amend the bill by inserting after the title and before the enacting clause the following:

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the spread of the novel coronavirus disease referred to as COVID-19 created a public health emergency and prompted subsequent public health measures, which resulted in economic hardship and insecurity for restaurants, bars and recreational facilities; and

Whereas, the lingering effects of the public health emergency and subsequent public health measures continue to impact the economic health of Maine restaurants, bars and recreational facilities; and

Whereas, the busy summer season is quickly approaching, during which time a significant portion of income is generated for restaurants, bars and recreational facilities; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by inserting after section 3 the following:

'Sec. 4. 28-A MRSA §2, sub-§15, ¶I-1 is enacted to read:

I-1. "Indoor golf center" means a commercially operated indoor facility that offers golf simulator facilities to the public for a fee and that has adequate facilities for the sale and consumption of liquor.'

Amend the bill by inserting after section 6 the following:

COMMITTEE AMENDMENT

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1 'Sec. 7. 28-A MRSA §2, sub-§15, ¶L-2 is enacted to read:

2 L-2. "Outdoor golf center" means a commercially operated outdoor facility with areas
3 for practicing golf shots with rentable golf clubs and balls, which may include a
4 miniature golf course that has adequate facilities for the sale and consumption of liquor.
5 "Outdoor golf center" does not mean a golf course as defined in paragraph G.'

6 Amend the bill by inserting after section 7 the following:

7 'Sec. 8. 28-A MRSA §1001, sub-§3, ¶H-1 is enacted to read:

8 H-1. Indoor golf centers:

9 'Sec. 9. 28-A MRSA §1001, sub-§3, ¶J-2 is enacted to read:

10 J-2. Outdoor golf centers:

11 'Sec. 10. 28-A MRSA §1003, sub-§3, ¶H-1 is enacted to read:

12 H-1. Indoor golf centers:

13 'Sec. 11. 28-A MRSA §1003, sub-§3, ¶J-2 is enacted to read:

14 J-2. Outdoor golf centers:

15 'Sec. 12. 28-A MRSA §1004, sub-§3, ¶H-1 is enacted to read:

16 H-1. Indoor golf centers:

17 'Sec. 13. 28-A MRSA §1004, sub-§3, ¶J-1 is enacted to read:

18 J-1. Outdoor golf centers:

19 'Sec. 14. 28-A MRSA §1005, sub-§3, ¶H-1 is enacted to read:

20 H-1. Indoor golf centers:

21 'Sec. 15. 28-A MRSA §1005, sub-§3, ¶J-1 is enacted to read:

22 J-1. Outdoor golf centers.'

23 Amend the bill in section 13 in §1073 in the section headnote in the last line (page 2,
24 line 27 in L.D.) by inserting after the following: "centers;" the following: "indoor golf
25 centers; outdoor golf centers;"

26 Amend the bill by striking out all of section 14 and inserting the following:

27 'Sec. 14. 28-A MRSA §1073, sub-§1, as amended by PL 2021, c. 658, §192, is
28 further amended to read:

29 **1. Issuance of licenses.** The bureau may issue licenses under this section for the sale
30 of spirits, wine and malt liquor for on-premises consumption to bowling centers, curling
31 centers, disc golf courses, golf courses, indoor golf centers, indoor ice skating centers and
32 indoor racquet centers and outdoor golf centers as defined in section 2, subsection 15,
33 paragraphs B-1, D-1, F-1, G, I-1, J and K and L-2, respectively.'

34 Amend the bill by adding before the summary the following:

35 '**Emergency clause.** In view of the emergency cited in the preamble, this legislation
36 takes effect when approved.'

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment adds an emergency preamble and emergency clause to the bill. This amendment also adds indoor golf centers and outdoor golf centers to the list of establishments that may be licensed for the sale of spirits, wine or malt liquor to be consumed on or off the licensed premises. It defines "indoor golf center" as a commercially operated indoor facility that offers golf simulator facilities to the public for a fee and that has adequate facilities for the sale and consumption of liquor and "outdoor golf center" as a commercially operated outdoor facility with areas for practicing golf shots with rentable golf clubs and balls, which may include a miniature golf course that has adequate facilities for the sale and consumption of liquor, but does not mean a golf course. The amendment also adds "indoor golf center" and "outdoor golf center" to the section of statute that outlines the specific license requirements for similar types of recreational facilities. It also adds "indoor golf center" and "outdoor golf center" to the sections of statute that outline the types of eligible premises for each license type to correspond to those license types available to similar recreational facilities.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 141

LR 117(03)

An Act to Simplify the Sale of Food Requirement for Certain Licenses for the Sale of Liquor to Be Consumed on the Licensed Premises

Fiscal Note for Bill as Amended by Committee Amendment *A. CH-29)*

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to adopt the changes in this bill are expected to be minor and can be absorbed within existing budgeted resources.