

MAINE STATE LEGISLATURE

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Date: 4/3/24

(Filing No. S-659)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 836, L.D. 2014, "An Act Regarding Spirits Price Regulation"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Spirits Price Review and Recommendations'

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

'Sec. 1. 28-A MRSA §83-C, sub-§2-B is enacted to read:

2-B. Recommendations; review. Beginning October 1, 2024, and every 2 years thereafter, review the retail prices of spirits sold in the State established by the commission under section 81, subsection 5. The review must include comments provided to the bureau from a public hearing held by the bureau on the retail prices of spirits sold in the State. The bureau shall submit a report of the review conducted under this subsection to the commission and to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters. The report may include recommendations regarding the establishment of the retail prices of spirits sold in the State pursuant to subsection 2.

Sec. 2. 28-A MRSA §83-C, sub-§6, as enacted by PL 2013, c. 476, Pt. A, §9, is amended to read:

6. Rules. Adopt rules consistent with this Title or other laws of the State for the administration of all laws concerning the sale of spirits. The rules must include a process for developing recommendations to be submitted to the commission regarding the establishment of the retail prices of spirits sold in the State under subsection 2, including, but not limited to, rules regarding the data and other criteria used in developing the recommendations. The rules must establish a process for the bureau to receive public input regarding the proposed recommendations to the commission. In adopting the rules, the bureau shall hold a public hearing. Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A;

COMMITTEE AMENDMENT



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Sec. 3. Rulemaking. On or before September 1, 2024, the State Liquor and Lottery Commission, established in the Maine Revised Statutes, Title 5, section 12004-G, subsection 14, shall initiate rulemaking to establish procedures for the conduct of adjudicatory hearings pursuant to Title 28-A, section 81, subsection 5.'

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

SUMMARY

This amendment replaces the bill and changes the title. It provides that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations must, beginning October 1, 2024 and every 2 years thereafter, conduct a review of the retail prices of spirits sold in the State established by the State Liquor and Lottery Commission. The review must include comments provided to the bureau from a public hearing held by the bureau on the retail prices of spirits sold in the State. The bureau must also submit a report of the review to the commission and to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters, which may also include recommendations regarding the establishment of the retail prices of spirits sold in the State.

It directs the bureau to adopt routine technical rules regarding the process for developing recommendations to be submitted to the commission regarding the establishment of the retail prices of spirits sold in the State. The rules must include, at a minimum, rules regarding the data and criteria used in developing the recommendations and a process for the bureau to receive public input regarding the recommendation. In adopting the rules, the bureau must hold a public hearing.

It also directs the State Liquor and Lottery Commission to initiate, on or before September 1, 2024, rulemaking required in the Maine Revised Statutes, Title 28-A, section 81, subsection 5 establishing procedures for the conduct of adjudicatory hearings.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 2014

LR 2586(02)

An Act Regarding Spirits Price Regulation

Fiscal Note for Bill as Amended by Committee Amendment "A" (LS659)
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 Beverage and Lottery Operations from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.