

MAINE STATE LEGISLATURE

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GILK
ROS

L.D. 2088

Date: 2/29/24

CORRECTED COPY (Filing No. S-551)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

SENATE

131ST LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 881, L.D. 2088, "An Act to Change the Number of Agency Liquor Stores Allowed in Certain Municipalities"

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

'An Act to Change the Number of Agency Liquor Stores Allowed in Certain Municipalities and to Convene a Stakeholder Group Regarding Licensing and Operations'

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 Department of Administrative and Financial Affairs, Bureau of Alcoholic Beverages and Lottery Operations awards available agency liquor store licenses twice a year, once in the fall before the holidays and ski season and once in the spring before the summer tourism season; and

Whereas, the department has not yet opened the spring round of agency liquor store license awards; and

Whereas, the changes in this legislation need to take effect before the next round of awards so that municipalities affected by the changes may be awarded an additional agency liquor store license prior to the busy summer tourism season; 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 striking out all of section 3 and inserting the following:

'Sec. 3. 28-A MRSA §453, sub-§1-A, as amended by PL 2021, c. 172, §1, is further amended by amending the first blocked paragraph to read:

COMMITTEE AMENDMENT

1 The bureau may issue one additional agency liquor store license beyond those otherwise
 2 authorized by this subsection in a any municipality ~~with a population of less than 10,000.~~
 3 The bureau may consider ~~the impact of seasonal population or tourism and other related~~
 4 any information provided by the municipality requesting an additional agency liquor store
 5 license.

6 **Sec. 4. Department of Administrative and Financial Services, Bureau of**
 7 **Alcoholic Beverages and Lottery Operations to convene stakeholder group**
 8 **regarding licensing and operation of agency liquor stores.** The Department of
 9 Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery
 10 Operations shall convene a stakeholder group to examine how agency liquor stores, as
 11 defined in the Maine Revised Statutes, Title 28-A, section 2, subsection 1, are licensed and
 12 operated in order to better understand how agency liquor stores are distributed throughout
 13 the State and to evaluate the effectiveness of the current system for consumers, the general
 14 public, local law enforcement officials, municipalities, the State and entities licensed in this
 15 State for the sale of liquor. The stakeholder group must include, at a minimum,
 16 representatives of agency liquor stores, on-premises retail licensees as defined in Title
 17 28-A, section 2, subsection 27, paragraph B, off-premises retail licensees as defined in Title
 18 28-A, section 2, subsection 27, paragraph A, certificate of approval holders under Title
 19 28-A, sections 1361 and 1381 and in-state manufacturers licensed under Title 28-A, section
 20 1355-A; wholesale licensees as defined in Title 28-A, section 2, subsection 34; municipal
 21 representatives; and local law enforcement officials. No later than November 6, 2024, the
 22 bureau shall submit a report summarizing any conclusions reached and proposals supported
 23 by the stakeholder group, which may include suggested legislation, to the joint standing
 24 committee of the Legislature having jurisdiction over alcoholic beverages matters. The
 25 committee may submit legislation related to the report to the 132nd Legislature in 2025.'

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

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

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

31 **SUMMARY**

32 This amendment authorizes the Department of Administrative and Financial Services,
 33 Bureau of Alcoholic Beverages and Lottery Operations to issue one additional agency
 34 liquor store license to any municipality instead of to only a municipality with a population
 35 of less than 15,000 as in the bill. In determining whether to issue an additional license, the
 36 bureau may consider any information provided by the municipality requesting an additional
 37 agency liquor store license. The amendment directs the bureau to convene a stakeholder
 38 group to examine how agency liquor stores are licensed and operated in order to better
 39 understand how they are distributed throughout the State and to evaluate the effectiveness
 40 of the current system for consumers, the general public, local law enforcement officials,
 41 municipalities, the State and entities licensed in this State for the sale of liquor.

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COMMITTEE AMENDMENT "A" to S.P. 881, L.D. 2088 (S-551)

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The amendment also adds an emergency preamble and an emergency clause.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



Approved: 02/15/24 *MRC*

131st MAINE LEGISLATURE

LD 2088

LR 2638(02)

An Act to Change the Number of Agency Liquor Stores Allowed in Certain Municipalities

Fiscal Note for Bill as Amended by Committee Amendment "*ALS-551*)
Committee: Veterans and Legal Affairs
Fiscal Note Required: Yes

Fiscal Note

Minor revenue increase - General Fund

Minor cost increase - General Fund

Fiscal Detail and Notes

This bill allows the Bureau of Alcoholic Beverages and Lottery Operations (BABLO) to issue one additional agency liquor store license to any municipality. Any additional revenue from these licenses is not expected to be significant. Any additional costs to BABLO as a result of convening a stakeholder group to evaluate the effectiveness of the current liquor licensing system are anticipated to be minor and can be absorbed within existing budgeted resources.