

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE LAW LIBRARY

N I N E T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 558

S. P. 213

In Senate, February 7, 1957.

Referred to the Committee on Liquor Control. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Carpenter of Somerset, by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT To Provide for Agency Stores for Sale of Liquor Under Supervision of Liquor Commission.

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

R. S., c. 61, § 11, repealed and replaced. Section 11 of chapter 61 of the Revised Statutes is hereby repealed and the following enacted in place thereof :

'Sec. 11. State agency stores. The Commission shall have authority to establish in municipalities having a population of 3,000 or less, which vote in favor of the operation of state stores under local option and where there is no state store, state agency stores occupied and operated by individuals who are citizens of the United States and residents of the State of Maine, or corporations organized under the laws of Maine or authorized to do business in Maine.

Individuals and corporations shall be required to have been located in such municipalities in a retail business for not less than 5 consecutive years, next prior to the date of application.

Liquor sold in such state agency stores shall be at the same prices as they are sold in regular state stores and the Commission shall have full authority to control the code numbers of liquor stocked and sold through such state agency stores.

All such stock of liquor for sale and all necessary merchandising equipment, therefore, shall be and remain the property of the State Liquor Commission. Such state agency stores shall be located only in such municipalities where sufficient public demand and convenience is clearly shown to the Commission, not to exceed 12 in number.

Portions of premises in agency stores where liquor is stored and displayed for sale shall be accessible only to the proprietor, his agents and servants, and shall be securely and completely locked during days and hours when liquor may not be legally sold in state stores, subject, however, to control and right of inspection to the Commission and its agents.

Separate outside entrance shall be provided as the only public access to that part of the store where liquor is sold.

For the purpose of establishing such state agency stores, the Commission is authorized to enter into contracts with individuals or corporations which shall provide for a profit to operators not in excess of 3% of gross sales of liquor and shall further provide for immediate suspension or discontinuance of such contract by the Commission, after a hearing, for violation of any state liquor law or Commission rule and regulation. No such contracts shall be sold, transferred or assigned nor shall anyone but the original contractor have any direct or indirect interest in or control over the premise where such state agency store is operated.

All such state agency stores shall be established as a result of sealed bids to the Liquor Commission offering to operate at the lowest percentage of profit not to exceed 3% of gross liquor sales, provided the Commission shall have authority to reject any and all bids of persons, or corporations having officers, who are not financially responsible or who would not themselves or their agents have the personal qualifications required of liquor licenses, or if they deem the premises where such state agency store is to be operated to be inadequate, poorly located or otherwise unfit for an agency for sale of liquor.

The Commission is authorized to make all necessary rules and regulations for location, establishment, management and control of all such state agency stores.

No such state agency stores shall be open for sale of liquor except in accordance with the days and times provided by section 12.'