

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Establish a Seasonal Agency Liquor License

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

Sec. 1. 28-A MRSA §453, sub-§2-C, ¶B, as enacted by PL 2009, c. 213, Pt. JJJJ, §2, is amended to read:

B. The applicant will be able to stock at least \$10,000 worth of spirits purchased from the State or the State's wholesale distributor upon issuance of ~~an~~ a one-year agency liquor store license; ~~and~~

Sec. 2. 28-A MRSA §453, sub-§2-C, ¶B-1 is enacted to read:

B-1. The applicant will be able to stock at least \$10,000 worth of spirits purchased from the State or the State's wholesale distributor upon issuance of a seasonal agency liquor store license; and

Sec. 3. 28-A MRSA §453, sub-§2-D, as enacted by PL 2013, c. 269, Pt. A, §6, is amended to read:

2-D. Exception. If a retailer that is located in this State and has at least 5 locations licensed as an agency liquor store is sold or ownership is transferred to another company that will assume operation of some or all of the retailer's stores and that company submits an application for an agency liquor store license at some or all of those stores, the bureau may waive the requirement of subsection 2-C, paragraph A. The bureau may provide this waiver only if the applicant has held a license in another state to sell malt liquor and wine or spirits at retail for off-premises consumption, for at least one year prior to submitting the application, without a violation of the laws governing the sale of alcoholic beverages in that state and can provide the bureau with documentation of financial success as determined by the bureau. The waiver provided by this subsection does not apply to a retailer who is applying for a seasonal agency liquor store license.

Sec. 4. 28-A MRSA §453, sub-§2-E is enacted to read:

2-E. Seasonal license. The bureau may issue one seasonal agency liquor store license in a municipality with a year-round population of at least 5,001 if, during the months between June 1st and October 1st, the population of that municipality increases by a number that would authorize the bureau to otherwise issue an additional agency liquor store license if that were the year-round population. The term of a seasonal agency liquor store license issued under this subsection is 6 consecutive months.

Sec. 5. 28-A MRSA §453-A, sub-§9, as enacted by PL 2011, c. 460, §1, is amended to read:

9. Exception. Notwithstanding section 453, subsection 2-C, paragraph A, the bureau may issue an agency liquor store license to an applicant that has not held a license to sell malt liquor and wine for off-premises consumption for one year if the applicant is a branch of a chain retailer of which one or more

locations has held a license to sell spirits without violating the provisions of this Title and the applicant, if licensed, will enhance the revenue to the State from the sale of spirits. This subsection does not apply to the issuance of a seasonal agency liquor store license under section 453, subsection 2-E.

Sec. 6. 28-A MRSA §453-B, as repealed and replaced by PL 2007, c. 117, §1, is amended to read:

§ 453-B. License fees

The initial license fee for an agency liquor store and the fee for a transferee of a license for an agency liquor store under section 457 isare \$2,000 for a one-year license and \$1,000 for a seasonal license, respectively. The renewal fee for ~~an annual~~ a one-year license is \$300. The renewal fee for a seasonal license is \$150.

SUMMARY

This bill establishes a seasonal agency liquor store license. It authorizes the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to issue one seasonal license in a municipality with a year-round population of at least 5,001 if between June 1st and October 1st the population increases by a number that would otherwise qualify the municipality for an additional agency liquor store license.