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**An Act To Better Serve the Seasonal Tourist Market during the
2015 Summer Season and Early Autumn with a Pilot Program To
Extend the Authorized Hours during Which Liquor May Be Served**

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

Whereas, most tourism in Maine occurs between Memorial Day and Labor Day each year; and

Whereas, tourists who visited Maine in 2014 when surveyed cited food and beverage options as among the highest areas of interest; and

Whereas, overnight visitors had median expenditures of \$200 per party for food and beverages in 2014; and

Whereas, tourists from Massachusetts and New York represented approximately 40% of overnight visitors to Maine in 2014 and both of those states allow alcoholic beverages to be served on the premises until 2 a.m. and 4 a.m., respectively; and

Whereas, Maine's hospitality industry loses opportunities to cater to out-of-state customers accustomed to longer hours of on-premises liquor service and this loss results in fewer sales; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order for it to be in effect during the summer tourist 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,

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

Sec. 1. 28-A MRS §4, sub-§1, as amended by PL 2015, c. 74, §1, is further amended to read:

1. Hours for sale of liquor. Except as provided in paragraphs B and ~~D~~to E, licensees may sell or deliver liquor from 5 a.m. on any day until 1 a.m. of the following day.

B. Licensees may sell liquor on January 1st of any year from 12 midnight to 2 a.m.

(1) In areas in which liquor may be sold except on Sundays, if January 1st falls on a Monday, licensees may sell or deliver liquor between 9 p.m. Sunday, December 31st and 2 a.m. January 1st, notwithstanding any local option decisions to the contrary.

D. Wholesale licensees may sell or deliver liquor to licensed establishments from 4 a.m. on any day until 1 a.m. the following day.

E. On-premises retail licensees may sell liquor from 5 a.m. to 2 a.m. the following day, notwithstanding any local option decisions to the contrary.

This paragraph is repealed October 12, 2015.

Sec. 2. 28-A MRSA §4, sub-§2, as amended by PL 1993, c. 730, §14, is further amended to read:

2. Consumption and possession of liquor. Except as otherwise provided in paragraphs ~~A and B~~ this subsection, licensees may not permit the consumption or possession of liquor on their premises after 1:15 a.m.

A. Licensees may permit the consumption of liquor on their premises until 2:15 a.m. on January 1st.

A-1. Notwithstanding paragraph A, on-premises retail licensees may permit the consumption of liquor on their premises until 2:15 a.m., notwithstanding any local option decisions to the contrary.

This paragraph is repealed October 12, 2015.

B. This subsection does not apply to consumption or possession by bona fide hotel guests in their rooms.

Sec. 3. Bureau of Alcoholic Beverages and Lottery Operations pilot program; report. The Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services shall implement a pilot program extending the hours for the sale of liquor for on-premises consumption from 1 a.m. to 2 a.m. pursuant to the Maine Revised Statutes, Title 28-A, section 4, subsections 1 and 2. The pilot program under this section terminates October 12, 2015. The director shall submit a report to the Joint Standing Committee on Veterans and Legal Affairs by January 31, 2016 on the operation of the pilot program. The joint standing committee may report out a bill based on the director's report to the Second Regular Session of the 127th Legislature.

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

SUMMARY

This bill establishes a pilot program that terminates October 12, 2015, Columbus Day, to extend the hours for the sale of liquor for on-premises consumption from 1 a.m. to 2 a.m.