



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1300

S.P. 403

In Senate, March 24, 2011

**An Act To Create a New Liquor License, Provide Funding for
Prevention of Underage Drinking and Provide Municipal Control
over the Agency Liquor Store Application Process**

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative BICKFORD of Auburn and
Senators: JACKSON of Aroostook, PATRICK of Oxford, SNOWE-MELLO of Androscoggin,
Representatives: BEAULIEU of Auburn, LAJOIE of Lewiston.

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

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

3 E. The addition of the proposed agency liquor store will not exceed the number of
4 agency liquor stores authorized by a municipality in accordance with subsection 2-A.

5 **Sec. 2. 28-A MRSA §453, sub-§2-A**, as amended by PL 2009, c. 213, Pt. JJJJ,
6 §1, is repealed and the following enacted in its place:

7 **2-A. Limitation on number of agency liquor stores.** Beginning October 1, 2011 a
8 municipality by affirmative vote of its governing body or through referendum may
9 establish a limit on the number of agency liquor stores to be licensed in that municipality.

10 Nothing in this subsection may be construed to reduce the number of agency stores the
11 bureau may license in a municipality as of October 1, 2011.

12 **Sec. 3. 28-A MRSA §1010-A** is enacted to read:

13 **§1010-A. Class VIII licenses**

14 **1. Types of liquor that may be sold.** A Class VIII licensee may sell malt liquor,
15 wine and spirits to be consumed off the premises where sold.

16 **2. Fees.** The fees for a Class VIII license are as follows:

17 A. Full-time, one year, after payment of the initial agency liquor store license fee
18 under section 453-B, \$900; and

19 B. A Class VIII license is not subject to the renewal fee under section 453-B.

20 **3. Eligible premises.** The following premises are eligible to obtain a Class VIII
21 license:

22 A. Agency liquor store licensees with a qualifying stock of groceries, compatible
23 merchandise or a combination of both.

24 **Sec. 4. 28-A MRSA §1013** is enacted to read:

25 **§1013. Underage drinking prevention**

26 Beginning January 1, 2012, the bureau shall pay 10% of the license fees collected
27 under section 1010-A to the Treasurer of State to be credited to the Department of Health
28 and Human Services, Office of Substance Abuse for the purpose of prevention of
29 consumption of liquor by minors.

30 **SUMMARY**

31 Current law limits the number of agency liquor stores that sell spirits based on the
32 population of a municipality. This bill removes those limits. The bill provides that
33 beginning January 1, 2012 a municipality may establish a limit for agency liquor stores
34 through action of the governing body or a popular referendum. The bill also provides for

1 a combined license for agency liquor stores that also sell beer and wine. Under current
2 law an agency liquor store must obtain separate licenses to sell beer and wine. Finally,
3 this bill dedicates 10% of that combined license fee to the Department of Health and
4 Human Services, Office of Substance Abuse for underage drinking prevention.