

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FOUR

—
S.P. 881 - L.D. 2088

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

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,

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

Sec. 1. 28-A MRSA §453, sub-§1-A, ¶E, as enacted by PL 2019, c. 74, §1, is amended to read:

E. Seven agency liquor stores in a municipality with a population over ~~15,000~~ 10,000 but less than 20,001;

Sec. 2. 28-A MRSA §453, sub-§1-A, ¶F, as enacted by PL 2019, c. 74, §1, is repealed.

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:

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

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

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