

### **§458. Renewal of agency liquor store license; selection of alternate licensee**

**1. Application by store.** The holder of an agency liquor store license shall apply annually to the bureau for renewal of that license. An application for renewal must be submitted on a form prepared by the bureau.

[PL 1997, c. 373, §50 (AMD).]

**2. Review by bureau.** In reviewing applications for renewal submitted under subsection 1, the bureau shall consider the following criteria:

- A. The applicant's sales and inventory of spirits; [PL 2021, c. 658, §73 (AMD).]
- B. The applicant's sales and inventory of groceries and related items; [PL 1991, c. 782, §1 (NEW).]
- C. Any changes in the interior selling location of the premises or renovations to the applicant's licensed premises; [PL 1999, c. 34, §1 (AMD).]
- D. Any customer complaints of poor service against the applicant's store; [PL 1991, c. 782, §1 (NEW).]
- E. Any violations of liquor laws by the applicant; and [PL 1991, c. 782, §1 (NEW).]
- F. Records of any bad checks rendered to the commission or bureau. [PL 1997, c. 373, §50 (AMD).]

[PL 2021, c. 658, §73 (AMD).]

**2-A. Review exemptions.** Notwithstanding subsection 2, paragraph C, when considering an application for the renewal of an agency liquor store license, the bureau may not consider minor changes to the placement of spirits inventory if the changes are not for the purposes of marketing beyond those provided in law or rule or for increasing access by minors but are to address some other spirits placement issue that is within the scope of the person's license.

[PL 2021, c. 658, §74 (AMD).]

**3. Rejection of application; selection of alternate licensee.** If the bureau denies an application for renewal of an agency liquor store license, the bureau may select an alternate licensee in accordance with the criteria set forth in sections 453 and 453-A. If the alternate licensee held an agency liquor store license in the past, the bureau may consider any of the applicable criteria set forth in subsection 2 in considering whether to license the alternate agency liquor store.

[PL 2021, c. 658, §75 (AMD).]

**4. Purchase of store merchandise by State.** If the bureau does not renew the agency liquor store license, the bureau shall purchase from the agency liquor store all resalable spirits held in inventory by the agency liquor store. The purchase price is the cost at which that agency liquor store purchased the spirits from the bureau, minus 10% of that cost.

[PL 1997, c. 373, §50 (AMD); PL 2013, c. 368, Pt. V, §61 (REV).]

**5. Aggrieved applicant.** Any agency liquor store licensee aggrieved by a decision of the bureau not to renew an agency liquor store license may appeal the decision by filing an appeal with the District Court and serving a copy of the appeal on the bureau in accordance with the Maine Rules of Civil Procedure, Rule 80C. The appeal must be filed and served within 30 days of notification of the agency liquor store licensee by the bureau that the license will not be renewed.

[PL 2001, c. 471, Pt. D, §27 (AMD).]

### **SECTION HISTORY**

PL 1991, c. 782, §1 (NEW). PL 1997, c. 373, §50 (AMD). PL 1999, c. 34, §§1,2 (AMD). PL 1999, c. 547, §B78 (AMD). PL 1999, c. 547, §B80 (AFF). PL 2001, c. 471, §D27 (AMD). PL 2013, c. 368, Pt. V, §61 (REV). PL 2021, c. 658, §§73-75 (AMD).

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