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Testimony of

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Before the Joint Standing Committee on Veterans and Legal Affairs

LD 1751 – An Act to Make Permanent the Changes to the Liquor Laws Made by Public Law 2021,
Chapters 3 and 91.

January 10, 2022

Senator Luchini, Representative Caiazzo and members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Gregg Mineo and I am the Director of the Bureau of Alcoholic Beverages and Lottery Operations. I am providing the following testimony generally supportive of LD 1751, while identifying one cause for concern that tempers our enthusiasm.

This legislation intends to make permanent the ability for a qualified on-premise retailer and qualified distillery to sell liquor for off-premise consumption which is currently scheduled to sunset on September 10, 2022. Across the country many states did just like Maine and afforded on-premise licensees the ability to sell beer, wine and cocktails-to-go when their on-premise establishments were forced to close due to the pandemic. Given the profit margins on liquor sales liquor-to-go proved an invaluable lifeline to restaurants and bars during the most challenging times they'd ever faced.

In the last two years, fifteen other states have already extended liquor-to-go sales on a permanent basis. Only two states, New York and Pennsylvania, have allowed their liquor-to-go provisions to expire eliciting significant outcry from restaurants and bars still finding themselves in precarious financial position; both states are now considering measures to restore liquor-to-go. While restaurants and bars are less reliant on liquor-to-go than they were initially, with the current staffing shortages they're experiencing due to the Omicron surge and no telling how long the pandemic will continue to linger, the Bureau recognizes that liquor-to-go continues to provide a helping hand-up to the industry.

That being said, the Bureau has a dual commitment to ensuring and promoting responsible drinking, so we didn't want to withhold from the Committee the fact that our colleagues at the Maine CDC did recently convey to us their public health and safety concerns over liquor-to-go—primarily that carding is inconsistent. The Bureau has no evidence of our own that there has been any issue with the almost 300 on-premises licensees offering cocktails-to-go. However, we must be forthright that with only five liquor inspectors to cover the entire state and who are responsible for 6,955 licensees across all license types, the Bureau's enforcement efforts are primarily driven

by tips we receive from the public. We have inadequate staff capacity to actively monitor compliance surrounding liquor-to-go. On-premises licensees need to take their responsibility to verify customers' ages just as seriously for liquor-to-go orders as they do customers drinking on their premises.

Thank you for allowing me to testify before the Committee today. I am happy to respond to any questions, and of course will be available for the work session.