

## §81. State Liquor and Lottery Commission

**1. Oversight of Bureau of Alcoholic Beverages and Lottery Operations.** The commission shall monitor the operation of the bureau in its administration of the laws relating to the sale of spirits. [PL 2013, c. 269, Pt. C, §1 (AMD); PL 2013, c. 269, Pt. C, §13 (AFF); PL 2013, c. 368, Pt. V, §61 (REV).]

**2. Advice.** The commission shall advise the director of the bureau regarding the administration of the functions of the bureau. The commission may advise the Governor and the Legislature regarding issues relating to the operation of the bureau and the administration of the laws relating to the sale of spirits. [PL 2013, c. 269, Pt. C, §2 (AMD); PL 2013, c. 269, Pt. C, §13 (AFF); PL 2013, c. 368, Pt. V, §61 (REV).]

**3. Listing of items.** The commission shall determine which spirits items may be listed for sale in the State. Products listed must be made available by the spirits supplier at a warehouse designated by the commission. [PL 2021, c. 658, §51 (AMD).]

**4. Notice to delist or stop purchases.** Before any spirits item listed by the commission is discontinued or delisted or before the commission issues any order to stop purchases of any listed spirits item, the commission shall give the vendor of the item reasonable written notice of its intention to delist or stop purchase of the item. [PL 2021, c. 658, §52 (AMD).]

**5. Retail price; reconsideration.** The commission shall, in accordance with section 1651 and after considering any recommendation submitted by the bureau, establish the retail price of spirits sold in the State. The director of the bureau shall notify the affected spirits supplier of the commission's decision establishing the retail price and of the affected spirits supplier's opportunity to request reconsideration of the retail price determination at an adjudicatory hearing conducted by the commission in accordance with Title 5, chapter 375, subchapter 4. The decision of the commission issued after an adjudicatory hearing requested under this subsection is final agency action for the purposes of judicial review under Title 5, chapter 375, subchapter 7. The commission shall adopt rules establishing the procedures for the conduct of adjudicatory hearings under this subsection, including but not limited to the deadline for an affected spirits supplier to request a hearing. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. For purposes of this subsection, "affected spirits supplier" means a spirits supplier that supplies a spirits product that is the subject of a retail price determination of the State. [PL 2021, c. 622, §1 (NEW).]

### SECTION HISTORY

PL 1997, c. 373, §28 (NEW). PL 1999, c. 535, §3 (AMD). PL 2013, c. 269, Pt. C, §§1, 2 (AMD). PL 2013, c. 269, Pt. C, §13 (AFF). PL 2013, c. 368, Pt. V, §61 (REV). PL 2021, c. 622, §1 (AMD). PL 2021, c. 658, §§51, 52 (AMD).

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