

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

**Sec. 1. 28-A MRSA §453, sub-§2-A**, as repealed and replaced by PL 2003, c. 20, Pt. SS, §1 and affected by §8, is amended to read:

**2-A. Limitation on number of agency liquor stores.** ~~The~~ Beginning July 1, 2009, the bureau may license up to ~~68~~ 6 agency liquor stores in a municipality with a population over 20,000 ~~where a state liquor store has been closed and;~~ up to ~~35~~ 3 agency liquor stores in a municipality with a population of 20,000 ~~or less where a state liquor store has been closed~~ at least 10,001 but less than 20,001; up to 4 agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001; and up to 3 agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001. In addition, the bureau may establish one agency liquor store in a municipality where ~~no state liquor store has operated; and, if the population is over 3,000, the bureau may locate 2 stores within the municipality less than 2,000.~~ The bureau may consider the impact of seasonal population or tourism and other related information provided by the ~~town~~ municipality requesting a ~~2nd~~ an additional agency liquor store location.

Nothing in this subsection may be construed to reduce the number of agency stores the bureau may license in a municipality as of June 30, 2009.

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

**2-C. Licenses issued on or after July 1, 2009.** Beginning July 1, 2009, the bureau shall consider whether the applicant can satisfy the following criteria when determining whether to issue an agency liquor store license under this section:

A. The applicant has held a license to sell malt liquor and wine for off-premises consumption for more than one year immediately preceding application without a violation of any provision of this Title;

B. The applicant will be able to stock at least \$10,000 worth of spirits purchased from the State or the State's wholesale distributor upon issuance of an agency liquor store license; and

C. The applicant can purchase the initial stock of spirits using a bank check or other financial instrument that certifies that funds are available.

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Liquor Enforcement 0293**

Initiative: Establishes one Public Safety Inspector II position and related All Other to administer an increased number of liquor licenses and ensure compliance.

<b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$63,106
All Other	\$0	\$10,000
<b>GENERAL FUND TOTAL</b>	<hr/> \$0	\$73,106

### **SUMMARY**

This amendment replaces the bill. The amendment changes the current limitations on the number of agency liquor stores that may be licensed per municipality and increases how many may be licensed in some municipalities based on population. The maximum number of agency liquor stores in any municipality would be 8. Applicants who are licensed under this new structure must be able to purchase \$10,000 worth of spirits initially with a bank check or other financial instrument that certifies that funds are available. This amendment also adds an appropriations and allocations section.

### **FISCAL NOTE REQUIRED** **(See attached)**