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VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 1350, L.D. 1884, Bill, "An Act To Amend the Laws Governing Dual Liquor Licenses"

Amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, current law hinders the operation of businesses with dual liquor licenses, which authorize retailers to sell wine for consumption both on and off the licensed premises; and

Whereas, this legislation relaxes the restrictions imposed on businesses with dual liquor licenses to bring those restrictions in line with the restrictions imposed on other licensed liquor retailers; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order for it to be in effect before commencement of the summer tourist 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,'

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 28-A MRSA §1208, sub-§2, ¶B, as reallocated by PL 2009, c. 510, §7, is amended to read:

B. The licensee shall ensure that at least 2 employees one employee at least 21 years of age are is present at all times when wine is being consumed on the premises with at least one whose primary responsibility is sales of wine and other items sold to be consumed off the premises;'

1 Amend the bill in section 2 in paragraph C in the last line (page 1, line 10 in L.D.) by  
2 inserting after the following: "walking;" the following: 'and'

3 Amend the bill by striking out all of section 3 and inserting the following:

4 '**Sec. 3. 28-A MRSA §1208, sub-§2, ¶D**, as reallocated by PL 2009, c. 510, §7,  
5 is amended to read:

6 D. Patrons of the establishment may not consume any alcoholic beverage on the  
7 premises unless it is served in accordance with this section by the licensee or an  
8 employee of the licensee; ~~and.~~

9 '**Sec. 4. 28-A MRSA §1208, sub-§2, ¶E**, as reallocated by PL 2009, c. 510, §7, is  
10 repealed.'

11 Amend the bill by adding before the summary the following:

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

14 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
15 section number to read consecutively.

#### 16 SUMMARY

17 This amendment, which is the unanimous report of the committee, removes the  
18 restrictions specific to dual liquor licensees regarding when wine may be sold for  
19 on-premises consumption. As a result, dual liquor licensees will be subject to the general  
20 law that authorizes the sale of all types of liquor, including wine, from 5 a.m. on one day  
21 until 1 a.m. the following day. The amendment requires a licensee to have at least one  
22 employee who is at least 21 years of age present at all times when wine is being  
23 consumed on the premises. The amendment also adds an emergency preamble and  
24 emergency clause to the bill.