

# MAINE STATE LEGISLATURE

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ONE - HUNDREDTH LEGISLATURE

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Legislative Document

No. 1394

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S. P. 439

In Senate, February 8, 1961

Referred to Committee on Liquor Control. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Stilphen of Knox.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

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AN ACT Relating to Shipments of Malt Liquor Into the State.

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Be it enacted by the People of the State of Maine, as follows:

**R. S., c. 61, § 21, amended.** Section 21 of chapter 61 of the Revised Statutes, as amended, is further amended by adding after the first paragraph, a new paragraph, as follows:

‘In the event that the quantity of malt liquor shipped into this State is in excess of that as to which the commission has sent notification of payment of the tax, the brewery or foreign wholesaler responsible for the overshipment shall, within one working day after the date of such shipment, notify the commission in triplicate of the fact and reason for the overshipment and at such time pay on behalf of the wholesale licensee to whom the malt liquor is consigned, the tax due on the excess quantity. Upon receipt of such notification and payment, the commission shall promptly stamp and receipt 2 copies, returning one to the sender and immediately mailing the other to the wholesale licensee to whom the malt liquor is consigned. The retained copy shall be attached to the appropriate original purchase order it amends. The wholesale licensee, upon notification by the brewery or foreign wholesaler of the fact of the increase in shipment and of payment to the commission of the tax due on the excess, shall be authorized to accept delivery and, upon receipt of the stamped notification from the commission, shall be authorized to resell the excess as well as the regularly ordered portion of the shipment. No holder of a certificate of approval shall be permitted to ship into this State quantities of malt liquor in excess of that as to which the commission has previously sent notification of payment of the tax unless he first files with the commission a surety bond, with both surety and amount of the bond to be approved by the commission, guaranteeing payment of the excise tax due on any malt liquor shipped into this State by such certificate holder.’