

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 593

H.P. 410

House of Representatives, February 13, 1991

Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

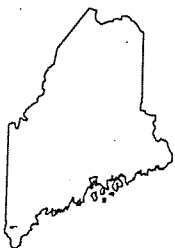
EDWIN H. PERT, Clerk

Presented by Representative DiPIETRO of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act Authorizing Sale of Liquor Outside of Exclusive Territory.



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

28-A MRSA §1453, sub-§2, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

2. Certificate of approval holder to file list. Each certificate of approval holder shall file with ~~his~~ the application for certificate of approval a list giving the name and address of each bottler and wholesale licensee authorized to distribute products of that certificate of approval holder and designating the exclusive territory assigned to each wholesale licensee within the State. ~~Unless authorized by the bureau, wholesale licensees may not sell those products to licensees outside of the exclusive territory allocated and designated.~~

A. Sales of wine to retail licensees at the wholesale licensee's warehouse shall ~~be~~ are considered a ~~sale~~ sales within the wholesale licensee's exclusive territory.

STATEMENT OF FACT

The purpose of this bill is to allow wholesale licensees to sell liquor outside of the exclusive territory allocated and designated by their agreement with a certificate of approval holder. This agreement is a franchise agreement between the distributor and the manufacturer. Current law requires the State Liquor Commission's licensing bureau to authorize these out-of-territory sales. The bill removes this requirement. The agreement between the wholesale licensee and the certificate of approval holder may, however, proscribe extra-territorial sales. The bill does not restrict or dictate the terms of the agreement on extra-territorial sales.