

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

ONE - HUNDRETH LEGISLATURE

---

---

Legislative Document

No. 1359

S. P. 438

In Senate, February 9, 1961

Taken from the Table and on motion of Senator Marden of Kennebec, referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Stanley of Penobscot.

---

---

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-ONE

---

---

AN ACT to Further Regulate the Sale of Malt Liquor Between Manufacturers  
and Wholesalers.

---

---

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

**Sec. 1. R. S., c. 61, § 18, amended.** Section 18 of chapter 61 of the Revised Statutes, as amended, is further amended by inserting after the first paragraph a new paragraph, to read as follows:

‘No manufacturer or foreign wholesaler to whom a certificate of approval has been granted shall sell or cause to be transported into this State any malt liquor to any person to whom a Maine wholesale license has not been granted by the commission. The commission shall revoke the certificate of approval of any manufacturer or foreign wholesaler if such manufacturer or foreign wholesaler shall make it a condition in selling malt liquor to any Maine wholesale licensee that such Maine wholesale licensee shall not sell malt liquor manufactured or sold by other manufacturers or foreign wholesalers.’

**Sec. 2. R. S., c. 61, § 21, amended.** The 3rd paragraph of section 21 of chapter 61 of the Revised Statutes is amended by adding at the end a new sentence, to read as follows:

‘The commission shall revoke the license of any Maine wholesale licensee who shall make it a condition in selling malt liquor to another Maine wholesale licensee that such Maine wholesale licensee shall not sell other brand names of malt liquor.’

**Sec. 3. R. S., c. 61, § 21-A, additional.** Chapter 61 of the Revised Statutes, amended, is further amended by adding a new section 21-A, to read as follows:

'Sec. 21-A. Report of changes in wholesalers to commission. All manufacturers or foreign wholesalers to whom certificates of approval have been granted shall furnish the commission with a list of the Maine wholesale licensees who distribute their products in this State. Holders of certificates of approval shall notify in writing the commission and the wholesale licensee affected at least 90 days previous to any change to be made by them, either in their wholesale licensees or the territory of their wholesale licensees in this State.

All holders of licenses for the sale and distribution of malt liquor at wholesale shall furnish the commission with a statement as to the holders of certificates of approval for whom they distribute malt liquor in this State and a statement as to the boundaries of their territories. Wholesale licensees shall notify in writing the commission and the holder of the certificate of approval affected at least 90 days previous to any change in either the territory or the distribution of their products.

A holder of a certificate of approval of a wholesale licensee may request a hearing before the commission and for cause, the commission may shorten or lengthen the waiting period before approving a change in either the wholesale licensee or the wholesale licensee's territory. If both the holder of a certificate of approval and the wholesale licensee affected waive the 90-day waiting period by notifying the commission in writing, then the commission may, at its discretion, immediately approve a change in either the wholesale licensee or the wholesale licensee's territory.

The commission shall adopt such rules and regulations as it shall deem necessary to provide for proper control over and disposition of malt liquor in the hands of any wholesale licensee on the effective date of the termination of the wholesale licensee's agreement with a holder of a certificate of approval.'