

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-305)

COMMITTEE AMENDMENT "A" to H.P. 768, L.D. 1019, Bill, "AN ACT to Permit the Sale of Dessert Wine at Retail Stores."

Amend the Bill in section 6 by striking out in that part designated "§56." all of the 2nd and 4th sentences and inserting in their place the following:

'The commission is authorized to keep and have on hand a stock of spirits for sale, the value of which, when priced for resale, shall be computed on less carload price quotations F.O.B. warehouse filed by liquor vendors
Spirits shall not be considered in the inventory until payment has been made therefor.'

Further amend the Bill in section 10 by striking out all of the last sentence and inserting in its place the following:

'No licensee, by himself, clerk, servant or agent entitled to sell malt liquor or, table wine or dessert wine not to be consumed on the premises, shall sell, furnish, give or deliver such malt liquor or, table wine or desert wine to any person visibly intoxicated, to any mentally ill person to a known habitual drunkard, ~~to any pauper,~~ to persons of known intemperate habits or to any minor person under the age of ~~18~~ 20 years.'

Further amend the Bill by striking out all of section 12 and inserting in its place the following:

'Sec. 12. 28 MRSA §451, first sentence, as amended by PL 1969, c.360, §14, is repealed and the following enacted in its place:

All spirits shall be sold by the commission at a price to be determined by the commission which will produce a state liquor tax of not less than 75% based on the less carload cost F.O.B., State Liquor Commission warehouse, except that spirits sold at wholesale under section 204 may be sold at wholesale prices established pursuant to the provisions thereof.'

Further amend the Bill in section 13 by striking out all of the last sentence and inserting in its place the following:

'There shall be levied and imposed an excise tax of 30¢ per gallon, or fraction or multiple thereof, on all table wine ~~containing-14% or less alcohol-by-volume~~ and 90¢ per gallon on all dessert wine imported into this State; except the excise tax shall be 20¢ per gallon or fraction or multiple thereof on all still wine ~~containing-14% or less alcohol-by-volume~~ and 60¢ per gallon on all dessert wine which is manufactured or bottled in this State; and an excise tax of \$1 per gallon or multiple or fraction thereof on all sparkling wines manufactured in or imported into this State.'

Further amend the Bill in section 21 by striking out all of the last sentence and inserting in its place the following:

'The fee therefor shall be \$600 per year for malt liquor only and \$600 for table wine ~~only~~ and dessert wine, which sum shall accompany the application for such certificate.'

Statement of Fact

The purposes of this amendment are:

1. To remove a conflict in the Bill with other legislation relating to the age of persons who may drink;
2. To standardize the tax on all spirits sold by the commission to not less than 75% of the cost to the State Liquor Commission; and
3. To increase the excise tax from 60¢ to 90¢ per gallon on dessert wines. It reinstates the fee for liquor licensees to sell or transport table wine to \$600.

Fiscal Note

It is estimated that the passage of this Bill will generate approximately \$200,000 per year in new revenue.

Reported by the Minority of the Committee on Liquor Control.

Reproduced and distributed under the direction of the Clerk of the House.
5/11/77

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