

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 202

S. P. 109

In Senate, January 30, 1979

Referred to the Committee on Legal Affairs. Sent down for concurrence and ordered printed.

Presented by Senator Pierce of Kennebec.

Cosponsors: Senators Shute of Waldo, Farley of York.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Prohibit a Manufacturer or Wholesaler of Alcoholic Beverages to Hold
a Retail License.**

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

Sec. 1. 28 MRSA § 304, 2nd sentence, as last amended by PL 1975, c. 672, § 1, is further amended to read:

~~Except as herein provided, it~~ It shall be unlawful for any licensee or any applicant for license, directly or indirectly, to receive any money, credit, thing of value, indorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person, association or corporation within or without the State, if such person, association or corporation shall be engaged, directly or indirectly, in the manufacture, distribution, sale, storage or transportation of liquor; or if such person, association or corporation shall be engaged in the manufacture, distribution, sale or transportation of any commodity, equipment, material or advertisement used in connection with the manufacture, distribution, sale, storage or transportation of liquor.

Sec. 2. 28 MRSA § 304, 3rd sentence, as repealed and replaced by PL 1975, c. 672, § 2, is repealed and the following enacted in its place:

No Maine retail liquor licensee shall have any interest, direct or indirect, in any Maine manufacturer's or wholesaler's license or certificate of approval issued to an out-of-state manufacturer or foreign wholesaler of malt liquor or table wine; and no out-of-state manufacturer or foreign wholesaler having a state certificate of approval, nor any state wholesaler or manufacturing licensee, shall have any interest, direct or indirect, in any state retail liquor license.

STATEMENT OF FACT

Before 1975 the law prohibited a manufacturer of alcoholic beverages to hold a retail license. Evergreen Valley was for sale by the State and a manufacturer of alcoholic beverages indicated an interest in purchasing the facility if he could also sell alcoholic beverages. The purchase was not made and the enactment of this legislation would return the law to the way it was previously written.