

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 421

H. P. 315

House of Representatives, February 7, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Violette of Van Buren.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Relating to the Wholesale Sale of Malt Liquor and Wine.

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

28 MRSA § 654 is enacted to read:

§ 654. Reports of domestic manufacturers and foreign wholesalers

All breweries, wineries, vintners, brokers, importers and out-of-state wholesalers shall obtain a certificate of approval from the Bureau of Alcoholic Beverages. Licensed Maine wholesalers appointed by them as exclusive distributors for specific brands of alcoholic beverages cannot be terminated as exclusive distributor of those specific brands of alcoholic beverages simultaneously with voluntary or involuntary termination or transfer of these same brands of alcoholic beverages by these breweries, wineries, vintners, brokers and out-of-state wholesalers who obtained the certificate of approval and registered these specific labels and established prices with the Bureau of Alcoholic Beverages. The certificate of approval holder acquiring these brands shall take the place of the certificate of approval holder who appointed these distributors and shall comply with section 653. A violation of this section shall be deemed a violation of the Unfair Trade Practices Act and all remedies provided by that Act shall be available for a violation of this section.

STATEMENT OF FACT

The purpose of this bill is to make sure that the 90-day notice provisions of section 653 are not avoided by a certificate of approval holder who merely sells the product to another certificate of approval holder who sets up a new line of Maine wholesale licensees without providing the notice as required by section 653.