

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TENTH LEGISLATURE
4

5 **Legislative Document**

No. 1826

7 S. P. 768 In Senate, January 13, 1982
8 Approved for introduction by the Legislative Council pursuant to
Joint Rule 26.

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

9 MAY M. ROSS, Secretary of the Senate
10 Presented by Senator Violette of Aroostook.
11

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-TWO
16

17 AN ACT to Clarify the Certificate of
18 Approval Holder and Maine Wholesale
19 Licensee Agreement Act.
20

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

22 28 MRSA §667, as enacted by PL 1979, c. 270, is
23 repealed and the following enacted in its place:

24 §667. No dual distributorship

25 Each holder of a certificate of approval shall file
26 with his application a list giving the name and address of
27 each bottler and wholesale dealer authorized to distribute
28 products of that certificate holder and designating the
29 exclusive territory assigned to each wholesaler within the
30 State. Wholesalers shall not sell those products to licen-
31 sees outside of the exclusive territory so allocated and
32 designated, unless previously authorized by the bureau.

1 It is unlawful for any wholesaler licensee to purchase
2 alcoholic beverages from other than the primary source of
3 supply within the United States. "Primary source of supply"
4 means the distiller, the bottler, the brewer, the brand
5 owner or the designated agent of any such distiller, brewer
6 or brand owner.

7 STATEMENT OF FACT

8 Revised Statutes, Title 28, section 667, prohibits the
9 dual distribution of wine and beer on a wholesale basis in
10 that a certificate of approval holder once it has designated
11 a sales territory cannot sell products to another wholesaler
12 within that territory. This bill would prohibit a 2nd cer-
13 tificate of approval holder from selling the same brand
14 product to another wholesaler in the same territory thus
15 closing a potential loophole in the law.

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