

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 17  
6

7 H.P. 19

House of Representatives, January 3, 1985

8 Reference to the Committee on Legal Affairs suggested and ordered  
9 printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Rolde of York.  
11

12 STATE OF MAINE  
13

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

17 AN ACT to Further Competition with New  
18 Hampshire in the Liquor Trade.  
19

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

22 Sec. 1. 28 MRSA §451, first ¶, as amended by PL  
23 1979, c. 161, is further amended to read:

24 All spirits and wines, except table wines, shall  
25 be sold by the commission at a price to be determined  
26 by the commission which will produce a state liquor  
27 tax of not less than 75% based on the less carload  
28 cost F.O.B., State Liquor Commission warehouse, and  
29 in addition thereto there shall be levied and imposed  
30 an excise tax of 75¢ per gallon, or its metric equiv-  
31 alent, on wines containing more ~~then~~ than 14% alcohol  
32 by volume; except that spirits and wines sold at  
33 wholesale under section 204 may be sold at wholesale  
34 prices established pursuant to the provisions there-  
35 of. Prices for sale of spirits and wines bought by  
36 the commission from Maine licensees to manufacture

1 liquor under section 501 shall be based on minimum  
2 truck load delivery prices F.O.B. warehouse as the  
3 same are filed with the Public Utilities Commission.  
4 Special orders by the commission for unstocked mer-  
5 chandise shall be priced at not less than 75% over  
6 actual cost delivered F.O.B. warehouse. In all  
7 cases, the commission is authorized to round off  
8 costs to the next highest 5 cents 5¢. Any increased  
9 federal taxes levied on or after November 1, 1941,  
10 shall be added to the established price without mark-  
11 up. All net revenue derived from such tax shall be  
12 deposited to the credit of the General Fund of the  
13 State. Notwithstanding the other provisions of this  
14 section, the commission, with approval of the Commis-  
15 sioner of Finance and Administration, may reduce the  
16 price of discontinued items of liquor. The reduced  
17 price shall not be less than the actual cost of the  
18 discontinued liquor items and no item ~~shall~~ may be  
19 discontinued by the commission for a period of at  
20 least 6 months after such item has been listed and on  
21 sale in state stores. Notwithstanding the other pro-  
22 visions of this section, the commission, with the ap-  
23 proval of the Commissioner of Finance and Administra-  
24 tion, may reduce the price of liquor in ~~one store~~ 5  
25 stores, and licensees permitted to purchase liquor at  
26 a discount under section 204 may purchase liquor for  
27 resale from that store at the same price they are  
28 permitted to purchase liquor for resale from any  
29 state store which does not offer a retail discount.

30 **Sec. 2. Study.** The Joint Standing Committee on  
31 Legal Affairs of the Legislature shall conduct an  
32 indepth study of the feasibility of reducing the  
33 price of liquor throughout the State. The committee  
34 shall report its findings and recommendations, to-  
35 gether with all necessary implementing legislation to  
36 the Second Regular Session of the 112th Legislature.

1

STATEMENT OF FACT

2           The purpose of this bill is to provide for 5 ad-  
3           ditional discount liquor stores in order to more ef-  
4           fectively compete with the State of New Hampshire.  
5           The bill also provides for an indepth study by the  
6           Joint Standing Committee on Legal Affairs to deter-  
7           mine the feasibility of lowering liquor prices  
8           throughout the State.

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