

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 397, L.D. 546)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1303

7
8 H.P. 912

House of Representatives, April 16,, 1985

9 Reported by Representative Perry from the Committee on Legal Affairs
10 and printed under Joint Rule 2. Original bill sponsored by Representative
11 Hickey of Augusta. Cosponsored by Representative Paradis of Augusta.

EDWIN H. PERT, Clerk

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Provide a License to Florists for
19 Sale of Wine and Champagne in
20 Connection with Floral Business.
21

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

24 Sec. 1. 28 MRSA §2, sub-§5-A is enacted to read:

25 5-A. Florist or florist shop. "Florist" or
26 "florist shop" means a store the primary business of
27 which is the retail sale of flowers, cut flowers and
28 arrangements of flowers and cut flowers.

29 Sec. 2. 28 MRSA §701, sub-§4, ¶B, as enacted by
30 PL 1975, c. 741, §21, is amended to read:

31 B. Class VII License, table wine only \$125

32 (1) Class VII-A License -- optional license
33 -- for retail stores ~~or~~, retail service or-

1 met and the applicant has been a resident of the
2 State for at least 6 months prior to filing his ap-
3 plication.

4 All licensees under this section shall have and
5 maintain an adequate stock of flowers, cut flowers
6 and supplies used in the florist business, not in-
7 cluding liquor, in no case less than \$1,000 wholesale
8 value.

9 No licensee under this section may sell table
10 wine except when incorporated into a floral arrange-
11 ment the retail price of which is at least \$10 with-
12 out the table wine, not including delivery charges.

13 FISCAL NOTE

14 It is estimated that enactment of this new draft
15 will result in the following increase in revenues.

16	<u>1985-86</u>	<u>1986-87</u>
17 General Fund	\$4,500	\$4,500

18 STATEMENT OF FACT

19 This new draft provides a license to sell table
20 wine, which includes champagne, for florists. A
21 florist or florist shop is defined as a store which
22 sells flowers, cut flowers and arrangements of flow-
23 ers and cut flowers as its primary business.

24 Section 4 of the new draft allows the State Li-
25 quor Commission to issue a license to sell table wine
26 for off-premise consumption. This language tracks
27 the language which applies to retail store licenses,
28 but provides the license to florists who meet the
29 commission's requirements.

30 To qualify and maintain a license, a florist must
31 maintain at least \$1,000 wholesale value of stock
32 used in the florist business: Flowers; cut flowers;
33 and related supplies, not including liquor.

