

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND THIRTEENTH LEGISLATURE  
4

5 Legislative Document

NO. 103  
6

7 H.P. 94 House of Representatives, January 27, 1987  
8 Reference to the Committee on Legal Affairs suggested and  
ordered printed.

9 EDWIN H. PERT, Clerk  
Presented by Representative JOSEPH of Waterville.

10 Cosponsored by Representatives McHENRY of Madawaska,  
ROLDE of York and Senator TWITCHELL of Oxford.

11  
12 STATE OF MAINE  
13

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

17 AN ACT to Make Liquor Retail Prices Uniform  
18 Throughout the State.  
19

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

22 Sec. 1. 28 MRSa §451, as amended by PL 1985, c.  
23 785, Pt. A, §104, is further amended to read:

24 §451. Consumers' tax

25 All spirits and wines, except table wines, shall  
26 be sold by the commission at a price to be determined  
27 by the commission which will produce a state liquor  
28 tax of not less than 75% based on the less carload  
29 cost f.o.b., State Liquor Commission warehouse, and  
30 in addition thereto there shall be levied and imposed  
31 an excise tax of 75¢ per gallon, or its metric equiv-  
32 alent, on wines containing more than 14% alcohol by

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

34 Notwithstanding the other provisions of this sec-  
35 tion, the commission, with the approval of the Com-  
36 missioner of Finance and Administration, may reduce  
37 prices in one additional state liquor store, located  
38 to be convenient to the southbound lanes of the Maine  
39 Turnpike and near Exit 1 of the turnpike. Licensees  
40 may purchase liquor for resale from that store at the  
41 same price they are permitted to purchase liquor for  
42 resale from any state store which does not offer a  
43 retail discount.

44 Taxes on spirituous or vinous liquors imposed by  
45 the State shall not apply to spirituous or vinous li-

1 quors sold by wholesalers, manufacturers, bottlers  
2 and rectifiers holding licenses from the commission  
3 to any instrumentality of the United States, or to  
4 any vessel of foreign registry, or to industrial es-  
5 tablishments for use as an ingredient in the manufac-  
6 ture of food products, or for use as an ingredient in  
7 the manufacture of commodities which by reason of  
8 their nature cannot be used for beverage purposes.  
9 The commission is specifically authorized to make  
10 such rules and regulations as they deem necessary for  
11 carrying out the provisions of this paragraph.

12 Notwithstanding the other provisions of this sec-  
13 tion, the commission may, from time to time, estab-  
14 lish special prices on certain listed liquor items to  
15 be made available to the consumer at all state  
16 stores. The special prices may not be lower than the  
17 price established for the same listed item at the 2  
18 authorized special discount state stores.

19 Sec. 2. Adjustment on prices. On the effective  
20 date of this Act, the price of liquor at all state  
21 liquor stores shall be reduced to the price of liquor  
22 at retail liquor stores which, prior to the effective  
23 date of this Act, offered a retail discount.

24

#### STATEMENT OF FACT

25 The purpose of this bill is to equalize liquor  
26 prices throughout the State. The price would be the  
27 same retail price charged at the Kittery Liquor  
28 Store.

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