

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 330

S.P. 173

In Senate, February 22, 1989

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CAHILL of Sagadahoc.

Cosponsored by Senator DILLENBACK of Cumberland, Representative STEVENS of Sabattus and Representative JALBERT of Lisbon.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Amend the Liquor Laws of Maine.



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

3 Sec. 1. 28-A MRSA §1361, sub-§4, as enacted by PL 1987, c. 45,
5 Pt. A, §4, is amended to read:

7 4. No sales of malt liquor or wine to person without
9 wholesale license. No Except as provided in section 1453,
11 subsection 2, paragraph B, no certificate of approval holder may
sell or cause to be transported into the State any malt liquor or
wine to any person to whom a Maine wholesale license has not been
issued by the commission.

13 Sec. 2. 28-A MRSA §1453, sub-§2, ¶B is enacted to read:

15 B. If authorized by the bureau, a certificate of approval
17 holder may cause to be transported into this State, or sell,
19 wine to any person to whom a retail license has been issued
21 by the commission. The bureau shall authorize the sale or
23 transportation of wine provided for by this paragraph if the
retail licensee demonstrates that no wholesale licensee in
this State is offering for sale the specific product for
which authorization is sought.

25 Sec. 3. 28-A MRSA §2077, sub-§1, as amended by PL 1987, c.
342, §121, is further amended to read:

27 1. Importation of malt liquor or wine into State. No
29 Except as provided in section 1453, subsection 2, paragraph B, no
31 person other than a wholesale licensee may transport or cause to
33 be transported malt liquor or wine into the State in a quantity
greater than 3 gallons for malt liquor and 4 quarts for wine,
unless it was legally purchased in the State.

35 A. All shipments of malt liquor or wine transported or
37 caused to be transported by wholesale licensees into the
State must be accompanied by an invoice, including the
wholesale licensee's name and purchase number.

41 STATEMENT OF FACT

43 Under current law, a wine retailer under most circumstances
45 must buy wine from a distributor who has purchased that wine from
47 a winery or through a wine broker. This bill allows wine
49 retailers, authorized to do so by the Bureau of Alcoholic
51 Beverages, to purchase wine directly from the winery or broker if
the winery or broker is licensed as a certificate of approval
holder by the State Liquor Commission. The bill requires the
bureau to authorize these types of sales when the wine retailer
shows that no in-state distributor is selling the specific
product sought.