MAINE STATE LEGISLATURE

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	•	D.D. 1/10							
2	DATE: 3/15/94	(Filing No. S- 456)							
4	, · ·								
6	LEC	GAL AFFAIRS							
8	Reported by: Senator Handy	of Androscoggin							
10	Reproduced and distributed of the Senate.	under the direction of the Secretary							
12	STA	TE OF MAINE							
14	SENATE 116TH LEGISLATURE								
16		REGULAR SESSION							
18	COMMITTEE AMENDMENT "A	" to S.P. 612, L.D. 1710, Bill, "Ar							
20	Act to Simplify the State's								
22		ing out everything after the enacting ement of fact and inserting in its							
24	place the following:								
26	'Sec. 1. 28-A MRSA §64, Pt. A, §4, is amended to read	${f sub-\S2},$ as enacted by PL 1987, c. 45,							
28	2. Inventory. The cor	mission may keep and have on hand a							
30	stock of spirits and fortifi	ed wine for sale, the value of which, limits be computed on less-carlead							
32	price-quotations the deliver	ed case cost F.O.B. liquor warehouse e inventory value shall must be based							
34	upon actual cost for which	payment may be due and shall may not ount of working capital authorized.							
36	Spirits shall and fortified inventory until payment has h	<u>wine may</u> not be considered in the een made for them.							
38									
40	Sec. 2. 28-A MKSA §352, 791, §1, is amended to read:	$ ext{sub-}\$1,\P extbf{D}, ext{as} ext{enacted} ext{by PL}1991, ext{c.}$							
42		ne methods of payment, permitted in liquor store, when approved by the							
44	commission, may pay for	liquor purchased from the commission -agent-has-deposited-eash-in-eserew							
46	with-the-commission-to-	-eever-those-purchases by mailing a the commission when notified of the							
48	amount due or upon red	eiving a liquor delivery. Payments received or postmarked within 3 days							
50	•	r delivery or notification of the							

amount due.

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Sec. 3. 28-A MRSA §352, sub-§2, as repealed and replaced by PL 1991, c. 791, §1, is amended to read: Checks not honored on presentation; consequences. any check is not honored on presentation or if an agency liquor store fails to pay for liquor in-the-allotted-10-day-peried as 6 prescribed in subsection 1, the semmissien bureau shall withhold any license not issued or immediately take back the license if already issued, voiding that license until such time as the check 10 or invoice is paid in full, together with the cost of the check failure or collection procedure. The commission or bureau may 12 order that person to make all payments to the commission by cash, certified check or money order for a period not to exceed one 14 year. Sec. 4. 28-A MRSA §708, sub-§5 is enacted to read: 16 Combination packages. Notwithstanding subsection 3, 18 agency liquor store licensees may offer for sale any package or combination of packages of spirits that the commission has 20 approved for sale in state liquor stores. 22 Sec. 5. 28-A MRSA §1651, sub-§1, as amended by PL 1991, c. 819, §1, is further amended to read: 24 26 State liquor tax. Except as provided in subsection 2, the commission shall determine and set the price at which to sell all spirits which and fortified wine that will produce a state 28 liquor tax of not less than 75% 65% based on the less-carlead 30 delivered case cost F.O.B. liquor warehouse. 32 A---In-all-cases-the-commission-may-round-off-costs-to-the next-highest-5¢-34 B. - - Any - increased - federal - taxes - levied - on - or - after - Nevember 36 17-1941--shall-be-added-to-the-established-price-without markup 38 The commission shall add any cost to the State, related 40 to handling containers returned for refund pursuant to Title 32, section 1863-A, to the established price without markup. 42 Sec. 6. 28-A MRSA §1651, sub-§2, ¶¶B and D, as enacted by PL 44 1987, c. 45, Pt. A, §4, are repealed. 46 FISCAL NOTE 48 The Bureau of Liquor Enforcement within the Department of

Public Safety will incur some minor additional costs to enforce

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COMMITTEE AMENDMENT "A" to S.P. 612, L.D. 1710

revised	pr	ovisions	related	to	the	e co	nsec	quences	fc	r	late	or
nonhonor	ed	payments	These	cos	ts	can	be	absorbe	ed	wit	hin	the
bureau's existing budgeted resources.												

Changing the procedure for determining the value of spirits has no net effect on General Fund revenue.'

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STATEMENT OF FACT

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This amendment changes the procedure for determining the value of spirits and fortified wine for resale by computing the value based on the delivered case cost F.O.B. liquor warehouse filed by liquor vendors.

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The amendment allows agency liquor stores that order directly from the State Liquor and Lottery Commission to mail payments for liquor. Payments by mail must be received or postmarked within 3 days of receipt of a liquor delivery or notification of the amount due.

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The amendment permits agency liquor store licensees to sell combination packages of spirits that the State Liquor and Lottery Commission has approved for sale in state liquor stores.

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Thie amendment also adds a fiscal note to the bill.

Page 3-LR2931(2)