

# MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 204, L.D. 257, Bill, "An Act to Amend the Liquor Laws"

Amend the bill by striking out all of section 1 and inserting in its place the following:

Sec. 1. 28-A MRSA §708, as amended by PL 1995, c. 582, §1, is further amended to read:

§708. Prohibited discounts and rebates

1. Certificate of approval holders. A certificate of approval holder may not offer to wholesale licensees any special discounts, volume discounts or other reduced prices or discounts, except bona fide price reductions under section 1408 offered to all wholesale licensees. A certificate of approval holder may offer depletion allowances to wholesale licensees if the depletion allowance is posted in accordance with section 1408. A certificate of approval holder may not offer any free merchandise, rebate or gift contingent-on-the-purchase-of-malt-liquor-or-wine to the purchaser of an alcoholic beverage.

2. Wholesale licensees. A wholesale licensee may not offer to retail licensees any special discounts, volume discounts, depletion allowances, other reduced prices or discounts, or refunds except bona fide price reductions under section 1408 offered to all retail licensees. A wholesale licensee may not offer any free merchandise, rebate, refund or gift contingent-on-

COMMITTEE AMENDMENT

RWS

2 ~~the purchase of malt liquor, wine or low alcohol spirits to the~~  
~~purchaser of an alcoholic beverage.~~

4 3. **Retail licensees.** A retail licensee may not offer any  
6 free merchandise, rebate or gift contingent on the purchase of  
8 ~~malt liquor or wine. A retail licensee may not offer any free~~  
~~merchandise, rebate or gift contingent on the purchase of~~  
~~spirits, except for mail-in rebate coupons redeemed by the~~  
~~manufacturer to the purchaser of any alcoholic beverage.~~

10 5. **Combination packages.** Notwithstanding subsection 3,  
12 agency liquor store licensees may offer for sale any package or  
14 combination of packages of spirits that the commission has  
approved for sale in state liquor stores.

16 This section does not prohibit a certificate of approval  
18 holder from including a mail-in offer, a certificate or  
20 merchandise in a package of beer, wine or low-alcohol spirits for  
22 sale by an off-premise retailer. The package containing the  
mail-in offer, certificate or merchandise must be packaged by the  
certificate of approval holders at the brewery or winery.

24 This section does not prohibit the unconditional  
distribution of merchandise to the patrons of an on-premise  
establishment.'

26 Further amend the bill by inserting after section 3 the  
28 following:

30 'Sec. 4. 28-A MRSA §1075, sub-§3 is enacted to read:

32 3. Class A restaurant and Class A restaurant/lounge  
34 auxiliary license. When the bureau determines that a Class A  
36 restaurant or Class A restaurant/lounge that is not located on a  
golf course or at a ski area is operated by the same entity on  
the same contiguous property, the bureau may issue one auxiliary  
license.'

38 Further amend the bill by relettering or renumbering any  
40 nonconsecutive Part letter or section number to read  
42 consecutively.

44 Further amend the bill by inserting at the end before the  
summary the following:

**FISCAL NOTE**

1997-98                      1998-99

