

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

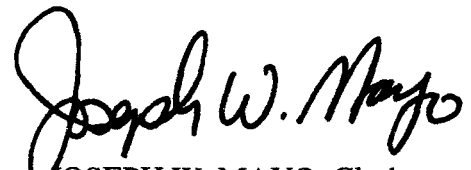
No. 543

H.P. 401

House of Representatives, January 19, 1999

**An Act to Amend the Laws Governing the Purchase of Liquor by
Commercial Entities.**

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


JOSEPH W. MAYO, Clerk

Presented by Representative PIEH of Bremen.
Cosponsored by Senator KILKELLY of Lincoln and
Representatives: BOLDUC of Auburn, DUGAY of Cherryfield, LEMONT of Kittery,
McKEE of Wayne, PERKINS of Penobscot, SHOREY of Calais, SKOGLUND of St. George,
WHEELER of Eliot.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 28-A MRSA §403, sub-§3, as enacted by PL 1987, c. 45,**
5 **Pt. A, §4, is amended to read:**

6 **3. Licensees may purchase liquor; price.** Licensees
7 authorized to sell liquor for off-premise consumption may
8 purchase liquor for resale from the state discount liquor stores
9 at the same price they are permitted to purchase liquor for
10 resale from any state store which that does not offer a retail
11 discount. Licensees authorized to sell liquor for on-premise
12 consumption may purchase liquor for resale from the state
13 discount liquor stores at the discount price.

14 **Sec. 2. 28-A MRSA §1403-A is enacted to read:**

15 **§1403-A. Return of wine and malt liquor products**

16
17 **1. Wholesale licensee shall accept returns.** A wholesale
18 licensee shall accept the return of wine and malt liquor products
19 sold to retail off-premise licensees and on-premise licensees if:

20
21 **A. The product is returned to the wholesale licensee from**
22 which it was purchased;

23
24 **B. The product is undamaged and acceptable for resale,**
25 unless it was defective at the time of purchase;

26
27 **C. A copy of the original purchase receipt is provided at**
28 the time of the return; and

29
30 **D. The return is made within 14 days of the original**
31 purchase.

32
33 **2. Exchange value.** The wholesale licensee shall provide a
34 refund for a returned product in an amount equal to the price of
35 the product at the time of purchase.

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39 **SUMMARY**

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41
42 This bill would permit persons authorized to sell liquor for
43 on-premise consumption to purchase liquor from a state discount
44 liquor store at the discount retail price and require wholesale
45 licensees to accept returns of malt liquor and wine purchased by
46 retail and on-premise licensees.