

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 973

H.P. 706

House of Representatives, February 4, 1999

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**An Act to Amend the Illegal Transportation of Liquor Law.**

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative THOMPSON of Naples.

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

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**Sec. 1. 28-A MRSA §2075, sub-§1, ¶A**, as amended by PL 1993, c. 730, §47, is further amended to read:

A. An individual may transport into the State and may transport from place to place within the State spirits for the individual's personal use in a quantity not greater than -4- 12 quarts.

**Sec. 2. 28-A MRSA §2075, sub-§2**, as amended by PL 1993, c. 730, §47, is further amended to read:

**2. Transportation of spirits within the State.** No A person may not transport or cause to be transported any spirits within the State in a quantity greater than -4- 12 quarts unless the spirits were purchased from a state or agency liquor store.

**Sec. 3. 28-A MRSA §2077, sub-§1**, as amended by PL 1993, c. 730, §49, is further amended to read:

**1. Importation of malt liquor or wine into the State.** No A person other than a wholesale licensee, small brewery licensee or farm winery licensee may not transport or cause to be transported malt liquor or wine into the State in a quantity greater than 3 9 gallons for malt liquor and 4 quarts for wine, unless it was legally purchased in the State.

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

**Sec. 4. 28-A MRSA §2077, sub-§2**, as amended by PL 1987, c. 342, §121, is further amended to read:

**2. Transportation of malt liquor and wine within the State.** No person other than a licensee may transport malt liquor, in a quantity greater than 3 gallons, or wine, in a quantity greater than -4- 12 quarts, within the State unless it was purchased from an off-premise retail licensee.

**Sec. 5. 28-A MRSA §2077, sub-§2-A**, as enacted by PL 1989, c. 817, §§2 and 4, is amended to read:

**2-A. Evidence.** The possession of more than 6 9 gallons of malt liquor or 8 12 quarts of wine in one or more containers that

2 are not labeled in accordance with Title 32, section 1865, is  
prima facie evidence of a violation of this section.

4 **Sec. 6. 28-A MRSA §2077, sub-§4,** as amended by PL 1993, c.  
730, §50, is further amended to read:

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8 **4. Penalties.** Any person who illegally transports less  
than ~~10~~ 16 gallons of wine or less than ~~10~~ 16 gallons of malt  
10 liquor into or within the State commits a civil violation for  
which a forfeiture not to exceed \$500 must be adjudged. Any  
12 person who illegally transports ~~10~~ 16 or more gallons of wine or  
~~10~~ 16 or more gallons of malt liquor into or within the State  
commits a Class E crime.

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### SUMMARY

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18 This bill increases the amounts of spirits, wine and malt  
liquor that may be legally transported within and into the State.