

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1382

S.P. 427

In Senate, March 5, 2001

**An Act to Permit Internet-based Communications to Facilitate the  
Purchase and Distribution of Wine.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator DAGGETT of Kennebec.  
Cosponsored by Representative NORBERT of Portland and  
Senator MITCHELL of Penobscot, Representatives: DUDLEY of Portland, DUNCAN of  
Presque Isle, MAYO of Bath.

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

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3       **Sec. 1. 28-A MRSA §2, sub-§8**, as amended by PL 1997, c. 373,  
4 §11, is further amended to read:

6       **8. Certificate of approval holder.** "Certificate of  
7 approval holder" means an instate manufacturer, out-of-state  
8 manufacturer or out-of-state wholesaler licensed by the bureau,  
9 including any out-of-state wholesaler that ships wine ordered  
10 electronically via the Internet into the State as provided in  
11 section 2077-C to another certificate of approval holder licensed  
12 by the bureau or a wholesaler or retailer licensed by the bureau.

14       **Sec. 2. 28-A MRSA §2077, sub-§1**, as amended by PL 1993, c.  
15 730, §49, is further amended to read:

16       **1. Importation of malt liquor or wine into the State.** No  
17 Except as provided by section 2077-C, a person other than a  
18 wholesale licensee, small brewery licensee or farm winery  
19 licensee may not transport or cause to be transported malt liquor  
20 or wine into the State in a quantity greater than 3 gallons for  
21 malt liquor and 4 quarts for wine, unless it was legally  
22 purchased in the State.

24       A. All shipments of malt liquor or wine transported or  
25 caused to be transported by wholesale licensees, small  
26 brewery licensees or, farm winery licensees or certificate  
27 of approval holders into the State must be accompanied by an  
28 invoice, including the wholesale licensee's, small brewery  
29 licensee's or farm winery licensee's name and purchase  
30 number. Out-of-state wholesalers that ship wine to a  
31 certificate of approval holder as provided in section 2077-C  
32 shall comply with the provisions of this paragraph.

34       **Sec. 3. 28-A MRSA §2077-B, sub-§1**, as enacted by PL 1997, c.  
35 501, §6, is amended to read:

38       **1. Prohibition.** A Except as provided by section 2077-C, a  
39 person may not sell, furnish, deliver or purchase liquor from an  
40 out-of-state company by mail order.

42       **Sec. 4. 28-A MRSA §2077-C** is enacted to read:

44       **§2077-C Shipping of wine ordered electronically via Internet**

46       **1. Certificate of approval holder.** A certificate of  
47 approval holder may accept and fill an order for wine placed by  
48 a person electronically via the Internet for delivery in the  
49 State by shipping the wine directly to a wholesaler licensed by  
50 the bureau.

