

MAINE STATE LEGISLATURE

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Date: 05-31-07

(Filing No. S- 185)

LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE

SENATE

123RD LEGISLATURE

FIRST REGULAR SESSION

Minority

COMMITTEE AMENDMENT “A” to S.P. 595, L.D. 1688, Bill, “An Act To Allow the Use of Credit Cards To Purchase Wine, Beer and Spirits from Distributors”

Amend the bill by striking out the title and substituting the following:

‘An Act To Allow Wholesale Licensees To Offer Credit for the Purchase of Malt Liquor, Wine and Spirits’

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

‘Sec. 1. 28-A MRSA §705, sub-§1, as repealed and replaced by PL 2003, c. 349, §1, is amended to read:

1. Sales for cash. Except as provided in ~~subsection~~ subsections 1-B and 1-F, a wholesale licensee, the employee of a wholesale licensee or a reselling agent as defined by section 2, subsection 27-A may not sell or offer to sell any liquor except for cash or payment by check or electronic funds transfer as provided in subsection 1-A.

Sec. 2. 28-A MRSA §705, sub-§1-F is enacted to read:

1-F. Limited credit terms. A wholesale licensee or a reselling agent may sell or offer for sale liquor on credit. Credit offered by a wholesale licensee or reselling agent must be on terms determined by the wholesale licensee or reselling agent. Those terms may include, but are not limited to, creditworthiness, minimum deposit requirements and applied interest. Credit offered for any purchase in accordance with this section may not be extended for a period of more than 14 days. The bureau, in accordance with chapter 33, may suspend the license of a retailer who does not abide by the credit terms of a wholesale licensee or reselling agent. The bureau may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A in order to implement this section.’

COMMITTEE AMENDMENT

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SUMMARY

This amendment replaces the bill. The amendment authorizes a wholesale licensee or reselling agent to sell liquor on credit. The credit terms offered to a retail licensee are determined by the wholesale licensee or reselling agent and credit may not be extended for more than 14 days for any purchase. A licensee who fails to abide by the credit terms is subject to license suspension. The amendment authorizes the division of liquor licensing and compliance within the Department of Public Safety to adopt rules to implement this provision.

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 1688

LR 2494(02)

An Act To Allow the Use of Credit Cards To Purchase Wine, Beer and Spirits from Distributors

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Legal and Veterans Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund