

# MAINE STATE LEGISLATURE

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L.D. 1987

Date: 4-15-08

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
123RD LEGISLATURE  
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 781,  
L.D. 1987, Bill, "An Act To Allow Direct-to-consumer Wine Sales"

Amend the amendment by inserting after the title the following:

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

**'An Act To Allow Direct-to-consumer Wine, Malt Liquor, Beer and Spirits  
Sales'**

Amend the amendment in section 1 in §1403-A in the first line (page 1, line 13 in amendment) by inserting after the following: "wine" the following: ', malt liquor, beer or spirits'

Amend the amendment in section 1 in §1403-A in subsection 1 in the first line (page 1, line 14 in amendment) by inserting after the following: "wine" the following: ', malt liquor, beer or spirits'

Amend the amendment in section 1 in §1403-A in subsection 1 in the 4th line (page 1, line 17 in amendment) by inserting after the following: "wine" the following: ', malt liquor, beer or spirits'

Amend the amendment in section 1 in §1403-A in subsection 3 in the first line (page 1, line 23 in amendment) by inserting after the following: "Wine" the following: ', malt liquor, beer or spirits'

Amend the amendment in section 1 in §1403-A in subsection 3 in the 4th line (page 1, line 26 in amendment) by inserting after the following: "wine" the following: ', malt liquor, beer or spirits'

Amend the amendment in section 1 in §1403-A in subsection 3 in the 6th line (page 1, line 28 in amendment) by inserting after the following: "wine" the following: ', malt liquor, beer or spirits'

Amend the amendment in section 1 in §1403-A by striking out all of subsection 4 (page 2, lines 1 to 4 in amendment) and inserting the following:



- 1 '4. Bottle size and case limit. A direct shipper may not ship:  
2 A. A container of wine of less than 750 milliliters and may ship no more than 12  
3 cases, each of which may contain no more than 12 750-milliliter bottles or an  
4 equivalent volume, to any one recipient address in a calendar year;  
5 B. A container of malt liquor or beer of less than 12 ounces and may ship no more  
6 than 12 cases, each of which may contain no more than 24 12-ounce bottles or cans  
7 or an equivalent volume, to any one recipient address in a calendar year; or  
8 C. A container of spirits of less than one liter and may ship no more than 12 cases,  
9 each of which may contain no more than 12 one-liter bottles or an equivalent volume,  
10 to any one recipient address in a calendar year.'

11 Amend the amendment in section 1 in §1403-A in subsection 8 in the 2nd line (page  
12 2, line 17 in amendment) by inserting after the following: "wine" the following: 'malt  
13 liquor, beer or spirits'

14 Amend the amendment in section 1 in §1403-A in subsection 10 in the 2nd line (page  
15 2, line 24 in amendment) by inserting after the following: "wine" the following: 'malt  
16 liquor, beer or spirits'

17 Amend the amendment in section 1 in §1403-A in subsection 10 in the 3rd line (page  
18 2, line 25 in amendment) by inserting after the following: "wine" the following: 'malt  
19 liquor, beer or spirits'

20 Amend the amendment by inserting after subsection 11 the following:

21 'Amend the bill in section 2 in subsection 1 in the 2nd line (page 2, line 21 in L.D.)  
22 by inserting after the following: "wine" the following: 'malt liquor, beer or spirits'

23 **SUMMARY**

24 This amendment allows direct-to-consumer sales of malt liquor, beer and spirits as  
25 well as wine.

26 **SPONSORED BY:** John L. Patrick  
27 **(Representative PATRICK)**

28 **TOWN: Rumford**

FISCAL NOTE REQUIRED  
(See attached)



Approved: 04/15/08 *mac*

# 123rd MAINE LEGISLATURE

LD 1987

LR 3147(03)

## An Act To Allow Direct-to-consumer Wine Sales

Fiscal Note for House Amendment "*A*" to Committee Amendment "A"

Sponsor: Rep. Patrick of Rumford

Fiscal Note Required: Yes

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### Fiscal Note

Potential current biennium revenue decrease - General Fund

#### Fiscal Detail and Notes

The General Fund revenue increase resulting from an increase in the number of shippers who register and remit sales tax is estimated to be \$18,980 in fiscal year 2008-09.

It is assumed that for sales of malt liquor, the amount of revenue received from the \$100 registration fee would be offset by a loss of excise tax, resulting in a minor loss of General Fund revenue.

It is unknown how many individuals would purchase spirits through the mail. It is assumed it could be significant and result in an undetermined increase in General Fund revenues. However, the sale of spirits through the mail could present certain contractual issues with Maine Beverage and could result in a potential significant cost to the General Fund which cannot be determined at this time. The contract with Maine Beverage allows the company to receive a certain net profit and gross profit percentage per year. If the State enacts any law which could affect these amounts, Maine Beverage could have recourse against the State. In addition, the contract is based upon Maine's status as a control state, where all spirits come into a central warehouse and are then distributed to agency liquor stores. Allowing the purchase of spirits through the mail could undermine this status.