

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 592

H.P. 411

House of Representatives, February 21, 2013

**An Act To Amend the Laws Dealing with the Purchase of Wine
Online**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BEAVERS of South Berwick.
Cosponsored by Senator TUTTLE of York and
Representatives: FOWLE of Vassalboro, GIFFORD of Lincoln, MITCHELL of the Penobscot
Nation, RUSSELL of Portland, SAUCIER of Presque Isle, Senator: MASON of Androscoggin.

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

2 **Sec. 1. 28-A MRSA §1403-A, sub-§1, ¶A,** as enacted by PL 2009, c. 373, §1, is
3 amended to read:

4 A. "Direct shipper" means a winery or a wine retailer that has obtained a wine direct
5 shipper license under subsection 2.

6 **Sec. 2. 28-A MRSA §1403-A, sub-§2,** as amended by PL 2011, c. 629, §29, is
7 further amended to read:

8 **2. Direct shipment of wine.** A small winery or other winery holding a federal basic
9 wine manufacturing permit located within or outside the State or a wine retailer may
10 obtain a wine direct shipper license by filing with the Liquor Licensing and Tax Division
11 an application in a form determined by the bureau accompanied by an application fee of
12 not more than \$200 and a copy of the applicant's current federal basic wine
13 manufacturing permit, as applicable, and a list of wine labels to be shipped in accordance
14 with this section except that the application fee is waived for those wineries that agree to
15 ship no more than 100 bottles into the State and for wine retailers.

16 **SUMMARY**

17 Current law allows a person to purchase wine online from a winery that has obtained
18 a wine direct shipper license from the State. This bill expands the law so that a person
19 can purchase wine online from a wine retailer as long as the wine retailer has obtained a
20 wine direct shipper license. The bill also exempts a wine retailer or winery that qualifies
21 for a wine direct shipper license and agrees to ship no more than 100 bottles into the State
22 in a calendar year from the \$200 application fee.