

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 704

S.P. 253

In Senate, February 26, 2013

An Act To Improve the Availability of Coupons in the State

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TUTTLE of York.

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

2 **Sec. 1. 28-A MRSA §708, sub-§7**, as amended by PL 2009, c. 504, §1, is further
3 amended to read:

4 **7. Instant marketing promotions.** A manufacturer or supplier of spirits listed for
5 sale by the commission may offer monetary rebates to consumers in the State in the form
6 of instant redeemable coupons ~~attached to the spirits product~~ as approved by the
7 commission in accordance with ~~conditions or~~ rules established by the commission.
8 Agency store licensees may redeem the coupons only upon proof of purchase and in
9 accordance with the terms listed on the coupon. ~~Instant redeemable coupons included~~
10 ~~with a spirits product must be inserted in the package by the manufacturer or attached to~~
11 ~~the package by the manufacturer, manufacturer's agent or manufacturer's sales~~
12 ~~representative. Instant redeemable coupons provided by the manufacturer's agent or~~
13 ~~manufacturer's sales representative must be made available to all agency store licensees~~
14 ~~electing to offer the coupon in an amount equal to the agency store's inventory of spirits~~
15 ~~products that are subject to the coupon promotion. Instant redeemable coupons attached~~
16 ~~to spirits sold to on-premise retail licensees by reselling agents are for the benefit of the~~
17 ~~on-premise retail licensee. An instant redeemable coupon attached to a spirits product~~
18 ~~sold by an agency store licensee to a consumer is for the benefit of the consumer who~~
19 ~~purchases the spirits product. Redemption of coupons by an agency store licensee is~~
20 voluntary.

21 **Sec. 2. Rules.** The State Liquor and Lottery Commission shall adopt rules to
22 implement this Act. Rules adopted pursuant to this section are routine technical rules as
23 defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

24 **SUMMARY**

25 This bill allows an agency store licensee to redeem coupons on a voluntary basis.
26 The bill removes language that requires that instant redeemable coupons be inserted in
27 the package by the manufacturer or attached to the package by the manufacturer,
28 manufacturer's agent or manufacturer's sales representative. The bill also removes
29 language that requires that instant redeemable coupons be made available to all agency
30 store licensees electing to offer the coupon in an amount equal to the agency store's
31 inventory of spirits products that are subject to the coupon promotion and removes
32 language that instant redeemable coupons are for the benefit of the on-premise retail
33 licensee. The bill also requires the State Liquor and Lottery Commission to establish
34 rules to implement the provisions of this bill.