

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
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3. Advertising. For the general purpose of merchandising and advertising Maine potatoes for food and for seed purposes under the direction of the Maine Potato Commission. The commission may use the advice and facilities of the Department of Economic Development and the Department of Agriculture in carrying out this subsection.

4. Balance of funds. The funds remaining over and above the expenses of carrying out this chapter, including the expenditures authorized under subsections 2 and 3, may be expended by the Potato Commission for such purposes as it may determine to be in the best interests of the Maine potato industry.

Effective September 23, 1971

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## Chapter 429

### AN ACT Relating to Disposition of Portion of Fees Collected by Maine State Park and Recreation Commission.

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

Sec. 1. R. S., T. 12, § 602, sub-§ 4, amended. Subsection 4 of section 602 of Title 12 of the Revised Statutes is amended by adding a new paragraph at the end, to read as follows:

Fifteen percent of all day use and camping fees received under this subsection in any state-owned land under jurisdiction of the commission shall be apportioned and paid to all municipalities having such land within their boundaries. In determining the payment to each municipality, the commission shall assign one unit per front foot for each foot of lake, pond, ocean or major river frontage and 5 units for each acre of all said lands within the municipality. Frontage and acreage shall be determined as of April 1st for the year in which revenue is being apportioned and shall be computed to the nearest whole unit. The commission shall increase the fees charged by it under this subsection by an amount which will reflect the loss of revenue to the State occasioned by such payment to the municipalities.

Sec. 2. Effective date. This Act shall become effective January 1, 1972.

Effective January 1, 1972

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## Chapter 430

### AN ACT to Further Regulate the Sale of Malt Liquor between Manufacturers and Wholesalers.

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

Sec. 1. R. S., T. 28, § 604, amended. Section 604 of Title 28 of the Revised Statutes, as amended, is further amended by inserting after the first paragraph a new paragraph, to read as follows:

No manufacturer or foreign wholesaler to whom a certificate of approval has been granted shall sell or cause to be transported into this State any malt liquor to any person to whom a Maine wholesale license has not been granted by the commission. No manufacturer or foreign wholesaler shall make it a condition in selling malt liquor or wine to any Maine wholesale licensee that such Maine wholesale licensee shall not sell malt liquor or wine manufactured or sold by other manufacturers or foreign wholesalers.

**Sec. 2. R. S., T. 28, § 652, amended.** The 3rd paragraph of section 652 of Title 28 of the Revised Statutes, as amended, is further amended by adding at the end a new sentence, to read as follows:

**The Administrative Hearing Commissioner shall revoke the license of any Maine wholesale licensee who shall make it a condition in selling malt liquor or wine to another Maine wholesale licensee that such Maine wholesale licensee shall not sell other brand names of malt liquor or wine.**

**Sec. 3. R. S., T. 28, § 653, additional.** Title 28 of the Revised Statutes is amended by adding a new section 653 to read as follows:

**§ 653. Report of changes in wholesalers to commission**

All manufacturers or foreign wholesalers to whom certificates of approval have been granted shall furnish the commission with a list of the Maine wholesale licensees who distribute their products in this State. Holders of certificates of approval shall notify in writing the commission and the wholesale licensee affected at least 90 days previous to any change to be made by them, either in their wholesale licensees or the territory of their wholesale licensee in this State.

All holders of licenses for the sale and distribution of malt liquor or wine at wholesale shall furnish the commission with a statement as to the holders of certificates of approval for whom they distribute malt liquor or wine in this State and a statement as to the boundaries of their territories. Wholesale licensees shall notify in writing the commission and the holder of the certificate of approval affected at least 90 days previous to any change in either the territory or the distribution of their products.

A holder of a certificate of approval or a wholesale licensee may request a hearing before the commission and for cause, the commission may shorten the waiting period before approving a change in either the wholesale licensee or the wholesale licensee's territory. If both the holder of a certificate of approval and the wholesale licensee affected waive the 90-day waiting period by notifying the commission in writing, then the commission may, at its discretion, immediately approve a change in either the wholesale licensee or the wholesale licensee's territory.

The commission shall adopt such rules and regulations as it shall deem necessary to provide for proper control over and disposition of malt liquor or wine in the hands of any wholesale licensee on the effective date of the termination of the wholesale licensee's agreement with a holder of a certificate of approval.

**Sec. 4. Application.** Nothing contained in this Act shall be construed to prohibit or restrict sales between wholesalers.