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An Act Regarding Maine Spirits

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, legislative action is immediately necessary to ensure continued and efficient administration of the state liquor contract; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 28-A MRSA §606, sub-§2, as amended by PL 2011, c. 380, Pt. PPPP, §1 and PL 2013, c. 368, Pt. V, §61, is repealed.

Sec. 2. 28-A MRSA §606, sub-§2-A is enacted to read:

2-A. Reselling agents report sales. All reselling agents shall report all spirits sales to on-premises retail licensees to the bureau in a manner determined by the bureau.

Sec. 3. 28-A MRSA §755, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

§ 755. Records confidential

All business and financial records of licensees are confidential, except that the information required to be provided under section 606, subsection 2-A by reselling agents is not confidential. The bureau shall keep confidential the name of a reselling agent selling to on-premises retail licensees.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

Under current law, on-premises retailers are required to report their liquor purchases from reselling agents to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. This bill instead requires reselling agents to report sales of spirits to on-premises retail licensees. This bill further provides that sales of spirits to on-premises retail licensees reported to the bureau from reselling agents are not confidential except for the names of the reselling agents.