

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 934

6
7 S.P. 343

In Senate, March 6, 1985

8 Reference to the Committee on Business and Commerce suggested and
9 ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Sewall of Lincoln.

Cosponsored by Senator Perkins of Hancock.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT Concerning the Licensing of Small
18 Maine Breweries.
19

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

22 Sec. 1. 28 MRSA §452, as amended by PL 1983, c.
23 756, §1, is further amended by adding after the 3rd
24 paragraph a new paragraph to read:

25 Notwithstanding the provisions of this section,
26 the excise tax imposed on malt beverages containing
27 25% or less alcohol by volume produced by a licensed
28 Maine small town brewery shall be 5¢ per gallon, or
29 its metric equivalent, on the first 10,000 gallons of
30 malt liquor withdrawn from the brewery in one year;
31 10¢ per gallon, or its metric equivalent, on all malt
32 beverages produced in excess of 10,000 gallons, but
33 not in excess of 25,000 gallons; and 20¢ per gallon,
34 or its metric equivalent, on all malt beverage pro-
35 duced in excess of 25,000 gallons.

1 Sec. 2. 28 MRSA §501, sub-§3-B is enacted to
2 read:

3 3-B. Maine small town breweries. Maine small
4 town breweries shall pay an annual license fee of
5 \$50.

6 For purposes of this section, "Maine small town brew-
7 ery" means a facility that is brewing, lagering and
8 kegging, bottling or packaging its own malt liquors
9 within the State. An inadequate amount of agricul-
10 tural products used for raw materials exists within
11 the State, therefore the minimum fee of \$1,500 shall
12 be waived, except for the tax on the imports. A
13 holder of a Maine small town brewery license may
14 produce malt liquors containing 25% or less alcohol
15 by volume in an amount not to exceed 50,000 gallons
16 per year or their metric equivalent.

17 A holder of a Maine small town brewery license may
18 establish a pub at or near the brewery.

19 A holder of a Maine small town brewery license may,
20 upon application to and approval of the commission
21 and payment of the license fee set out in this sub-
22 section, obtain a license for one additional location
23 other than the brewery licensed under this subsec-
24 tion. The holder of the license shall not be re-
25 quired to conduct any packaging or production of malt
26 liquors at the 2nd license location, but may conduct
27 all activities which are permitted by this section at
28 the brewery.

29 A holder of a Maine small town brewery license may
30 sell or deliver his product to licensed retailers and
31 wholesalers. In addition, he may sell, on the
32 premises, malt beverages produced at the brewery by
33 the bottle, case or in bulk to licensed retailers,
34 including, but not limited to, retail stores, restau-
35 rants and clubs.

36 A holder of a Maine small town brewery license may
37 list on labels and in its advertising the list of its
38 ingredients and its average percentage of the daily
39 nutritional requirements.

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STATEMENT OF FACT

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This bill provides for the licensing of Maine small town breweries to encourage, develop and improve the marketability of indigenous malt liquors and related agriproducts.

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