

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(Emergency)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2104

S.P. 803 In Senate, January 20, 1988
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 26.
Reference to the Committee on Legal Affairs suggested and
ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.
Cosponsored by Representative TELOW of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT to Change the Definition of Wine
Coolers.

1
2
3

4 Emergency preamble. Whereas, Acts of the
5 Legislature do not become effective until 90 days
6 after adjournment unless enacted as emergencies; and

7 Whereas, Public Law 1987, chapter 275, extended
8 Maine's bottle bill to include wine coolers but not
9 other wine products; and

1 Whereas, under that legislation, wine products
2 which are not wine coolers were inadvertently included
3 in the definition; and

4 Whereas, that provision was to take effect April
5 1, 1988, this bill is immediately necessary to clarify
6 the definition; and

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

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

15 **32 MRSA §1862, sub-§1**, as amended by PL 1987,
16 c. 275, §1, is further amended to read:

17 1. Beverage. "Beverage" means beer, ale or other
18 drink produced by fermenting malt, soda water or other
19 nonalcoholic carbonated drink in liquid form and
20 intended for human consumption. "Beverage" also
21 includes wine coolers. "Wine cooler" means a
22 beverage containing wine and more than 15% added
23 natural or artificial blending material, such as fruit
24 juices, flavors, flavorings or adjuncts; plain,
25 carbonated or sparkling water; coloring; or
26 preservatives; and which contains less than 7% of
27 alcohol by volume. "Wine cooler" means a beverage
28 containing wine and more than 15% added plain,
29 carbonated or sparkling water; and which contains
30 added natural or artificial blended material, such as
31 fruit juices, flavors, flavoring, adjuncts, coloring
32 or preservatives; and which contains less than 7%
33 alcohol by volume.

34 **Emergency clause.** In view of the emergency
35 cited in the preamble, this Act shall take effect
36 April 1, 1988.

1 STATEMENT OF FACT

2 This bill changes the definition of wine coolers
3 as found in the Maine Revised Statutes, Title 32,
4 section 1862, to more clearly define the term.

5

4059120887