

MAINE STATE LEGISLATURE

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(Emergency)
(New Draft of S.P. 803, L.D. 2104)
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2544

S.P. 959

In Senate, March 18, 1988

Reported by the Majority for the Committee on Legal Affairs and printed under Joint Rule 2. Original Bill sponsored by Senator BALDACCI of Penobscot. Cosponsored by: Representative TELOW of Lewiston.

JOY J. O'BRIEN, Secretary of the Senate

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

6 Whereas, Public Law 1987, chapter 275, extended
7 Maine's bottle bill to include wine coolers but not
8 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 is to take effect April 1,
5 1988, pursuant to Public Law 1987, chapter 543, this
6 bill is immediately necessary to clarify the
7 definition; and

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

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

16 32 MRSA §1862, sub-§1, as amended by PL 1987, c.
17 275, §1, and c. 543, is further amended to read:

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

29 A. "Wine cooler" means a beverage of less than 8%
30 alcohol content by volume consisting of wine and:

31 (1) Three per cent or more plain, sparkling
32 or carbonated water; and

33 (2) Any one or more of the following:

34 (a) Fruit juices;

35 (b) Fruit adjuncts;

