

# MAINE STATE LEGISLATURE

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L.D. 1327

(Filing No. S252 )

STATE OF MAINE  
SENATE  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 485, L.D. 1327, Bill, "An Act to Amend the Liquor Laws Relating to Wine Tasting"

Amend the bill in that part designated "~~§1205.~~" by striking out all of subsection 1 (page 1, lines 7 to 12 in L.D.) and inserting in its place the following:

'1. Taste testing on off-premise retail licensee's premises. Subject to the conditions in subsection 2, the commission may authorize an off-premise retail licensee, 50% or more of whose gross income is derived from the sale of wine or malt liquor, to conduct taste testings of wine on that licensee's premises. Any other consumption of alcoholic beverages on an off-premise retail licensee's premises is prohibited.'

Further amend the bill in that part designated "~~§1205.~~" in subsection 2 by striking out all of paragraph A (page 1, lines 17 and 18 in L.D.) and inserting in its place the following:

'A. No wine may be served to persons under 17 years of age.'

Further amend the bill in that part designated "~~§1205.~~" in subsection 2 in paragraph D (page 1, line 26 in L.D.) by striking out the following: "~~legally~~" and inserting in its place the following: 'visibly'

Further amend the bill in that part designated "~~§1205.~~" in subsection 2 in paragraph G in the 2nd line (page 1, line 34 in L.D.) by striking out the following: "~~commissioner~~" and inserting in its place the following: 'commission'

Further amend the bill in that part designated "~~§1205.~~" in subsection 2 by striking out all of paragraph H (page 1, lines 37 and 38 in L.D.) and inserting in its place the following:

'H. A retail licensee may conduct no more than one taste testing per month.'

1 Further amend the bill in that part designated "\$1205." in  
3 subsection 2 in paragraph I in the 3rd line (page 1, line 42 in  
L.D.) by striking out the following: "5." and inserting in its  
5 place the following: '5i'

7 Further amend the bill by inserting before the statement of  
fact the following:

9 'J. The retail licensee must notify the Bureau of Liquor  
11 Enforcement of the date and time scheduled for an on-premise  
taste testing; and

13 K. The retail licensee must purchase all wine served at a  
15 taste testing from a wholesale licensee.

17 **FISCAL NOTE**

19 The Bureau of Alcoholic Beverages within the Department of  
21 Finance will incur some minor additional costs which can be  
absorbed within existing resources.'

25 **STATEMENT OF FACT**

27 The amendment makes several changes to the bill to assure  
adequate state oversight and control of wine tastings.

29 The amendment allows the commission to authorize only those  
31 retail establishments, where 50% or more gross income comes from  
33 the sales of wine and beer, to conduct wine tastings. The intent  
is to limit wine tastings to retail stores which specialize in  
35 the sale of vintage wines.

37 The amendment changes the term "legally intoxicated" to  
"visibly intoxicated" to avoid ambiguity and to assure  
39 consistency with the State's dram shop laws.

41 The amendment permits retail licensees to conduct no more  
than one wine tasting per month.

43 The amendment also adds a requirement that a retail licensee  
45 holding a wine tasting permit must notify the Bureau of Liquor  
Enforcement of the time and date of each scheduled tasting.

47 The amendment requires that all wine served at a tasting by  
49 a retailer be purchased from a wholesale dealer. The intent is  
to prohibit conduct of sales promotions under the guise of wine  
51 tastings.

COMMITTEE AMENDMENT " A" to S.P. 485, L.D. 1327

1           Finally, the amendment changes the word "commissioner" to  
"commission" since the Liquor Commission does not in fact have a  
3 commissioner. Also, a retail licensee must obtain the  
commission's written approval before conducting a wine tasting.

Reported by Senator Matthews for the Committee on Legal  
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