

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1667

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H.P. 1142

House of Representatives, April 24, 1991

Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative KILKELLY of Wiscasset.

Cosponsored by Representative GRAY of Sedgwick, Representative PINEAU of Jay and Senator HOLLOWAY of Lincoln.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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An Act to Regulate Sales of Malt Liquor in Kegs.

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

28-A MRSA §714, as enacted by PL 1987, c. 45, Pt. A, §4, is repealed and the following enacted in its place:

§714. Malt liquor sales in kegs

1. Right of sale and purchase. The commission may not deny the wholesale and retail sale of malt liquor in a keg or any fraction of a keg to a purchaser entitled to purchase malt liquor. The sale of malt liquor in kegs is subject to the following conditions.

A. Every keg of malt liquor offered for sale in the State must be tagged in a manner and with a label of a type approved by the commissioner identifying the keg by serial number.

B. The seller of the keg shall require positive identification of the purchaser and shall log the name, address and date of birth of the purchaser with the serial number of the keg in a journal, along with the information required and subject to the other provisions concerning record keeping in chapter 31.

C. The seller of the keg shall require a \$50 deposit from the purchaser for purchase of a keg of any size, which deposit must be refunded on return of a properly tagged keg.

D. The seller shall inform the purchaser that if the keg is returned without the original numbered band intact, or if the keg is not returned within 60 days, the deposit will be forfeited.

E. The seller may retain \$20 of any deposit forfeited. The remainder of the forfeited deposit must be forwarded to the commission for distribution to drug abuse resistance education programs in the schools.

2. Penalties; possession of unlabeled keg. In addition to any other penalties imposed by law, any person found to possess an unlabelled keg purchased in this State after the date of this section is subject to a fine of \$100.

STATEMENT OF FACT

This bill imposes certain conditions on the purchase and sale of malt liquor kegs including required labels, deposits and record keeping with the intent of reducing access to beer kegs by minors.