

MAINE STATE LEGISLATURE

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MAJORITY
LEGAL AND VETERANS AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1835, L.D. 2571, Bill, "An Act to Promote Microbreweries and Wineries"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 28-A MRSA §1052-A, as amended by PL 1997, c. 373, §86, is repealed.

Sec. 2. 28-A MRSA §1052-B is enacted to read:

§1052-B. Special taste-testing festival license

1. Special taste-testing festival license. Manufacturers of malt liquor or wine licensed as small breweries or farm wineries under section 1355 may apply jointly for an additional license to participate in a special taste-testing festival under this section. The special taste-testing festival license is valid for no more than 3 consecutive days and may be issued once annually.

2. Fee. The license fee for the special taste-testing festival license is \$20 for each manufacturer of malt liquor and each manufacturer of wine.

3. Application. The licensees must apply jointly for a special taste-testing festival license by filing a written application with the bureau at least 5 days, not including Saturdays, Sundays or legal holidays, before the event. The application must include the following:

A. Name and address of each licensee;

COMMITTEE AMENDMENT

- 2 B. Title and purpose of the event;
- 4 C. Date, time and duration of the event;
- 6 D. Location of the event;
- 8 E. The method by which the licensees will monitor the
10 number of samples served to each person attending the
festival; and
- 12 F. Approval by the municipal officers or a municipal
14 official designated by the municipal officers of the
municipality where the proposed special taste-testing
16 festival will be located, which, notwithstanding section
653, may be granted without public notice.
- 18 4. Ruling on application. Upon receipt of the application,
20 the bureau shall immediately approve or deny the application.
The bureau shall advise the applicants that the license may be
22 revoked or suspended under chapter 33.
- 24 5. Conditions on taste-testing festivals. The following
conditions apply to taste-testing festivals under this section.
- 26 A. Licensees may not serve more than 12 4-ounce samples or
28 any number of samples that total more than 48 ounces to any
one person in one day.
- 30 B. Minors are prohibited from attending the special
32 taste-testing festival unless accompanied by a parent or
guardian.
- 34 C. Taste-testing must be conducted within the hours of
retail sale established in this Title.
- 36 D. A person may not be charged a fee beyond the fee for
38 admission for any malt liquor or wine served as part of a
taste-testing festival.
- 40 E. Each person attending the festival must be given a card,
42 tickets or some other mechanism to record the number of
samples consumed.
- 44 F. The licensee must record each sample served.
- 46 G. A sample may not be served to a person unless the
48 licensee has verified that the person has not reached the
sample limit.
- 50

2 H. A person who is visibly intoxicated may not be served.

4 6. Excise taxes; premiums. A licensee must pay the
6 appropriate excise taxes and premiums under sections 1652 and
1703 before the scheduled date of the special taste-testing
festival.'

8 Further amend the bill by inserting at the end before the
10 summary the following:

12 **'FISCAL NOTE**

14 Replacing the existing taste-testing festival license with a
16 new one that has broader applicability but a lower fee will
18 result in insignificant increases of General Fund revenue from
license fees collected by the Department of Public Safety.'

20 **SUMMARY**

22 This amendment replaces the original bill. It repeals the
24 special taste-testing festival license in current law and
replaces it with one that is applied for jointly by Maine small
26 breweries and wineries. The special taste-testing festival
license is for the purpose of promoting Maine small breweries and
28 wineries. The license fee per brewery or winery is \$20.

30 The amendment also adds a fiscal note to the bill.