

MAINE STATE LEGISLATURE

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L.D. 397

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DATE: *May 14, 2001*

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LEGAL AND VETERANS AFFAIRS

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**STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 121, L.D. 397, Bill, "An Act Regarding Direct Sales from Maine Breweries"

Amend the bill by striking out the title and substituting the following:

'An Act to Amend the Laws Governing Small Brewery Licenses'

Further 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 §1355, sub-§1-A, ¶C, as amended by PL 1993, c. 542, §1, is further amended to read:

C. The holder of a brewery license may sell on the brewery premises during regular business hours to nonlicensees only a specialty package of malt liquor produced at the brewery. The volume of the specialty package may not exceed ~~5-liters~~ 15.5 gallons and must be consumed off the premises. The sale of specialty packages described in this paragraph must comply with keg tagging requirements provided in section 714. The brewery shall submit a monthly report to its wholesaler detailing sales made directly from the brewery premises. The wholesaler shall calculate the fees for any bottle deposit and submit an invoice to the brewery for expenses associated with the requirements prescribed in Title 32, chapter 28 including the retailer handling fee, state container deposit and a mutually agreed-upon pick-up fee.

COMMITTEE AMENDMENT

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Sec. 2. 28-A MRSA §1355, sub-§2-A is enacted to read:

2-A. Small breweries that exceed production limit; license renewal. The bureau, upon application by the holder of a small brewery license whose brewery has produced malt liquor in an amount that exceeds 50,000 gallons in one year, may renew that holder's small brewery license for only one additional year.'

SUMMARY

This amendment replaces the original bill. It provides that a small brewery licensee may renew its license for only one year upon reaching the 50,000 gallon production threshold. After that year, if the licensee is still producing more than 50,000 gallons, it no longer qualifies for a small brewery license. The amendment also provides for proper compliance with the bottle deposit law.