

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1908

S.P. 706

In Senate, December 17, 2001

An Act to Prohibit the Consumption of Liquor by Minors on a Brewery Premises.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Received by the Secretary of the Senate on December 17, 2001. Referred to the Committee on Legal and Veterans Affairs and ordered printed pursuant to Joint Rule 308.2

A handwritten signature in cursive script that reads "Pamela L. Cahill".

PAMELA L. CAHILL
Secretary of the Senate

Presented by Senator DOUGLASS of Androscoggin.
Cosponsored by Representative LABRECQUE of Gorham and
Senator WOODCOCK of Franklin, Representative: TUTTLE of Sanford.

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

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3 **Sec. 1. 28-A MRSA §1355, sub-§1-A, ¶B,** as repealed and
4 replaced by PL 1987, c. 623, §15, is amended to read:

6 B. The holder of a brewery license may permit sampling of
7 the malt liquor product on the premises:

8 (1) By employees for the purpose of quality control of
9 the product;

10 (2) By wholesalers for the purpose of determining
11 whether to carry the brewery's product as a wholesale
12 product, provided that the holder of the brewery
13 license pays the excise tax on the product sampled
14 according to section 1652; and
15

16 (3) By the public in conjunction with a tour of the
17 brewery's facilities, provided that:

18 (a) The holder of the brewery license pays the
19 excise tax on the product sampled according to
20 section 1652; and
21

22 (b) Minors are not permitted to consume any
23 ~~product with an alcohol content greater than 1/2~~
24 ~~of 1% or possess any liquor or imitation liquor.~~
25

26 **Sec. 2. 28-A MRSA §1355, sub-§2, ¶A-1,** as amended by PL 1993,
27 c. 730, §46, is further amended to read:

28 A-1. A holder of a small brewery license may permit
29 sampling of the malt liquor product on the premises for the
30 following purposes.

31 (1) Employees may sample the product for the purpose
32 of quality control of the product.

33 (2) Wholesalers and retailers may sample the product
34 for the purpose of determining whether to carry the
35 product as a wholesale or retail product, provided that
36 the holder of the small brewery license pays the excise
37 tax on the product sampled according to section 1652.

38 (3) The public may sample the product in conjunction
39 with a tour of the brewery's facilities, provided that:

40 (a) The holder of the small brewery license pays
41 the excise tax on the product according to section
42 1652; and
43

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(b) Minors are not permitted to consume any
~~product with an alcohol content greater than 1/2~~
4 ~~of 1%~~ or possess any liquor or imitation liquor.

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SUMMARY

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10 Currently, the Maine Revised Statutes, Title 28-A, sections
705 and 2051 prohibit the sale of any liquor or imitation liquor
for consumption by a minor. This bill corrects language
12 contained in the provision governing the issuance of brewery and
small brewery licenses to reflect that prohibition.