

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1075

DATE: 5-13-05

(Filing No. H-359)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to H.P. 728, L.D. 1075, Bill, "An Act To Expand the Items That May Be Sold by Malt Liquor and Wine Licensees"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 28-A MRSA §1009, sub-§3, as amended by PL 1987, c. 342, §72, is further amended to read:

3. Eligible premises. The following premises are eligible to obtain a Class VII license:

A. Off-premise retailers with a qualifying stock of groceries, compatible merchandise or combination of both; and

C. Florist shops.'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 28-A MRSA §1205, as amended by PL 2005, c. 32, §1, is further amended to read:

§1205. Taste testing of wine

1. Taste testing on off-premise retail licensee's premises; fine wine stores and florist shops. Subject to the conditions in subsection 2, the bureau may authorize an off-premise retail licensee, 50% or more of whose gross income is derived from the

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sale of wine, malt liquor or spirits, or a fine wine store or a florist shop 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.

2. Conditions on taste-testing activities. The following conditions apply to taste-testing activities under this section:

A. No wine may be served to persons who have not yet attained the age of 21 years;

B. No person may be served more than a total of 5 ounces of wine;

C. No person may be charged a fee for any wine served as part of a taste-testing activity;

D. No person may be served who is visibly intoxicated;

E. Taste testing is limited to a designated area;

F. Taste testing shall be conducted within the hours of retail sale established in this Title;

G. The retail licensee must obtain the written permission of the bureau before conducting any taste-testing activity;

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

I. Taste testing is not allowed in any municipality where on-premise and off-premise sales are not allowed pursuant to chapter 5;

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

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

L. A florist shop may not conduct more than 2 wine taste-testing events per year.

For the purposes of this section, "fine wine store" means a store that carries at least 250 different wine labels or carries at least 125 different wine labels, holds a wine license only and meets the compatible merchandise requirement of section 1201, subsections 6 and 7. For the purposes of this section, "florist

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2 shop" means a store whose primary business is the retail sale of
flowers, cut flowers and arrangements of flowers and cut flowers.'

4 Further amend the bill by relettering or renumbering any
6 nonconsecutive Part letter or section number to read
consecutively.

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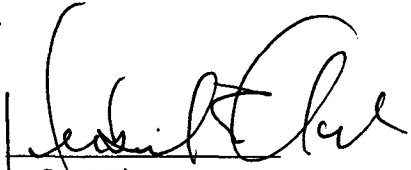
SUMMARY

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12 This amendment allows a florist shop that is licensed for
the sale of liquor to conduct not more than 2 wine taste-testing
14 events per year.

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18 SPONSORED BY: 
(Representative CLARK)

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TOWN: Millinocket

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