

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1082

S.P. 364

In Senate, March 19, 2013

**An Act Concerning the Ability of Off-premises Liquor Licensees To
Dispense Liquor in Sealed Refillable Containers**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Senator BOYLE of Cumberland, Representative CAMPBELL of Orrington
and Senators: COLLINS of York, CUSHING of Penobscot, DUTREMBLE of York,
LACHOWICZ of Kennebec, LANGLEY of Hancock, Representatives: BEAVERS of South
Berwick, DORNEY of Norridgewock.

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

2 **Sec. 1. 28-A MRSA §2, sub-§26**, as enacted by PL 1987, c. 45, Pt. A, §4, is
3 amended to read:

4 **26. Retail sale.** "Retail sale" means any single sale of liquor of less than 20 gallons,
5 or its metric equivalent, for consumption on or off the premises where sold and whether
6 in the original package, in a sealed refillable container or as a mixed drink for immediate
7 consumption.

8 **Sec. 2. 28-A MRSA §2, sub-§27**, as amended by PL 1997, c. 373, §18, is further
9 amended to read:

10 **27. Retailer.** "Retailer" means any person licensed by the bureau to engage in the
11 purchase and resale of liquor in the original container, sealed refillable container or by the
12 drink, for consumption on or off the premises where sold. "Retailer" does not include
13 wholesalers as defined in subsection 35.

14 A. "Off-premise retail licensee" means a person licensed to sell liquor in sealed
15 bottles, sealed refillable containers, containers or original packages to be consumed
16 off the premises where sold.

17 B. "On-premise retail licensee" means a person licensed to sell liquor to be
18 consumed on the premises where sold.

19 **Sec. 3. 28-A MRSA §1201, sub-§3-B** is enacted to read:

20 **3-B. Dispensing into sealable refillable container.** A person licensed under this
21 section may dispense liquor from a keg into a sealable refillable container for resale to be
22 consumed off the premises. A sealable refillable container must be sealed by the licensee
23 subsequent to dispensing for resale off the premises under this subsection. For purposes
24 of this subsection, "keg" has the same meaning as in section 714, subsection 1, paragraph
25 A.

26 **SUMMARY**

27 This bill allows off-premises retail liquor licensees to dispense liquor from kegs into
28 sealable refillable containers for resale.