

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1637

S.P. 628

In Senate, December 23, 2013

An Act To Amend the Laws Regarding Special Food and Beverage Taste-testing Event Licenses

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 23, 2013. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed.

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

DAREK M. GRANT
Secretary of the Senate

Presented by President ALFOND of Cumberland.
Cosponsored by Representative MONAGHAN-DERRIG of Cape Elizabeth and
Senators: BOYLE of Cumberland, SAVIELLO of Franklin, Representatives: CHIPMAN of
Portland, DEVIN of Newcastle, HERBIG of Belfast, MARKS of Pittston, McCABE of
Skowhegan.

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

2 **Sec. 1. 28-A MRSA §709, sub-§2, ¶E,** as amended by PL 2011, c. 629, §12, is
3 further amended to read:

4 E. Those licensed under ~~sections 1052-B or section~~ section 1052-C offering free samples or
5 tastings;

6 **Sec. 2. 28-A MRSA §1052-B,** as amended by PL 2013, c. 345, §3 and c. 351, §§1
7 and 2 and c. 368, Pt. XXXX, §1 and affected by §13, is repealed.

8 **Sec. 3. 28-A MRSA §1052-C,** as amended by PL 2011, c. 629, §18, is further
9 amended to read:

10 **§1052-C. Special event license**

11 **1. Special event license.** Malt liquor and wine wholesalers licensed under section
12 1401 and manufacturers licensed under section 1355-A or similarly licensed in another
13 state may apply jointly for a special food and beverage industry taste-tasting event license
14 to participate in a special food and beverage industry taste-testing event under this
15 section. This license authorizes taste-testing of malt liquor, wine, fortified wine and
16 spirits at an event designed to promote the food and beverage or hospitality industry
17 where more than 50% of the participants in the event represent an industry or business
18 that holds a license to manufacture, sell or serve alcoholic beverages.

19 **2. Fee.** The license fee for the special ~~food and beverage industry event taste-testing~~
20 license is \$20 for each wholesaler or manufacturer.

21 **3. Application.** ~~The wholesaler and manufacturer licensees~~ Applicants under
22 subsection 1 must apply jointly for a special food and beverage industry taste-testing
23 event license by filing a written application with the bureau at least 30 5 days before the
24 special food and beverage industry taste-testing event not including Saturdays, Sundays
25 or legal holidays. The bureau shall consider additional written applications to participate
26 in a special event from additional applicants after an initial application for that special
27 event has been submitted to the bureau. The application must include the following:

28 A. The name and address of each ~~licensee~~ applicant;

29 B. The title and purpose of the event;

30 C. The date, time and duration of the event;

31 D. The location of the event; and

32 E. Approval by the municipal officers or a municipal official designated by the
33 municipal officers of the municipality where the proposed special ~~food and beverage~~
34 ~~industry taste-testing~~ event will be located. Notwithstanding section 653, the
35 approval may be granted without public notice.

36 **4. Up to 10 licensed events per year; one event per license.** A manufacturer or
37 wholesaler may obtain up to ~~5~~ 10 licenses under this section per calendar year. Each
38 license permits an event lasting up to 3 consecutive days.

- 1 1. Allowing malt liquor and wine wholesalers and manufacturers similarly licensed in
2 another state to qualify for a special event license;
- 3 2. Increasing the number of licenses for licensed events that may be obtained by a
4 manufacturer or wholesaler per year from 5 to 10;
- 5 3. Allowing additional persons to pour samples of wine and malt liquor at such
6 events;
- 7 4. Allowing a brewery or winery that is not a certificate of approval holder but is
8 licensed for a special event to provide malt liquor or wine for the event when that malt
9 liquor or wine is not registered with the State but is registered with the Federal
10 Government; and
- 11 5. Changing the timing regarding when excise taxes and premiums must be paid.