

MAINE STATE LEGISLATURE

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L.D. 511

Date: 5/20/15

Majority

(Filing No. H-176)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 350, L.D. 511, Bill, "An Act To Permit a Licensed Sales Representative To Provide Spirits at an Approved Tasting Event"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 28-A MRSA §460, sub-§1, as enacted by PL 2009, c. 459, §1, is amended to read:

1. Taste testing on agency liquor store premises. Subject to the conditions in subsection 2, the bureau may authorize an agency liquor store stocking at least 200 different codes of distilled spirits products to conduct taste testing of distilled spirits on that licensee's premises. An agency liquor store may request authority to conduct a taste testing using forms prescribed by the bureau. The request must indicate if a sales representative licensed under section 1502 will be providing the spirits for taste testing and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner. Any other consumption of alcoholic beverages on an agency liquor store's premises is prohibited, except as permitted under section 1205 or 1207.

Sec. 2. 28-A MRSA §460, sub-§2, ¶M, as enacted by PL 2009, c. 459, §1, is repealed.

Sec. 3. 28-A MRSA §460, sub-§2, ¶M-1 is enacted to read:

M-1. Distilled spirits served at a taste testing must be provided by the agency liquor store or purchased, at the retail list price, by a licensed sales representative participating in the taste testing from existing stock available for purchase at the agency liquor store.

Sec. 4. 28-A MRSA §1501, as amended by PL 2013, c. 588, Pt. B, §5, is further amended to read:

COMMITTEE AMENDMENT

1 **§1501. Lists of officers, partners and sales representatives**

2 All persons selling liquor ~~to~~ in the State shall furnish to the bureau a list of all officers
3 and directors, if a corporation, or a list of all partners, if a partnership, and the name of
4 the sales representatives of the person within the State.

5 **Sec. 5. 28-A MRSA §1505, first ¶**, as enacted by PL 2009, c. 459, §5, is
6 amended to read:

7 A sales representative holding a license under section 1502 may participate in a
8 tasting event permitted under section 460, ~~or~~ 1205 or 1207 subject to the provisions of
9 this section.

10 **Sec. 6. 28-A MRSA §1505, sub-§4**, as enacted by PL 2009, c. 459, §5, is
11 amended to read:

12 **4. Pour or distribute.** A sales representative participating in a tasting event
13 pursuant to this section may not pour or distribute to consumers the products being
14 offered for tasting during the event. A sales representative may purchase spirits for a
15 consumer tasting event in compliance with section 460 if the sales representative has
16 successfully completed an alcohol server education course approved by the
17 commissioner.'

18 **SUMMARY**

19 This amendment replaces the bill and is the majority report of the committee. The
20 amendment provides that a licensed sales representative may provide spirits for a taste
21 testing at an agency liquor store. The agency liquor store must indicate that a sales
22 representative will be providing the product and verify that the sales representative has
23 successfully completed an alcohol server education course when it requests authorization
24 to conduct a spirits tasting event. Spirits provided by a sales representative must be
25 purchased at the regular retail price from the agency liquor store where the tasting will
26 take place. Under the provision of law governing licensed sales representatives, the
27 amendment adds the requirement that a sales representative who provides spirits for a
28 consumer tasting at an agency liquor store must have successfully completed an alcohol
29 server education course. The amendment also makes a technical correction to existing
30 law governing licensed sales representatives.