

MAINE STATE LEGISLATURE

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L.D. 761

Date: 5/28/15

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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. 514, L.D. 761, Bill, "An Act To Authorize Free Samples of Wine by a Restaurant"

Amend the bill by striking out the title and substituting the following:

'An Act To Authorize Free Samples of Liquor by a Restaurant'

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 28-A MRSA §1055 is enacted to read:

§1055. Liquor samples at restaurants

1. Liquor samples at restaurants. A restaurant licensed by the bureau as a Class A restaurant or a Class A restaurant/lounge may offer complimentary samples of malt liquor, wine or spirits to a customer, subject to the following conditions:

A. A sample may not be given to a person under 21 years of age;

B. A person may not be provided more than 3 samples per day, and samples are subject to the following size limits:

(1) A sample of malt liquor may not exceed 3 ounces;

(2) A sample of wine may not exceed one ounce; and

(3) A sample of spirits may not exceed 1/2 of one ounce;

C. A person who is visibly intoxicated may not be served;

D. The sampling must be conducted during regular business hours of the Class A restaurant or Class A restaurant/lounge and must take place on the licensed premises only in areas of the Class A restaurant or Class A restaurant/lounge where liquor is normally served to customers;

E. Samples may be provided only by employees of the Class A restaurant or Class A restaurant/lounge;

COMMITTEE AMENDMENT

R.C.F.S.

1 F. Wine or malt liquor served as a sample must be purchased from a wholesale
2 licensee; and

3 G. Spirits served as a sample must be purchased from the State or the State's
4 contracted wholesaler.'

5 **SUMMARY**

6 This amendment changes the bill by allowing a Class A restaurant or Class A
7 restaurant/lounge to offer samples of malt liquor, wine and spirits. The bill allows for
8 restaurants to offer samples of wine only. The amendment provides that a person may
9 not be given more than 3 samples per day. The amendment also establishes sample size
10 limits. A sample of malt liquor may not exceed 3 ounces. A sample of wine may not
11 exceed one ounce. A sample of spirits may not exceed 1/2 of one ounce. Finally, the
12 amendment specifies that samples must be provided in areas of the restaurant where
13 liquor is normally served. Like the bill, the amendment provides that samples are for
14 customers and may not be provided to minors or visibly intoxicated persons.