

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 1083

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H.P. 744

House of Representatives, March 25, 2015

**An Act To Facilitate the Use of Half-gallon Containers for Malt  
Liquor at Maine Brew Pubs**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative McCABE of Skowhegan.  
Cosponsored by Representatives: BEEBE-CENTER of Rockland, DEVIN of Newcastle,  
LUCHINI of Ellsworth, TEPLER of Topsham, WARREN of Hallowell, Senators: BRAKEY  
of Androscoggin, JOHNSON of Lincoln, McCORMICK of Kennebec.

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

2 **Sec. 1. 28-A MRSA §1355-A, sub-§3, ¶C**, as enacted by PL 2011, c. 629, §22,  
3 is amended to read:

4 C. Notwithstanding any other provision of this Title, a brewery or small brewery  
5 licensed in accordance with this section may sell from the establishment at the site of  
6 the brewery licensed for the sale of alcoholic beverages to be consumed on the  
7 premises malt liquor to be consumed off the premises under the conditions specified  
8 in this paragraph.

9 (1) Only malt liquor brewed at the brewery where the on-premises establishment  
10 is licensed may be sold at the on-premises establishment.

11 (2) Malt liquor must be dispensed in bottles ~~provided by and with labels unique~~  
12 ~~to the brewery~~ of 32 to 64 ounces in volume.

13 (3) No more than 6 bottles may be prefilled at any one time.

14 (4) A deposit may be charged per bottle. Bottles sold under this paragraph are  
15 not subject to Title 32, chapter 28.

16 (5) The bottle in which the malt liquor is dispensed must be sealed by the  
17 licensee with a seal that is tamper-evident.

18 (6) Malt liquor dispensed in accordance with this paragraph must be consumed  
19 off the premises.

20 (7) All sales of malt liquor from the on-premises establishment for off-premises  
21 consumption must be accompanied by a sales receipt with a time stamp that  
22 indicates time of purchase.

23 (8) Sale of malt liquor from the on-premises establishment for off-premises  
24 consumption may not be made after 10:00 p.m.

25 The bureau may adopt rules to enforce this paragraph. Rules adopted in accordance  
26 with this paragraph are routine technical rules in accordance with Title 5, chapter  
27 375, subchapter 2-A.

28 **SUMMARY**

29 This bill removes the requirement that the bottles breweries or small breweries use to  
30 sell malt liquor for off-premises consumption from their licensed on-premises  
31 establishment, typically half-gallon containers, be provided by the breweries and have  
32 labels unique to each brewery.