

MAINE STATE LEGISLATURE

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ROPS

L.D. 1536

Date: 5/31/17

(Filing No. H-364)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1056, L.D. 1536, Bill, "An Act To Allow Maine Manufacturers To Sell Products for Off-premises Consumption at Taste-testing Events and Farmers' Markets and To Allow Taste Testings at Farmers' Markets"

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

'An Act To Allow Maine Manufacturers To Sell Spirits at Farmers' Markets and To Allow Taste Testings at Farmers' Markets'

Amend the bill by striking out all of sections 1 to 3.

Amend the bill in section 5 in subsection 3 by striking out all of paragraph B (page 2, lines 10 to 13 in L.D.) and inserting the following:

'B. Prior to each month during which the licensee wishes to sell or conduct a taste testing at a farmers' market, the licensee shall provide to the bureau a list of the date, time and location of each farmers' market at which the licensee intends to sell or conduct a taste testing and must receive approval from the bureau for that month.'

Amend the bill in section 5 in subsection 3 by striking out all of paragraph F (page 2, lines 23 and 24 in L.D.) and inserting the following:

'F. Taste testing ~~or sampling~~ of wine, spirits and malt liquor ~~is not permitted at the farmers' market~~ may be conducted in accordance with section 1367.'

Amend the bill in section 5 in subsection 3 in paragraph G in the last line (page 2, line 26 in L.D.) by inserting after the following: "this Title." the following: "The holder of a small distillery license may provide spirits for sale at a farmers' market in the same manner as permitted under section 1355-A, subsection 5, paragraph G."

Amend the bill in section 7 in §1367 in subsection 1 in the first line (page 3, line 2 in L.D.) by inserting after the following: "section" the following: 'and the applicable bylaws of the farmers' market'

Amend the bill in section 7 in §1367 in subsection 1 in the 3rd line (page 3, line 4 in L.D.) by striking out the following: "farmers' markets" and inserting the following: 'a farmers' market'

COMMITTEE AMENDMENT

ROF 9

1 Amend the bill in section 7 in §1367 in subsection 1 in the last line (page 3, line 5 in
2 L.D.) by inserting after the following: "paragraph A." the following: 'A farmers' market
3 may allow up to 2 dates per month on which a licensee described in this subsection may
4 conduct a taste-testing event.'

5 Amend the bill in section 7 in §1367 in subsection 2 in paragraph G in the last 2 lines
6 (page 3, lines 22 and 23 in L.D.) by striking out the following: "A licensee is limited to 6
7 taste-testing events per calendar year at farmers' markets."

8 Amend the bill in section 7 in §1367 in subsection 2 by inserting after paragraph G
9 the following:

10 'H. A licensee may provide for taste testing only liquor that is manufactured by the
11 licensee in accordance with section 1355-A.'

12 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
13 section number to read consecutively.

14 SUMMARY

15 This amendment strikes the provisions in the bill that permit a manufacturer who
16 takes part in a taste-testing event to also sell the manufacturer's products at that event for
17 off-premises consumption. The bill eliminates the requirement that a manufacturer
18 provide advance notice to the Department of Administrative and Financial Services,
19 Bureau of Alcoholic Beverages and Lottery Operations that the manufacturer is selling its
20 product at a farmers' market. The amendment maintains that requirement and requires
21 that notice of a taste-testing event also be provided to the bureau. The amendment
22 clarifies that spirits sold by a small distillery at a farmers' market may be sold in the same
23 manner as permitted under current law when a small distillery sells spirits from its
24 manufacturing facility for off-premises consumption. The amendment maintains the
25 authorization in the bill that manufacturers of liquor may conduct a taste testing at
26 farmers' markets. The amendment specifies that the manufacturer must comply with the
27 bylaws of the farmers' market in order to conduct a taste testing and that a farmers'
28 market is limited to 2 taste-testing events per month at which a manufacturer may offer
29 the manufacturer's product for taste testing.

30 FISCAL NOTE REQUIRED

31 (See attached)



128th MAINE LEGISLATURE

LD 1536

LR 720(02)

An Act To Allow Maine Manufacturers To Sell Products for Off-premises Consumption at Taste-testing Events and Farmers' Markets and To Allow Taste Testings at Farmers' Markets

Fiscal Note for Bill as Amended by Committee Amendment

ACH-364

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor revenue increase - General Fund

Fiscal Detail and Notes

This bill would add manufacturers of spirits to the list of entities allowed to offer samples of and sell alcoholic beverages for off-premise consumption at farmers markets. Any additional General Fund revenue as a result of additional licenses is anticipated to be minor.