

# 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 scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

SMY  
R. O. S.

L.D. 1786

Date: 2-28-18

(Filing No. H-619)

VETERANS AND LEGAL AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1231, L.D. 1786, Bill, "An Act Regarding Maine's Liquor Laws"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 28-A MRSA §708-C, sub-§1, as enacted by PL 2015, c. 214, §3, is amended to read:

1. Donations for an auction or award. A person licensed by the bureau under section 1355-A, a certificate of approval holder, a manufacturer or supplier of distilled spirits or a wholesaler may donate a certificate to purchase its product or donate its product to a public broadcasting station, an incorporated civic organization or a similarly purposed national organization designated by the United States Internal Revenue Service under the United States Internal Revenue Code of 1986, Section 501(c)(3) for the purpose of an auction or to offer as a prize, gift or award in conjunction with efforts to support the purposes of the incorporated civic organization, similarly purposed organization or public broadcasting station. Spirits donated in accordance with this subsection must have first been sold to the State or the State's contracted wholesaler for listing, pricing and distribution in accordance with this Title be listed by the commission for sale in this State, clearly labeled as a donation and purchased from the State's wholesale liquor provider at list price. A person authorized to make a donation in accordance with this subsection shall maintain a record of each donation, including the value of the donation and the date on which it was made. A recipient of a donation under this subsection must be 21 years of age or older.'

Amend the bill in section 3 in paragraph I in the first line (page 1, line 18 in L.D.) by inserting after the following: "location" the following: ', on the premises of the licensed location or at another location.'

Amend the bill in section 3 in paragraph I by inserting after subparagraph (2) the following:

H. O. P. S.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

'(2-A) Liquor sold under a chapter 43 retail license operated on the premises of a location licensed under this section may not be consumed on any part of the premises where patrons are not generally permitted.'

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

**SUMMARY**

This amendment provides that distilled spirits may be donated to charitable organizations by both in-state and out-of-state manufacturers. It also clarifies how those donations are processed by the State or the State's wholesale liquor provider. This amendment provides that a manufacturer in the State is entitled to have a retail license under the Maine Revised Statutes, Title 28-A, chapter 43 per licensed manufacturing location, either on the premises of the manufacturing facility or at another location. The amendment also clarifies that liquor sold under a retail license issued pursuant to chapter 43 may not be consumed on any part of the premises where patrons are not generally permitted.

**FISCAL NOTE REQUIRED**

(See attached)



Approved: 02/22/18 *MJC*

# 128th MAINE LEGISLATURE

LD 1786

LR 2807(02)

An Act Regarding Maine's Liquor Laws

Fiscal Note for Bill as Amended by Committee Amendment *A<sup>n</sup> (H-619)*

Committee: Veterans and Legal Affairs

Fiscal Note Required: Yes

---

## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

This bill clarifies the rules allowing a licensed manufacturer to also hold a license for a retail establishment where liquor is consumed on the premises and also establishes that distilled spirits may be donated to charitable organizations by both in-state and out-of-state manufacturers. Any additional costs to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, as a result of these changes are anticipated to be minor and can be absorbed within existing budgeted resources.