

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2018

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Legislative Document

No. 1786

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H.P. 1231

House of Representatives, January 16, 2018

### An Act Regarding Maine's Liquor Laws

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

ROBERT B. HUNT  
Clerk

Presented by Representative LUCHINI of Ellsworth.

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

2 **Sec. 1. 28-A MRSA §9**, as amended by PL 1997, c. 373, §24, is repealed.

3 **Sec. 2. 28-A MRSA §1355-A, sub-§2, ¶D**, as amended by PL 2017, c. 34, §1, is  
4 further amended to read:

5 D. A licensee under this section may sell from the licensed premises where liquor is  
6 produced by the licensee liquor produced by the licensee for consumption off the  
7 licensed premises.

8 (1) Sales made in accordance with this paragraph do not require a licensee under  
9 this section to obtain an additional retail license under chapter 45.

10 (2) Liquor sold in accordance with this paragraph may not be consumed  
11 anywhere on the licensed premises.

12 (3) The area of the licensed premises where a licensee opts to transact sales for  
13 off-premises consumption is not required to be separate from and may be  
14 accessed from by the same entrance used to access an for the area licensed for on-  
15 premises consumption of liquor under chapter 43 in accordance with paragraph I.

16 **Sec. 3. 28-A MRSA §1355-A, sub-§2, ¶I**, as amended by PL 2017, c. 280, §1, is  
17 further amended to read:

18 I. A licensee may be issued one retail license under chapter 43 per licensed location  
19 for the sale of liquor to be consumed on the premises at the retail premises if the same  
20 person or persons hold a controlling interest in both the licensed manufacturing  
21 location and the licensed retail establishment.

22 (2) The retail license authorizes the sale of products of the brewery, small  
23 brewery, winery, small winery, distillery or small distillery, in addition to other  
24 liquor permitted to be sold under the retail license, to be consumed on the  
25 premises.

26 (3) All records related to activities under a manufacturer license issued under  
27 this section must be kept separate from records related to the retail license.

28 (4) A distillery or small distillery must meet the requirements of subsection 5,  
29 paragraphs D and E.

30 (5) The licensee shall ensure that products purchased for off-premises  
31 consumption under paragraph D are not consumed on the licensed premises.

32 **Sec. 4. 28-A MRSA §1355-A, sub-§2-A**, as enacted by PL 2017, c. 280, §2, is  
33 repealed.

34 **SUMMARY**

35 This bill clarifies provisions in existing law authorizing a licensed manufacturer to  
36 hold a license for a retail establishment where liquor is consumed on the premises. The  
37 bill also repeals a provision that requires the Department of Administrative and Financial

1 Services, Bureau of Alcoholic Beverages and Lottery Operations to establish rules for the  
2 separation of areas where the privilege of a liquor license may be exercised from where it  
3 may not be exercised.