

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2155

S.P. 874

In Senate, January 7, 2026

An Act to Clarify Certain Laws Governing Licenses for the Sale of Liquor by Manufacturers

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

A handwritten signature in dark ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator GROHOSKI of Hancock.

Cosponsored by Representative FRIEDMANN of Bar Harbor and

Senators: BENNETT of Oxford, MARTIN of Oxford, Representatives: FAIRCLOTH of Bangor, GRAHAM of North Yarmouth, HENDERSON of Rumford, HEPLER of Woolwich, STOVER of Boothbay, TERRY of Gorham.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** recently enacted legislation that took effect May 23, 2025 limited the
4 number of on-premises retail liquor licenses that could be held by a liquor manufacturer at
5 one time; and

6 **Whereas,** several persons that hold a majority ownership interest in liquor
7 manufacturers that were licensed prior to the passage of the legislation limiting the number
8 of on-premises retail liquor licensees that person holds no less than a majority ownership
9 interest in are now in violation of the law and may be forced to sell or close their existing
10 businesses as a result; and

11 **Whereas,** this legislation needs to take effect as soon as possible to exempt persons
12 that hold a majority ownership interest in liquor manufacturers that also hold no less than
13 a majority ownership interest in licensees that hold on-premises retail liquor licenses issued
14 prior to May 23, 2025 from the restrictions limiting the number of liquor manufacturer
15 licensees that a person may hold a majority ownership interest in at one time; and

16 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
17 the meaning of the Constitution of Maine and require the following legislation as
18 immediately necessary for the preservation of the public peace, health and safety; now,
19 therefore,

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

21 **Sec. 1. 28-A MRSA §1355-A, sub-§2, ¶I,** as amended by PL 2025, c. 87, §3, is
22 further amended to read:

23 I. A licensee governed by this subsection may be issued one or more on-premises retail
24 licenses under chapter 43 per licensed manufacturing facility under the conditions
25 specified in this paragraph. An on-premises retail license issued under chapter 43 on
26 or after May 23, 2025 may be for retail activities located at the manufacturing facility
27 or for retail activities at another location if the same person or persons hold a majority
28 ownership interest in both the manufacturing licensee and the on-premises retail
29 licensee licensed under chapter 43.

30 (1-A) If a person or persons hold a majority ownership interest in one
31 manufacturing licensee, the person or persons may hold no less than a majority
32 ownership interest in up to 3 12 retail licensees licensed under chapter 43. If a
33 person or persons hold a majority ownership interest in at least 2 manufacturing
34 licensees that, collectively, manufacture at least 1,000 barrels of liquor per year,
35 the person or persons may hold no less than a majority ownership interest in up to
36 6 12 on-premises retail licensees licensed under chapter 43. A person or persons
37 with a majority ownership interest in one or more manufacturing licensees may not
38 hold an ownership interest in more than 6 12 on-premises retail licensees licensed
39 under chapter 43.

40 Licensees that hold a license issued under chapter 43 that were issued a license on
41 or before May 23, 2025 are exempt from the calculation of ownership interest
42 under this subparagraph.

1 (2) A retail license issued under chapter 43 authorizes the sale for on-premises
2 consumption of products produced at the manufacturing facility as well as other
3 liquor permitted to be sold under the applicable class of the retail license.

4 (2-A) Liquor sold under a retail license issued under chapter 43 on the premises
5 of the manufacturing facility may not be consumed on any part of the premises
6 where patrons are not generally permitted.

7 (3) All records related to activities under the authority of the manufacturing
8 facility's license issued under this section must be kept separate from records
9 related to activities under the authority of a retail license issued under chapter 43.
10 Income from the sale of liquor under subparagraph (4-A) or under paragraph B or
11 D by a manufacturing facility that is located on the same premises as a retail license
12 issued under chapter 43 is not included in calculating whether that retail licensee
13 satisfies any applicable income from the sale of food requirement set forth in
14 chapter 43.

15 (4) Spirits sold under the authority of a retail license issued under chapter 43 to
16 the holder of a distillery license must first be sold to the State, subject to the listing,
17 pricing and distribution provisions of this Title. Spirits sold under the authority of
18 a retail license issued under chapter 43 to the holder of a small distillery license are
19 subject to the requirements of subsection 5, paragraph H.

20 (4-A) A person issued a retail license under chapter 43 for premises other than the
21 licensed manufacturing facility may sell liquor for off-premises consumption under
22 the conditions stated in paragraph D.

23 (5) The licensee shall ensure that products purchased for off-premises
24 consumption under paragraph D are not consumed on the premises of the
25 manufacturing facility or a retail license issued under chapter 43, if that retail
26 license authorizes retail activities at another location.

27 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
28 takes effect when approved.

29 SUMMARY

30 This bill increases to 12 the number of retail liquor licensees a person or persons that
31 hold a majority ownership interest in a manufacturing licensee may hold no less than a
32 majority ownership interest in. The bill also clarifies that licensees that were issued a
33 license on or before May 23, 2025 are exempt from these restrictions on ownership
34 interests.