

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

consumption off the premises, malt liquor produced at the brewery by the bottle, case or in bulk to licensed retailers, including, but not limited to, off-premise retail licensees, restaurants and clubs.

D. A holder of a small Maine brewery license may apply for one license for the sale of liquor to be consumed on the premises for a location other than the brewery.

E. A holder of a small Maine brewery license may list on product labels and in its advertising the list of the ingredients and the product's average percentage of the recommended daily allowances of nutritional requirements.

3. Maine farm wineries. The following conditions apply to Maine farm wineries.

A. A holder of a Maine farm winery license may produce wines and sparkling wines in an amount not to exceed 50,000 gallons a year.

B. A holder of a Maine farm winery license may serve complimentary samples of wine and sell, during regular business hours, wines produced at the winery by the bottle, by the case or in bulk on the premises of the winery to persons who are not minors. A holder of a Maine farm winery license may serve complimentary samples of wine on Sunday after the hour of 12 noon and may sell wines on Sunday after the hour of 12 noon if the municipality in which the winery is located has authorized the sale of wines on Sunday for consumption off the premises under chapter 5.

C. A holder of a Maine farm winery license, upon application to and approval of the commission and payment of the license fee, may obtain a license for one additional location other than the winery licensed under this subsection. The holder of the license is not required to conduct any bottling or production of wine at the 2nd licensed location, but may conduct all activities which are permitted by this section at the winery.

D. A holder of a Maine farm winery license may sell or deliver the product to licensed retailers and wholesalers, and may sell, on the premises, wine produced at the winery by the bottle, by the case or in bulk to licensed retailers, including, but not limited to, off-premise retail licensees, restaurants and clubs.

Sec. 16. 28-A MRSA §1652, sub-§2, ¶A, as amended by PL 1987, c. 236, and as repealed by PL 1987, c. 342, §116, is repealed.

Sec. 17. 28-A MRSA §1652, sub-§2-A is enacted to read:

2-A. Payment due. On the 10th day of each month, every brewery and winery shall pay the excise taxes and premium due on malt liquor and wine which that brew-

ery or winery removed from areas required to be bonded by the Federal Government.

Sec. 18. 28-A MRSA §2084, as enacted by PL 1987, c. 254, is amended to read:

§2084. Sales by agent of licensee to minors

Any agent of a licensee who sells liquor to a person when he knows or when a reasonable person should know that that person is a minor commits a civil violation for which a forfeiture of not more than \$500 may be adjudged.

Effective August 4, 1988.

CHAPTER 624

H.P. 1600 — L.D. 2189

AN ACT to Amend the Laws Governing Absentee Balloting.

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

21-A MRSA §755, as enacted by PL 1985, c. 161, §6, is amended to read:

§755. Deadline

The office of the clerk shall be open a minimum of 4 hours on the Saturday immediately preceding a general statewide regular election and any election for federal or state office to allow voters to obtain or cast absentee ballots. In order to be valid, an absentee ballot must be delivered to the municipal clerk at any time before the polls are closed.

Effective August 4, 1988.

CHAPTER 625

H.P. 1504 — L.D. 2054

AN ACT to Amend the Uniform Commercial Code.

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

Sec. 1. 11 MRSA §1-201, sub-§§(5), (14) and (20) are amended to read:

(5) Bearer. "Bearer" means the person in possession of an instrument, document of title or certificated security payable to bearer or indorsed in blank.

(14) Delivery. "Delivery" with respect to instrument, documents of title, chattel paper or certificated securities means voluntary transfer of possession.