

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

in accordance with subsection 4. This subsection does not apply if the State pleads and proves criminal threatening or attempted criminal threatening, as defined in section 209, or terrorizing or attempted terrorizing, as defined in section 210, subsection 1, paragraph A.

See title page for effective date.

**CHAPTER 29**

**S.P. 57 - L.D. 86**

**An Act to Increase the Fee Amount that an Unorganized Territory is Allowed to Retain as an Agent of the State Collecting Excise Taxes**

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

**Sec. 1. 36 MRSA §1487, sub-§2,** as amended by PL 1993, c. 557, §1, is further amended to read:

**2. State Tax Assessor.** In the unorganized territory, the State Tax Assessor shall appoint agents to collect the excise tax. Agents, including municipalities designated as agents, are allowed a fee of \$2 \$4 for each tax receipt issued, except that municipalities designated as agents are allowed a fee of \$4 for each tax receipt issued. Agents shall deposit the remainder on or before the 20th day of each month following receipt with the Treasurer of State. The Treasurer of State shall make quarterly payments to each county in an amount that is equal to the receipts for that period from each county. Those payments must be made at the same time as payments under section 1606. County receipts under this section must be deposited in the county's unorganized territory fund.

See title page for effective date.

**CHAPTER 30**

**H.P. 62 - L.D. 98**

**An Act to Allow Wine Tasting in Fine Wine Stores and at Special Festivals**

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

**Whereas,** a wine taste-testing festival held this summer would increase revenues to the State and its tourist industry; and

**Whereas,** the changes in taste-testing laws need to be implemented immediately so that planning for a summer taste-testing festival can begin; and

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

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

**Sec. 1. 28-A MRSA §1052-A, sub-§1,** as enacted by PL 1993, c. 259, §1, is amended to read:

**1. Special taste-testing festival license.** Manufacturers of malt liquor and wine licensed under section 1355 and holders of an equivalent license from another state may apply for an additional license to participate in a special taste-testing festival under this section. The special taste-testing festival license is valid for no more than 3 consecutive days and is issued annually.

**Sec. 2. 28-A MRSA §1052-A, sub-§5, ¶¶D and E,** as enacted by PL 1993, c. 259, §1, are amended to read:

D. A person may not be charged a fee for any malt liquor or wine served as part of a taste-testing activity;

E. Each out-of-state manufacturer is limited to serving 200 gallons of malt liquor or wine; and

**Sec. 3. 28-A MRSA §1052-A, sub-§6,** as enacted by PL 1993, c. 259, §1, is amended to read:

**6. Excise taxes; premiums.** ~~Each~~ A licensee must pay the appropriate excise taxes and premiums under sections 1652 and 1703 before the scheduled calendar date of the special taste-testing festival.

**Sec. 4. 28-A MRSA §1205, sub-§1,** as enacted by PL 1989, c. 488, is amended to read:

**1. Taste testing on off-premise retail licensee's premises; fine wine stores.** Subject to the conditions in subsection 2, the commission may authorize an off-premise retail licensee, 50% or more of whose gross income is derived from the sale of wine or malt liquor, or a fine wine store to conduct taste testings of wine on that licensee's premises. Any other consumption of alcoholic beverages on an off-premise retail licensee's premises is prohibited.

**Sec. 5. 28-A MRSA §1205, sub-§2, ¶E,** as enacted by PL 1989, c. 488, is amended to read: