

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

B. "Representative" means a legal guardian, attorney, person designated to make decisions on behalf of a patient under an advance directive or any person recognized in law or custom as a person's agent.

C. "Unanticipated outcome" means the outcome of a medical treatment or procedure that differs from an expected result.

2. Evidence of admissions. In any civil action for professional negligence or in any arbitration proceeding related to such civil action, any statement, affirmation, gesture or conduct expressing apology, sympathy, commiseration, condolence, compassion or a general sense of benevolence that is made by a health care practitioner or health care provider or an employee of a health care practitioner or health care provider to the alleged victim, a relative of the alleged victim or a representative of the alleged victim and that relates to the discomfort, pain, suffering, injury or death of the alleged victim as the result of the unanticipated outcome is inadmissible as evidence of an admission of liability or as evidence of an admission against interest. Nothing in this section prohibits the admissibility of a statement of fault.

See title page for effective date.

CHAPTER 377

S.P. 607 - L.D. 1641

An Act To Create a Small Brewer Distiller License

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

Sec. 1. 28-A MRSA §1355, sub-§§8 and 9 are enacted to read:

8. Small brewer distiller license. The following conditions apply to small brewer distiller licenses.

A. To be eligible for a small brewer distiller license, a person must hold a small breweries license under subsection 2 and obtain a basic permit for distilling, rectifying, blending and bottling spirits from the federal Department of the Treasury, Bureau of Alcohol, Tobacco, Firearms and Explosives.

B. A holder of a small brewer distiller license may produce distilled spirits in an amount not to exceed 30,000 gallons per year.

C. A holder of a small brewer distiller license may hold up to 3 Maine retail licenses for the sale of liquor to be produced at the distillery and

to be consumed on the premises at a connected establishment. For purposes of this paragraph, "connected establishment" means a Class A restaurant or Class A restaurant/lounge that is owned in whole or in part by the holder of the small brewer distiller license. All records of the small brewer distiller license must be kept separate from the records of the retail licensee.

D. Spirits produced by a holder of a small brewer distiller license must be sold to the State and are subject to the listing, pricing and distribution provisions of this Title.

E. A holder of a small brewer distiller license may permit sampling of the spirits on the distillery premises by employees for quality control purposes.

F. A holder of a small brewer distiller license may list on a product's label and in its advertising the ingredients and the product's average percentage of the recommended daily allowances of nutritional requirements.

G. The holder of a small brewer distiller license is subject to all inspections and other oversight applied to large distilleries in the State by the State Government and the Federal Government.

9. Small brewer distiller licensee that exceeds production limit; license renewal. The bureau, upon application by the holder of a small brewer distiller license whose distillery has produced distilled spirits in an amount that exceeds 30,000 gallons in one year, may renew that holder's small brewer distiller license for only one additional year.

Sec. 2. 28-A MRSA §1551, sub-§3, ¶¶F and G, as enacted by PL 1987, c. 342, §114, are amended to read:

F. Maine farm winery, includes bottling (one year).....\$50; and

G. Small Maine brewery, includes bottling (one year).....\$50; and

Sec. 3. 28-A MRSA §1551, sub-§3, ¶H is enacted to read:

H. Small brewer distiller, includes bottling (one year)\$100.

See title page for effective date.
