

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
VETERANS AND LEGAL AFFAIRS**

August 2019

STAFF:

JANET STOCCO, LEGISLATIVE ANALYST
DANIEL TARTAKOFF, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

MEMBERS:

SEN. LOUIS J. LUCHINI, CHAIR
SEN. ERIN D. HERBIG
SEN. SCOTT W. CYRWAY

REP. JOHN C. SCHNECK, CHAIR
REP. JANICE E. COOPER
REP. CRAIG V. HICKMAN
REP. BRIAN L. HUBBELL
REP. JOYCE "JAY" MCCREIGHT
REP. SCOTT WALTER STROM
REP. SHELDON MARK HANINGTON
REP. JOHN ANDREWS
REP. JOSANNE C. DOLLOFF
REP. KENT ACKLEY

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

LD 805

**An Act To Clarify the Laws Governing Taste Testing and Retail Sales of
Liquor at Farmers' Markets and To Allow Retail Sales at Other
Taste-testing Events**

PUBLIC 360

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESCHAMBAULT S	OTP-AM ONTP	S-248

This bill is a concept draft pursuant to Joint Rule 208 that proposes to clarify the laws governing the taste testing and retail sale of liquor at farmers' markets.

Committee Amendment "A" (S-248)

This amendment, which is the majority report of the committee, strikes and replaces the bill, which is a concept draft. This amendment combines, clarifies and removes several inconsistencies in the laws governing the retail sale and taste testing of Maine-manufactured liquor at farmers' markets. As in current law, a licensed Maine small brewery, small winery or small distillery may conduct both retail sales and taste-testing events at a farmers' market subject to the applicable bylaws of the farmers' market. The manufacturer must first obtain approval from both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the municipality where the farmers' market will be held.

The amendment eliminates the provision of current law that limits to two the number of taste-testing events that may be held by a single manufacturer at a farmers' market each month. It also eliminates the provisions of current law that allow Maine breweries, wineries or distilleries that produce more than 50,000 gallons per year to conduct taste-testing events at farmers' markets, because these manufacturers are not authorized to conduct retail sales at farmers' markets.

The amendment further allows a licensed Maine brewery, small brewery, winery, small winery, distillery or small distillery that is authorized to participate in a taste-testing event under the Maine Revised Statutes, Title 28-A, section 1052-D to conduct retail sales of malt liquor, wine or spirits produced by that manufacturer during the taste-testing event.

Enacted Law Summary

Public Law 2019, chapter 360 combines, clarifies and removes several inconsistencies in the laws governing the retail sale and taste testing of Maine-manufactured liquor at farmers' markets. As in current law, a licensed Maine small brewery, small winery or small distillery may conduct both retail sales and taste-testing events at a farmers' market subject to the applicable bylaws of the farmers' market. The manufacturer must first obtain approval from both the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the municipality where the farmers' market will be held.

Public Law 2019, chapter 360 eliminates the provision of current law that limits to two the number of taste-testing events that may be held by a single manufacturer at a farmers' market each month. It also eliminates the provisions of current law that allow Maine breweries, wineries or distilleries that produce more than 50,000 gallons per year to conduct taste-testing events at farmers' markets, because these manufacturers are not authorized to conduct retail sales at farmers' markets.

Finally, Public Law 2019, chapter 360 allows a licensed Maine brewery, small brewery, winery, small winery, distillery or small distillery that is authorized to participate in a taste-testing event under the Maine Revised Statutes, Title 28-A, section 1052-D to conduct retail sales of malt liquor, wine or spirits produced by that manufacturer during the taste-testing event.