

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

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AND LEGAL AFFAIRS**

July 2022

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LD 1358 Resolve, Directing the Bureau of Alcoholic Beverages and Lottery Operations To Evaluate Direct-to-consumer Wine and Spirits Sales

ENACTED LAW SUMMARY

Resolve 2021, chapter 175 provides \$100,000 in funding from the Liquor Operation Revenue Fund for the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to obtain contracted services to review the direct shipment of wine to consumers in the State under current law, identifying potential areas of concern, and the laws in each other state that allows the direct shipment of spirits to consumers located in that state. Stakeholders affected by the direct shipment of wine and spirits to consumers in the State including, but not limited to, licensed in-state wineries and small wineries; licensed in-state distilleries and small distilleries; wine and spirits retailers; wine wholesalers; and bottle redemption centers must be consulted in conducting these reviews. The bureau must submit a report summarizing its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters by February 15, 2023. The committee may report out legislation based upon the report to the 131st Legislature in 2023.

LD 1643 An Act To Correct Errors, Inconsistencies and Conflicts in and To Revise the State's Liquor Laws

ENACTED LAW SUMMARY

Public Law 2021, chapter 658 makes a number of changes to the Maine Revised Statutes, Title 28-A, the State's liquor laws, to standardize the language; to correct and address errors, conflicts, ambiguities, omissions and inconsistencies; and to revise those laws, including by making the following changes to the Title.

1. It makes a number of changes to the laws governing certificates of approval to import liquor into the State, including:
 - A. Clarifying which of the general qualification and application requirements for liquor licenses apply to applicants for a certificate of approval and specifies that persons with certificates of approval are subject to administrative discipline for violating liquor laws and rules to the same extent as persons with licenses;
 - B. Repealing a provision requiring the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations to deposit the yearly fees paid by certificate of approval holders into the General Fund, which conflicts with the requirement in section 83-B that the bureau deposit only its net revenues into the General Fund; and
 - C. Changing the authority that a person operating a special warehouse storage facility must obtain from a certificate of approval to a license because the laws applicable to certificate of approval holders generally do not apply to special warehouse storage facilities.