

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Support Maine Craft Distillers

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

Sec. 1. 28-A MRSA §1355-A, sub-§5, ¶G, as amended by PL 2015, c. 440, §1, is further amended to read:

G. Notwithstanding paragraph D, a holder of a small distillery license licensed under paragraph B, subparagraph (3) to operate a retail location for off-premises consumption may pay the bureau the difference between the distillery's price charged to the bureau and the discounted list price charged by the bureau when a distillery purchases its own spirits to be sold at retail from its off-premises location. A small distillery is not required to transport spirits that will be sold for off-premises consumption under paragraph B, subparagraph (3) to a warehouse operated by the bureau or by a wholesaler contracted by the bureau under section 90 for distribution to the location where the small distillery is authorized to sell spirits produced by the small distillery for off-premises consumption. A holder of a small distillery license shall record the quantity of spirits sold for off-premises consumption that were not transported to a warehouse as described in this paragraph and submit monthly reports of this information, along with the full amount of state liquor tax due as prescribed by chapter 65, to the bureau in a manner prescribed by the bureau. A holder of a small distillery license is not liable for any bailment or distribution fees imposed by a warehouse operated by the bureau or by a wholesaler contracted by the bureau under section 90 for spirits sold for off-premises consumption that were not transported to a warehouse as described in this paragraph.

Sec. 2. 28-A MRSA §1355-A, sub-§5, ¶H, as enacted by PL 2015, c. 440, §2, is amended to read:

H. Notwithstanding paragraph D, a holder of a small distillery license licensed under paragraph E to operate a location licensed under chapter 43 for on-premises consumption may pay the bureau the difference between the distillery's price charged to the bureau and the discounted list price charged by the bureau when a distillery purchases its own spirits to be sold at its on-premises location. A small distillery is not required to transport spirits that will be sold for on-premises consumption under paragraph E to a warehouse operated by the bureau or by a wholesaler contracted by the bureau under section 90 for distribution to the location where the small distillery is authorized to sell spirits produced by the small distillery for on-premises consumption. A holder of a small distillery license shall record the quantity of spirits sold for on-premises consumption that were not transported to a warehouse as described in this paragraph and submit monthly reports of this information, along with the full amount of state liquor tax due as prescribed by chapter 65, to the bureau in a manner prescribed by the bureau. A holder of a small distillery license is not liable for any bailment or distribution fees imposed by a warehouse operated by the bureau or by a wholesaler contracted by the bureau under section 90 for spirits sold for on-premises consumption that were not transported to a warehouse as described in this paragraph.

SUMMARY

This bill exempts the holder of a small distillery license from bailment or other distribution fees if the product sold by that license holder, either for on-premises or off-premises consumption, was not transported to a warehouse operated by the State or a wholesaler contracted by the State.