



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

---

Legislative Document

No. 510

---

H.P. 349

House of Representatives, February 24, 2015

### **An Act To Increase the Number of Container Options for Breweries**

---

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative AUSTIN of Gray.  
Cosponsored by Senator COLLINS of York and  
Representatives: GERRISH of Lebanon, McCLELLAN of Raymond, NUTTING of Oakland,  
REED of Carmel, SHERMAN of Hodgdon, TIMMONS of Cumberland, WADSWORTH of  
Hiram.

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

2 **Sec. 1. 28-A MRSA §1355-A, sub-§3, ¶C**, as enacted by PL 2011, c. 629, §22,  
3 is amended to read:

4 C. Notwithstanding any other provision of this Title, a brewery or small brewery  
5 licensed in accordance with this section may sell from the establishment at the site of  
6 the brewery licensed for the sale of alcoholic beverages to be consumed on the  
7 premises malt liquor to be consumed off the premises under the conditions specified  
8 in this paragraph.

9 (1) Only malt liquor brewed at the brewery where the on-premises establishment  
10 is licensed may be sold at the on-premises establishment.

11 (2) Malt liquor must be dispensed in bottles provided by ~~and with labels unique~~  
12 ~~to~~ or approved for filling by the brewery of 32 to 64 ounces in volume.

13 (3) No more than 6 bottles may be prefilled at any one time.

14 (4) A deposit may be charged per bottle. Bottles sold or approved by a brewery  
15 under this paragraph are not subject to Title 32, chapter 28.

16 (5) The bottle in which the malt liquor is dispensed must be sealed by the  
17 licensee with a seal that is tamper-evident.

18 (6) Malt liquor dispensed in accordance with this paragraph must be consumed  
19 off the premises.

20 (7) All sales of malt liquor from the on-premises establishment for off-premises  
21 consumption must be accompanied by a sales receipt with a time stamp that  
22 indicates time of purchase.

23 (8) Sale of malt liquor from the on-premises establishment for off-premises  
24 consumption may not be made after 10:00 p.m.

25 The bureau may adopt rules to enforce this paragraph. Rules adopted in accordance  
26 with this paragraph are routine technical rules in accordance with Title 5, chapter  
27 375, subchapter 2-A.

28 **SUMMARY**

29 This bill removes the requirement that beer dispensed by a brewery at its on-premises  
30 location for off-premises consumption be in bottles with labels unique to the brewery.