

Date: (Filing No. H-)

VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 429, L.D. 616, Bill, "An Act Regarding the Sale of Hard Cider"

Amend the bill by striking out the title and substituting the following:

'An Act To Allow Certain Wine and Hard Cider Manufacturing Partnerships'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 28-A MRSA §2, sub-§32-B is enacted to read:

32-B. Tenant winery. "Tenant winery" means a person who has been issued an approved application for an alternating proprietorship from the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau authorizing the winery to engage in an alternating proprietorship as defined by federal regulation and is licensed by the bureau to produce wine or hard cider at a manufacturing facility of another winery who is licensed by the bureau.

Sec. 2. 28-A MRSA §605, first ¶, as amended by PL 2013, c. 446, §1, is further amended to read:

Except as otherwise provided in this section and section 608, a license or any interest in a license may not be sold, transferred, assigned or otherwise subject to control by any person other than the licensee. If the business, or any interest in the business, in connection with which a licensed activity is conducted is sold, transferred or assigned, the license holder shall immediately send to the bureau the license and a sworn statement showing the name and address of the purchaser. The bureau is not required to refund any portion of the licensee license fee if the license is surrendered before it expires. For the purposes of this section, neither a tenant brewer who is licensed in accordance with section 1355-A, subsection 6 nor a tenant winery who is licensed in accordance with section 1355-A, subsection 7 is not considered to be subject to the control of the host brewer or host winery, as the case may be, as described in that subsection those subsections, or considered to have been transferred or assigned the license or interest in the license of the host brewer or host winery.

COMMITTEE AMENDMENT

1 complying with reporting requirements of the Department of Administrative and
2 Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. Since
3 manufacturers of hard cider are licensed as wineries under current law, this amendment
4 applies to the manufacture of hard cider as well as wine.