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**VETERANS AND LEGAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 662, L.D. 1033, “An Act to Regulate Alcoholic Beverage Competitions”

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

**'Sec. 1. 28-A MRSA §1057** is enacted to read:

**§1057. Liquor judging competition event permit**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Homemade liquor" means malt liquor, wine or hard cider made by a person's own efforts in the person's home for personal use that is not offered for sale and that does not contain added spirits.

B. "Liquor judging competition event" means an event where judges evaluate entries of malt liquor, wine, hard cider or spirits, except for homemade spirits, based on a set of criteria to determine a winner of the competition.

**2. Liquor judging competition event permit; eligibility.** One or more certificate of approval holders that are manufacturers may apply for a permit to host a liquor judging competition event subject to the conditions prescribed by this section.

**3. Liquor judging competition event participants.** A certificate of approval holder or a person who produces homemade liquor that does not contain spirits may participate in the liquor judging competition event in the same manner and subject to the same conditions as a person permitted under this section.

**4. Application.** An applicant for a liquor judging competition event permit described in subsection 2 shall submit a written application to the bureau no later than 15 calendar days prior to the date of the liquor judging competition event. The application must include the following:

A. The name and address of each liquor judging competition event participant;

1 B. The title and purpose of the liquor judging competition event;

2 C. The date, time and duration of the liquor judging competition event;

3 D. The address and location of the liquor judging competition event, including a  
4 description of the liquor judging competition event; and

5 E. The address and the location of areas where liquor for the liquor judging  
6 competition event may be stored by the applicant for the liquor judging competition  
7 event permit.

8 **5. Fee.** The permit fee for a liquor judging liquor judging competition event permit  
9 under subsection 2 is \$20.

10 **6. Ruling on application.** Upon receipt of an application under subsection 4, the  
11 bureau shall immediately approve or deny the application. The bureau shall advise  
12 applicants that the permit for a liquor judging competition event under subsection 2 may  
13 be suspended or revoked pursuant to chapter 33.

14 **7. Up to 10 permitted liquor judging competition events per year; one liquor**  
15 **judging competition event per permit.** A person eligible for a permit under subsection 2  
16 may obtain up to 10 permits under this section per calendar year.

17 **8. Location and participation fee.** A certificate of approval holder issued a permit  
18 under this section may charge a fee for participation in a liquor judging competition event.  
19 The liquor judging competition event is not required to occur on premises licensed by the  
20 bureau.

21 **9. Conditions.** The following conditions apply to a liquor judging competition event  
22 permitted under this section.

23 A. If the venue for the liquor judging competition event is currently licensed for on-  
24 premises consumption of liquor, the bureau shall temporarily suspend the authority of  
25 the on-premises retail licensee to sell liquor for on-premises consumption in an area  
26 designated for the liquor judging competition event. The on-premises retail licensee  
27 may sell liquor for on-premises consumption outside the area designated for the liquor  
28 judging competition event.

29 B. The liquor judging competition event may not be open to the general public.

30 C. Only judges and stewards may taste liquor entered in a liquor judging competition  
31 event. For purposes of this paragraph, "steward" means liquor judging competition  
32 event staff that work with judges in conducting the liquor judging competition event.

33 D. Points of entry to the liquor judging competition event must be clearly marked and  
34 monitored to ensure consumption of liquor entered in the liquor judging competition  
35 event takes place only within the designated area of the liquor judging competition  
36 event.

37 E. A minor may not attend the liquor judging competition event.

38 F. A person who is visibly intoxicated may not be served.

39 G. Homemade spirits may not be entered into a liquor judging competition event.

40 H. Liquor may not be sold or offered for sale at a liquor judging competition event  
41 except as provided in paragraph A.

**10. Rulemaking.** The bureau may adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A to administer this section.

**Sec. 2. 28-A MRSA §1358** is enacted to read:

**§1358. Unlicensed manufacture**

A license for the manufacture of homemade liquor is not required under this Title if the conditions prescribed in this section are met. For purposes of this section, "homemade liquor" has the same meaning as in section 1057, subsection 1, paragraph A.

**1. Permitted liquor judging competition events.** Homemade liquor may be removed from the premises where the homemade liquor was made if the homemade liquor is entered into a permitted liquor judging competition event as provided in section 1057.

**2. Prohibition on added spirits.** Homemade liquor may not contain added spirits.

**3. Prohibition on sale.** Homemade liquor may not be sold or offered for sale.

**4. Violation.** A violation of this section is a Class E crime.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## SUMMARY

This amendment replaces the bill and authorizes one or more certificate of approval holders that are manufacturers to apply for a permit to host a liquor judging competition event subject to conditions. The amendment provides that a certificate of approval holder issued a liquor judging competition event permit may charge a fee for participation in a competition event and the competition event is not required to occur on premises licensed by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations.

The amendment also specifies that only judges and stewards may taste liquor entries in a liquor judging competition event; homemade spirits may not be entered into a liquor judging competition event; and liquor may not be sold or offered for sale at a liquor judging competition event.

The amendment authorizes the bureau to adopt rules to administer the law regulating liquor judging competition events. The amendment also defines "homemade liquor" to mean malt liquor, wine or hard cider made by a person's own efforts in the person's home for personal use that is not offered for sale and that does not contain added spirits.

**FISCAL NOTE REQUIRED**

**(See attached)**