

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

—
H.P. 718 - L.D. 1132

An Act Regarding the Provision of Liquor at Taste-testing Events Held at an Off-premises Retail Licensee's Premises

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

Sec. 1. 28-A MRSA §460, sub-§2, ¶M-1, as amended by PL 2019, c. 404, §6, is repealed.

Sec. 2. 28-A MRSA §460, sub-§2, ¶M-2 is enacted to read:

M-2. Spirits served at a taste-testing event must be:

- (1) Provided by the agency liquor store;
- (2) Purchased, at the retail price, by a licensed sales representative participating in the taste-testing event from existing stock available for purchase at the agency liquor store; or
- (3) Provided by a licensed sales representative participating in the taste-testing event or a spirits supplier, including those licensed under section 1355-A, participating in the taste-testing event and purchased in the State at the retail price. A record of the transaction under this subparagraph must be maintained and made available to the bureau. After the taste-testing event is concluded, the licensed sales representative or spirits supplier shall remove all products supplied for the taste-testing event from the licensee's premises.

Sec. 3. 28-A MRSA §1205, sub-§2, ¶K, as amended by PL 2019, c. 79, §2, is repealed.

Sec. 4. 28-A MRSA §1205, sub-§2, ¶K-1 is enacted to read:

K-1. Wine served at a taste-testing event must be:

- (1) Purchased by the retail licensee from a wholesale licensee;
- (2) Purchased, at the retail price, by a licensed sales representative participating in the taste-testing event from existing stock available for purchase at the retail licensee's premises; or

(3) Provided by a licensed sales representative participating in the taste-testing event or by a manufacturer licensed under section 1355-A participating in the taste-testing event and purchased in the State at the retail price. A record of a transaction under this subparagraph must be maintained and made available to the bureau. After the taste-testing event is concluded, the licensed sales representative or manufacturer shall remove all products supplied for the taste-testing event from the licensee's premises;

Sec. 5. 28-A MRSA §1207, sub-§2, ¶K, as amended by PL 2019, c. 79, §3, is repealed.

Sec. 6. 28-A MRSA §1207, sub-§2, ¶K-1 is enacted to read:

K-1. Malt liquor served at a taste-testing event must be:

(1) Purchased by the retail licensee from a wholesale licensee;

(2) Purchased, at the retail price, by a licensed sales representative participating in the taste-testing event from existing stock available for purchase at the retail licensee's premises; or

(3) Provided by a licensed sales representative participating in the taste-testing event or by a manufacturer licensed under section 1355-A participating in the taste-testing event and purchased in the State at the retail price. A record of a transaction under this subparagraph must be maintained and made available to the bureau. After the taste-testing event is concluded, the licensed sales representative or manufacturer shall remove all products supplied for the taste-testing event from the licensee's premises.

Sec. 7. 28-A MRSA §1505, sub-§4, as repealed and replaced by PL 2015, c. 329, Pt. D, §3 and affected by §4, is amended to read:

4. Pour, provide or distribute. A sales representative participating in a tasting event pursuant to this section may not pour or distribute to consumers the products being offered for tasting during the event unless the sales representative was listed on a request submitted to the bureau by a licensee to conduct a taste testing in accordance with section 460; section 1051, subsection 8; section 1205; or section 1207. A sales representative who pours or distributes products to consumers at a tasting event under section 460; section 1051, subsection 8; section 1205; or section 1207 must have successfully completed an alcohol server education course approved by the commissioner. A sales representative may purchase ~~spirits~~ or provide liquor for a consumer tasting event in compliance with section 460, ~~section 1205 or section 1207~~ if the sales representative has successfully completed an alcohol server education course approved by the commissioner.