

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

—
S.P. 17 - L.D. 2

An Act To Allow Farm Wineries To Charge for Wine Tastings

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

Sec. 1. 28-A MRSA §1355, sub-§3, ¶B, as amended by PL 1993, c. 730, §46, is further amended to read:

B. A holder of a farm winery license may serve complimentary samples of wine and sell, during regular business hours, wines produced at the winery by the bottle, by the case or in bulk on the premises of the winery to persons who are not minors. A holder of a farm winery license may serve complimentary samples of wine on Sunday after the hour of 12 noon and may sell wines on Sunday after the hour of 12 noon if the municipality in which the winery is located has authorized the sale of wines on Sunday for consumption off the premises under chapter 5. A farm winery may charge for samples of wine served in accordance with paragraph B-1.

Sec. 2. 28-A MRSA §1355, sub-§3, ¶B-1 is enacted to read:

B-1. A farm winery that wishes to charge for samples shall otherwise comply with the conditions in paragraph B and shall file a form as prescribed by the bureau. After submission of the form to the bureau, each sample poured is subject to a charge in an amount determined by the farm winery and is subject to the sales tax for alcoholic beverages in accordance with Title 36, section 1811. A farm winery shall maintain a record of wine samples subject to a charge and maintain those records for a period of 2 years. A farm winery that charges for samples of wine may not offer complimentary samples until the bureau has been notified that samples are no longer subject to a charge. This paragraph is repealed February 1, 2014.

In House of Representatives, 2011

Read twice and passed to be enacted.

..... Speaker

In Senate, 2011

Read twice and passed to be enacted.

..... President

Approved 2011

..... Governor