

Remove: confusing grammar; “bottling”; & “the person’s own” unless “its own” is in current law:

Definition of “brewery”—replace the definition in section 6 (p.1) of the bill with the following:

5. Brewer Brewery. ~~“Brewer Brewery” means a person who produces malt liquor by fermentation of malt, wholly or partially, or from any substitute for malt, that engages in the activities under either paragraph A or B, or both:~~

A. Producing malt liquor by fermentation of malt, wholly or partially, or any substitute for malt; or

B. Producing low-alcohol spirits products consisting of malt liquor to which spirits have been added.

Definition of “small brewery”— replace the definition in section 21 (p.7) of the bill with the following:

29. Small brewery. ~~“Small brewery” means a facility that brews, lagers and kegs, bottles or packages its own malt liquor, not to exceed 30,000 barrels per year. person that engages in the activities under either paragraph A or B, or both:~~

A. Producing the person’s own malt liquor by fermentation of malt, wholly or partially, or any substitute for malt; or

B. Producing low-alcohol spirits products consisting of malt liquor to which spirits have been added.

“Small brewery” does not include a person that engages in the activities described in paragraph A or B that produces in total more than 30,000 barrels per year of malt liquor and low-alcohol spirits products consisting of malt liquor to which spirits have been added.

Definition of “winery”—replace the definition in section 33 (p.9) of the bill with the following:

37. Winery. ~~“Winery” means a facility person that ferments, and ages and bottles wine and hard cider.~~

Definition of “small winery”—replace the definition in section 23 (p.7) of the bill with the following:

29-B. Small winery. ~~“Small winery” means a facility person that ferments, and ages and bottles:~~

A. Up to 50,000 gallons per year of ~~its~~ the person's own wine that is not hard cider; and

B. Up to 3,000 barrels per year of ~~its~~ the person's own wine that is hard cider.

Definition of “distillery”—replace the definition in section 10 (p.2) of the bill with the following:

11. Distillery. ~~“Distillery” means a person that engages in the activities under either paragraph A or B, or both:~~

A. Producing spirits by the process of distillation; or

B. Producing low-alcohol spirits products.

Definition of “small distillery”—replace the definition in section 22 (p.7) of the bill with the following:

29-A. Small distillery. ~~“Small distillery” means a distiller that produces spirits in an amount that does not exceed 50,000 gallons per year. person that engages in the activities under either paragraph A or B, or both:~~

A. Producing spirits by the process of distillation; or

B. Producing low-alcohol spirits products.

“Small distillery” does not include a person that engages in the activities described in paragraph A or B that produces in total more than 50,000 gallons per year of spirits and low-alcohol spirits products.

Clarifying authority of wineries and breweries to “bottle” their products:

Add new definition of “bottle”—to appear in new 28-A M.R.S. §2-D:

2-D. Bottle. “Bottle,” when used as a verb, means to package spirits, wine or malt liquor for sale in containers.

Amend §1355-A(3)(A) and (B) on bill page 68, lines 19-24 as follows:

3. Breweries; small breweries. Except as otherwise provided in this section, the following provisions apply to breweries and small breweries.

- A. A holder of a brewery license may produce and bottle more than 30,000 barrels of malt liquor per year.
- B. A holder of a small brewery license may produce and bottle up to 30,000 barrels of malt liquor per year.

Amend §1355-A(4)(A) and (B) on bill page 70, lines 9-16 as follows:

4. Wineries; small wineries. Except as otherwise provided in this section, the following provisions apply to wineries and small wineries.

- A. A holder of a winery license may produce and bottle more than 50,000 gallons per year of wine that is not hard cider and may produce more than 3,000 barrels per year of wine that is hard cider.
- B. A holder of a small winery license may produce and bottle up to 50,000 gallons per year of wine that is not hard cider and may produce up to 3,000 barrels per year of wine that is hard cider.

Amend §1355-A(6) on bill page 72, lines 38-42 to read:

6. Tenant brewer brewery. Except as otherwise provided, the following provisions apply to a tenant ~~brewer-brewery~~ license under which the holder of a tenant ~~brewer~~ brewery license may produce and bottle malt liquor at the manufacturing facility of another ~~brewer-brewery~~, referred to in this subsection as “~~the a~~ host brewery,” licensed by the bureau under subsection 3.

Amend §1355-A(7) on bill page 73, lines 33-37 to read:

7. Tenant winery. Except as otherwise provided, the following provisions apply to a tenant winery license under which the holder of a tenant winery license may produce and bottle wine at the manufacturing facility of another winery, referred to in this subsection as “~~the a~~ host winery,” licensed by the bureau under subsection 4. This subsection applies to hard cider produced by a manufacturer licensed as a winery or small winery under subsection 4.

Unallocated language regarding “Contract Brewing”

To be drafted: unallocated provision at the end of the bill:

- Expressing Legislature’s intent that the definition of “small brewery” in LD 1643 is not intended to impact the current practice by which some breweries and small breweries engage in contract brewing.
- Direct BABLO to meet with stakeholders, including Maine Brewer’s Guild and Maine Beer and Wine Distributors Association (we can’t name these specifically but we can describe them), to examine issues related to contract brewing and to submit a report summarizing the group’s recommendations to the VLA Committee during the First Regular Session of the 131st Legislature. Also authorize the committee to report out legislation related to the report.