

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of section 1 and inserting the following:

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

**2-B. Limited sale of malt liquor for off-premises consumption from on-premises establishment.** Notwithstanding any provision of this Title to the contrary, a brewery or small brewery licensed in accordance with this section may sell from the establishment at the site of the brewery licensed for the sale of alcoholic beverages to be consumed on the premises malt liquor to be consumed off the premises under the conditions specified in this subsection.

A. Only malt liquor brewed at the brewery where the on-premises establishment is licensed may be sold to patrons of the on-premises establishment.

B. Malt liquor must be dispensed in bottles from 32 ounces to 64 ounces in volume provided by and unique to the brewery.

C. No more than 6 bottles may be prefilled at any one time.

D. A deposit may be charged per bottle. Bottles sold under this subsection are not subject to Title 32, chapter 28.

E. The bottle in which the malt liquor is dispensed must be sealed by the licensee with a seal that is tamper evident.

F. Malt liquor dispensed in accordance with this subsection must be consumed off the premises.

G. All sales of malt liquor from the on-premises establishment for off-premises consumption must be accompanied by a sales receipt with a time stamp that indicates time of purchase.

H. Sale of malt liquor from the on-premises establishment for off-premises consumption may not be made after 10:00 p.m.

The bureau is authorized to adopt rules necessary to enforce this subsection. Rules adopted in accordance with this subsection are routine technical rules in accordance with Title 5, chapter 375, subchapter 2-A.’

## SUMMARY

This amendment replaces the bill. The amendment permits breweries that have a license to sell alcoholic beverages for on-premises consumption to sell malt liquor produced at the brewery to patrons for off-premises consumption. The amendment places conditions on such sales, including the requirement that the malt liquor be dispensed into bottles unique to the brewery and that are closed with a tamper-evident seal. Such bottles are not permitted to be consumed on the premises, must be accompanied by a sales receipt and may not be sold after 10:00 p.m.

**FISCAL NOTE REQUIRED**  
**(See attached)**