132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document	**No. 2155**
S.P. 874	In Senate, January 7, 2026

An Act to Clarify Certain Laws Governing Licenses for the Sale of Liquor by Manufacturers

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator GROHOSKI of Hancock.
Cosponsored by Representative FRIEDMANN of Bar Harbor and
Senators: BENNETT of Oxford, MARTIN of Oxford, Representatives: FAIRCLOTH of Bangor, GRAHAM of North Yarmouth, HENDERSON of Rumford, HEPLER of Woolwich, STOVER of Boothbay, TERRY of Gorham.

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, recently enacted legislation that took effect May 23, 2025 limited the number of on-premises retail liquor licenses that could be held by a liquor manufacturer at one time; and

Whereas, several persons that hold a majority ownership interest in liquor manufacturers that were licensed prior to the passage of the legislation limiting the number of on-premises retail liquor licensees that person holds no less than a majority ownership interest in are now in violation of the law and may be forced to sell or close their existing businesses as a result; and

Whereas, this legislation needs to take effect as soon as possible to exempt persons that hold a majority ownership interest in liquor manufacturers that also hold no less than a majority ownership interest in licensees that hold on-premises retail liquor licenses issued prior to May 23, 2025 from the restrictions limiting the number of liquor manufacturer licensees that a person may hold a majority ownership interest in at one time; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 28-A MRSA §1355-A, sub-§2, ¶I, as amended by PL 2025, c. 87, §3, is further amended to read:

I. A licensee governed by this subsection may be issued one or more on-premises retail licenses under chapter 43 per licensed manufacturing facility under the conditions specified in this paragraph. An on-premises retail license issued under chapter 43 <u>on or after May 23, 2025</u> may be for retail activities located at the manufacturing facility or for retail activities at another location if the same person or persons hold a majority ownership interest in both the manufacturing licensee and the on-premises retail licensee licensed under chapter 43.

(1-A) If a person or persons hold a majority ownership interest in one manufacturing licensee, the person or persons may hold no less than a majority ownership interest in up to ~~3~~ <u>12</u> retail licensees licensed under chapter 43. If a person or persons hold a majority ownership interest in at least 2 manufacturing licensees that, collectively, manufacture at least 1,000 barrels of liquor per year, the person or persons may hold no less than a majority ownership interest in up to ~~6~~ <u>12</u> on-premises retail licensees licensed under chapter 43. A person or persons with a majority ownership interest in one or more manufacturing licensees may not hold an ownership interest in more than ~~6~~ <u>12</u> on-premises retail licensees licensed under chapter 43.

<u>Licensees that hold a license issued under chapter 43 that were issued a license on or before May 23, 2025 are exempt from the calculation of ownership interest under this subparagraph.</u>

(2) A retail license issued under chapter 43 authorizes the sale for on-premises consumption of products produced at the manufacturing facility as well as other liquor permitted to be sold under the applicable class of the retail license.

(2-A) Liquor sold under a retail license issued under chapter 43 on the premises of the manufacturing facility may not be consumed on any part of the premises where patrons are not generally permitted.

(3) All records related to activities under the authority of the manufacturing facility's license issued under this section must be kept separate from records related to activities under the authority of a retail license issued under chapter 43. Income from the sale of liquor under subparagraph (4-A) or under paragraph B or D by a manufacturing facility that is located on the same premises as a retail license issued under chapter 43 is not included in calculating whether that retail licensee satisfies any applicable income from the sale of food requirement set forth in chapter 43.

(4) Spirits sold under the authority of a retail license issued under chapter 43 to the holder of a distillery license must first be sold to the State, subject to the listing, pricing and distribution provisions of this Title. Spirits sold under the authority of a retail license issued under chapter 43 to the holder of a small distillery license are subject to the requirements of subsection 5, paragraph H.

(4-A) A person issued a retail license under chapter 43 for premises other than the licensed manufacturing facility may sell liquor for off-premises consumption under the conditions stated in paragraph D.

(5) The licensee shall ensure that products purchased for off-premises consumption under paragraph D are not consumed on the premises of the manufacturing facility or a retail license issued under chapter 43, if that retail license authorizes retail activities at another location.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill increases to 12 the number of retail liquor licensees a person or persons that hold a majority ownership interest in a manufacturing licensee may hold no less than a majority ownership interest in. The bill also clarifies that licensees that were issued a license on or before May 23, 2025 are exempt from these restrictions on ownership interests.