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VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 459, L.D. 678, Bill, “An Act Concerning the Ability of On-premises Liquor Licensees To Dispense Liquor in Sealed Refillable Containers”

Amend the bill in section 3 in subsection 3 by striking out all of paragraph C (page 1, lines 35 to 39 in L.D.) and inserting the following:

'C. Notwithstanding section 1355-A, subsection 3, paragraph C, a person licensed under this section may dispense malt liquor available on tap for on-premises consumption into refillable, sealed containers under the following conditions:

(1) The licensee consistently offers at least 25 brands of malt liquor on tap for on-premises consumption;

(2) The licensee fills the refillable containers only with malt liquor that was manufactured by a small brewery licensed under section 1355-A or by an out-of-state brewer who holds a certificate of approval from the bureau and who produces less than 50,000 gallons of malt liquor annually or with malt liquor manufactured outside the United States;

(3) The licensee fills only containers that are unique to the licensee, are purchased by the customer for refilling and are suitable for storage of malt liquor;

(4) The containers must be labeled with a label unique to the licensee that includes the name of the licensee;

(5) The licensee, when filling a container, shall seal the container with a seal that is tamper-evident and attach a tag, sticker or sales receipt that indicates the date and time filled and the contents of the container;

(6) The licensee may not prefill containers; and

(7) The sale of malt liquor in refillable containers is for off-premises consumption.'

COMMITTEE AMENDMENT

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SUMMARY

The bill allows for the sale of liquor from kegs by an on-premises retail licensee. This amendment, which is the minority report of the committee, provides for specific conditions that must be met in order for an on-premises licensee that is not a brewery or small brewery to sell malt liquor for off-premises consumption in refillable containers. In order for a licensee to be able to sell malt liquor in refillable containers, it must offer at least 25 brands of malt liquor on tap at the licensee's establishment. It also requires that the refillable containers be unique to the licensee and may be filled only upon request of a customer with malt liquor produced by small breweries or malt liquor manufactured outside the United States.