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Date: (Filing No. H-)

VETERANS AND LEGAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1231, L.D. 1786, Bill, “An Act Regarding Maine's Liquor Laws”

Amend the bill by inserting after section 1 the following:

'Sec. 2. 28-A MRSA §708-C, sub-§1, as enacted by PL 2015, c. 214, §3, is amended to read:

1. Donations for an auction or award. A person licensed by the bureau under section 1355-A, a certificate of approval holder, a manufacturer or supplier of distilled spirits or a wholesaler may donate a certificate to purchase its product or donate its product to a public broadcasting station, an incorporated civic organization or a similarly purposed national organization designated by the United States Internal Revenue Service under the United States Internal Revenue Code of 1986, Section 501(c)(3) for the purpose of an auction or to offer as a prize, gift or award in conjunction with efforts to support the purposes of the incorporated civic organization, similarly purposed organization or public broadcasting station. Spirits donated in accordance with this subsection must ~~have first been sold to the State or the State's contracted wholesaler for listing, pricing and distribution in accordance with this Title~~ be listed by the commission for sale in this State, clearly labeled as a donation and purchased from the State's wholesale liquor provider at list price. A person authorized to make a donation in accordance with this subsection shall maintain a record of each donation, including the value of the donation and the date on which it was made. A recipient of a donation under this subsection must be 21 years of age or older.'

Amend the bill in section 3 in paragraph I in the first line (page 1, line 18 in L.D.) by inserting after the following: "location" the following: ' , on the premises of the licensed location or at another location.'

Amend the bill in section 3 in paragraph I by inserting after subparagraph (2) the following:

COMMITTEE AMENDMENT

1 '(2-A) Liquor sold under a chapter 43 retail license operated on the premises of a
2 location licensed under this section may not be consumed on any part of the
3 premises where patrons are not generally permitted.'

4 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
5 section number to read consecutively.

6 **SUMMARY**

7 This amendment provides that distilled spirits may be donated to charitable
8 organizations by both in-state and out-of-state manufacturers. It also clarifies how those
9 donations are processed by the State or the State's wholesale liquor provider. This
10 amendment provides that a manufacturer in the State is entitled to have a retail license
11 under the Maine Revised Statutes, Title 28-A, chapter 43 per licensed manufacturing
12 location, either on the premises of the manufacturing facility or at another location. The
13 amendment also clarifies that liquor sold under a retail license issued pursuant to chapter
14 43 may not be consumed on any part of the premises where patrons are not generally
15 permitted.

16 **FISCAL NOTE REQUIRED**

17 **(See attached)**