

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FOURTEEN

H.P. 1265 - L.D. 1763

**An Act To Make Available to the Public Certain Information Concerning the  
Alcohol Content of Malt Liquor, Wine and Spirits**

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

**Whereas,** current ambiguity in the law regarding the display of alcohol content is causing confusion among manufacturers, sellers and distributors of alcoholic beverages; and

**Whereas,** it is important to resolve this ambiguity as soon as possible; 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 §709, sub-§1,** as amended by PL 1999, c. 275, §1, is further amended to read:

**1. Certain practices prohibited.** The following practices are prohibited.

A. No licensee or employee or agent of a licensee may:

- (1) Offer or deliver any free liquor to any person or group of persons;
- (2) Deliver more than 2 drinks containing spirits, a carafe containing more than one liter or 33.8 ounces of wine, or any serving or pitcher containing more than one liter or 33.8 ounces of malt liquor, to one person at one time;
- (3) Sell, offer to sell or deliver to any person or group of persons an unlimited number of drinks for a fixed price, except at private functions not open to the public;

(4) Encourage or permit, on the licensed premises, any game or contest that involves drinking or the awarding of drinks as prizes; or

(5) ~~Any~~ Engage in any other practice the specific purpose of which is to encourage customers of the licensee to drink to excess; ~~and.~~

B. No licensee may advertise or promote in any way, whether within or without the licensed premises, any of the practices prohibited under paragraph A. This paragraph does not prohibit a licensee or employee or agent of a licensee from including the alcohol content of malt liquor, wine or spirits in an advertisement or on a label, or in a display on an advertisement or label, if the alcohol content is expressed as a percentage of alcohol by volume.

**Sec. 2. 28-A MRSA §711**, as amended by PL 1993, c. 730, §33, is repealed.

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