



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1293

S.P. 445

In Senate, April 4, 2017

An Act To Allow Wine Tastings at Farmers' Markets

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

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative AUSTIN of Skowhegan and
Senators: CARPENTER of Aroostook, CHENETTE of York, COLLINS of York, VITELLI of
Sagadahoc, Representatives: BRYANT of Windham, GILLWAY of Searsport, HUBBELL of
Bar Harbor.

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

2 **Sec. 1. 28-A MRSA §1366, sub-§3, ¶F**, as enacted by PL 2011, c. 280, §3, is
3 amended to read:

4 F. ~~Taste~~ Except as provided in section 1367, taste testing or sampling of wine and
5 malt liquor is not permitted at the farmers' market.

6 **Sec. 2. 28-A MRSA §1367** is enacted to read:

7 **§1367. Wine tastings at farmers' markets**

8 **1. Taste testing of wine.** Subject to the conditions in subsection 2, a farmers' market
9 may conduct taste testings of wine at that farmers' market. For purposes of this section,
10 "farmers' market" has the same meaning as in Title 7, section 415, subsection 1,
11 paragraph A.

12 **2. Conditions on taste-testing activities.** The following conditions apply to taste-
13 testing activities under this section:

14 A. Wine may not be served to persons who have not yet attained 21 years of age;

15 B. A person may not be served a taste-testing sample of more than 2 ounces of wine
16 at a time;

17 C. A person may not be charged a fee for any wine served as part of a taste-testing
18 activity;

19 D. A person who is visibly intoxicated may not be served;

20 E. Taste testing must be conducted within the hours of retail sale established in this
21 Title; and

22 F. Taste testing is not allowed in any municipality where on-premises and off-
23 premises sales are not allowed pursuant to chapter 5.

24 **3. Rules.** The bureau may adopt rules to implement this section. Rules adopted
25 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,
26 subchapter 2-A.

27 **SUMMARY**

28 This bill allows wine taste testings at farmers' markets.