



126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1713

S.P. 679

In Senate, January 8, 2014

An Act To Permit the Sharing of Revenue from the Sale of Alcoholic Beverages at Sporting Events

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.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by President ALFOND of Cumberland.

Cosponsored by Representative GRAHAM of North Yarmouth and

Senators: HASKELL of Cumberland, TUTTLE of York, Representatives: CHIPMAN of Portland, FARNSWORTH of Portland, GOODE of Bangor, LUCHINI of Ellsworth, MOONEN of Portland, MORIARTY of Cumberland, WILSON of Augusta.

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

2 **Sec. 1. 28-A MRSA §605, first ¶**, as amended by PL 2013, c. 345, §2, is further
3 amended to read:

4 Except as otherwise provided in this section and section 608, ~~no~~ a license or any
5 interest in a license may not be sold, transferred, assigned or otherwise subject to control
6 by any person other than the licensee. If the business, or any interest in the business, in
7 connection with which a licensed activity is conducted is sold, transferred or assigned, the
8 license holder shall immediately send to the bureau the license and a sworn statement
9 showing the name and address of the purchaser. The bureau is not required to refund any
10 portion of the licensee fee if the license is surrendered before it expires. For the purposes
11 of this section, a tenant brewer who is licensed in accordance with section 1355-A,
12 subsection 6 is not considered to be subject to the control of the host brewer, as described
13 in that subsection, or considered to have been transferred or assigned the license or
14 interest in the license of the host brewer.

15 **Sec. 2. 28-A MRSA §608** is enacted to read:

16 **§608. Civic auditoriums with professional sporting events; revenues from the sale of**
17 **liquor**

18 A civic auditorium licensed to sell liquor for on-premises consumption may enter into
19 an agreement to share revenue from the sale of liquor with a professional sports team not
20 licensed under this Title if the following conditions are met.

21 **1. Capacity.** The civic auditorium has a capacity to seat at least 3,000 people.

22 **2. Civic auditorium is designated host facility.** The civic auditorium is the
23 designated host facility for the professional sports team. For the purposes of this
24 subsection, "designated host facility" means a civic auditorium where a professional
25 sports team conducts at least 75% of its sporting events as the home team in the
26 competition.

27 **3. Minimum number of sporting events.** The professional sports team schedules
28 and conducts regular sporting events on no fewer than 15 calendar days at the civic
29 auditorium during a 12-month period.

30 **4. Revenues from sporting events only.** Revenues to be shared between the civic
31 auditorium and the professional sports team are limited to revenues from the sale of
32 liquor sold at the time of sporting events conducted by that professional sports team.

33 **5. Application.** The civic auditorium discloses any agreement with a professional
34 sports team permitted under this section when submitting an application for a liquor
35 license as required by section 651, subsection 2.

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SUMMARY

2 This bill creates an exception to the law that prohibits a liquor license from being
3 sold, assigned or subject to the control of a person other than the licensee. The bill allows
4 a civic auditorium that holds a liquor license and serves as the designated host facility for
5 a professional sports team to enter into an agreement to share the proceeds from the sale
6 of alcoholic beverages sold in conjunction with the professional team’s sporting events.
7 In order to qualify for this exception, the civic auditorium must have the capacity to seat
8 at least 3,000 people.