

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FOURTEEN

S.P. 679 - L.D. 1713

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

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

Whereas, professional sports teams provide valuable entertainment and economic benefits to the communities where they play; and

Whereas, professional sports teams are valuable partners with civic auditoriums and other arenas, which serve as anchor facilities in cities and towns across the State; and

Whereas, it is vital to ensure that arrangements between professional sports teams and civic auditoriums and other large arenas are mutually economically beneficial in order to maintain these important relationships, and in order to maximize the benefit this legislation needs to take effect 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 §605, first ¶, as amended by PL 2013, c. 345, §2, is further amended to read:

Except as otherwise provided in this section and section 608, ~~no~~ a license or any interest in a license may not be sold, transferred, assigned or otherwise subject to control by any person other than the licensee. If the business, or any interest in the business, in connection with which a licensed activity is conducted is sold, transferred or assigned, the license holder shall immediately send to the bureau the license and a sworn statement showing the name and address of the purchaser. The bureau is not required to refund any portion of the licensee fee if the license is surrendered before it expires. For the purposes

of this section, a tenant brewer who is licensed in accordance with section 1355-A, subsection 6 is not considered to be subject to the control of the host brewer, as described in that subsection, or considered to have been transferred or assigned the license or interest in the license of the host brewer.

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

§608. Licensees with professional sporting events; revenues from the sale of liquor

A licensee authorized to sell liquor for on-premises consumption may enter into an agreement to share revenues from the sale of liquor with a professional sports team not licensed under this Title if:

1. Capacity. The licensee has a capacity to seat at least 3,000 people;

2. Licensee is designated host facility. The licensee is the designated host facility for the professional sports team. For the purposes of this subsection, "designated host facility" means a facility licensed to sell liquor for on-premises consumption, including, but not limited to, a civic auditorium or an outdoor stadium where a professional sports team conducts at least 75% of its sporting events as the home team in the competition;

3. Revenues from sales at sporting events only. Revenues to be shared as provided by this section between the licensee and the professional sports team are limited to revenues from the sale of liquor sold at the time of sporting events conducted by that professional sports team; and

4. Application. The licensee discloses any agreement, including any revenue-sharing provisions pursuant to subsection 3, with a professional sports team permitted under this section when submitting an application for a liquor license as required by section 651, subsection 2.

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