

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1354

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H.P. 877

House of Representatives, April 1, 2025

### **An Act Regarding Liquor Licensing in Outdoor Stadiums and Exclusivity in Licensee Agreements**

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Received by the Clerk of the House on March 28, 2025. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script, reading "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative SUPICA of Bangor.

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

2       **Sec. 1. 28-A MRSA §707, sub-§2**, as amended by PL 1993, c. 730, §30, is repealed.

3       **Sec. 2. 28-A MRSA §707, sub-§9** is enacted to read:

4       **9. Exclusivity prohibited in licensee agreements.** An agreement between a licensee  
5 and a manufacturer, distributor, brand and another qualifying entity that involves monetary  
6 exchanges is prohibited from including provisions that would grant the manufacturer,  
7 distributor, brand or other qualifying entity the exclusive right to supply goods or services  
8 to the licensee. The bureau shall modify existing rules to reflect the changes in this  
9 subsection.

10 This subsection does not prevent an affiliate of a licensee from receiving money for  
11 sponsorship of a transportation system for transporting the public or for sponsorship of  
12 specific sporting events and cultural events as long as the licensee does not receive any  
13 payment or thing of value from the public transportation system or the sporting and cultural  
14 events and as long as an affiliate does not derive any portions of its revenues from the  
15 licensee. All sponsorships must have prior written approval of the bureau. The bureau  
16 shall adopt rules implementing this paragraph.

17       **Sec. 3. 28-A MRSA §1074**, as repealed and replaced by PL 2023, c. 405, Pt. A,  
18 §103, is amended to read:

19       **§1074. Outdoor stadiums**

20       **1. Issuance of licenses.** The bureau may issue a license under this section for the  
21 sale of malt liquor, wine and spirits for on-premises consumption to an outdoor stadium, as  
22 defined in section 2, subsection 15, paragraph M. A concessionaire or lessee may be issued  
23 a license under this section, regardless of whether it controls the premises, as long as that  
24 concessionaire or lessee complies with the notice provisions applicable to qualified catering  
25 services in section 1076, subsection 7 prior to exercising the license.

26       ~~**2. No sales at events for children.**—A licensee under this section may not sell malt~~  
27 ~~liquor, wine or spirits at an outdoor stadium at any event primarily involving primary or~~  
28 ~~secondary school children.~~

29       ~~**3. Conditions on sales.**—A licensee under this section may not sell malt liquor, wine~~  
30 ~~or spirits in the spectator stands at an outdoor stadium. A licensee may sell malt liquor,~~  
31 ~~wine or spirits only by the glass in plastic or paper cups.~~

32       **4. Bottle service of spirits; designated areas.** An outdoor stadium licensee may sell  
33 spirits in original containers for service in an outdoor stadium club suite under the following  
34 conditions:

35       A. Spirits must be consumed in the club suite and must be provided exclusively by the  
36 outdoor stadium licensee;

37       B. Spirits provided for consumption in the club suite must remain in the club suite for  
38 the duration of the event for which they were provided;

39       C. The number of containers of spirits provided for consumption in the club suite may  
40 not exceed 6; and

D. The registered tenant of the club suite or the person specifically granted access to the club suite by the operator of the outdoor stadium must sign a contract with the outdoor stadium agreeing that a person under 21 years of age may not be provided with or served liquor in the club suite.

For purposes of this subsection, "club suite" means a designated area within an outdoor stadium designated to provide premium viewing of an event in the outdoor stadium and to which access is limited to registered tenants and persons who have been specifically granted access by the operator of the outdoor stadium and those persons' invited guests. A club suite is not accessible to the public or outdoor stadium patrons with a ticket that provides for general admission to that event at the outdoor stadium. A club suite must have a clearly designated point of access for registered tenants and persons specifically granted access by the operator of the outdoor stadium to ensure that persons present in the club suite are limited to invited guests and employees providing services to the club suite.

**Sec. 4. 28-A MRSA §1355-A, sub-§2-B, ¶B,** as amended by PL 2019, c. 665, §11, is further amended to read:

B. The licensee is in violation of section 707, subsection 2, 3-A or 5-A, if the violation existed in the same manner at the time the license was initially issued or at the time the license was renewed.

## SUMMARY

This bill removes the provisions of law that prohibit the sale of malt liquor, wine or spirits at an event primarily involving children and in the spectator stands at an outdoor stadium. The bill allows an outdoor stadium licensee to sell spirits in original containers for service in an outdoor stadium club suite under certain conditions and removes the requirement that an outdoor stadium licensee may sell malt liquor, wine or spirits only by the glass in plastic or paper cups. The bill also removes the prohibition on licensees or applicants for a license receiving anything of value from a person engaged in the certain activities related to the manufacture, distribution, sale or transportation of liquor. The bill prohibits provisions in agreements between licensees and manufacturers, distributors and brands granting the exclusive right to supply goods or services to the licensee.