

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

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Legislative Document

No. 1641

S.P. 526

In Senate, May 5, 2021

### **An Act To Ensure Continued Access to Film and Stage Theaters and Music Venues**

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Received by the Secretary of the Senate on May 3, 2021. Referred to the Committee on Innovation, Development, Economic Advancement and Business pursuant to Joint Rule 308.2 and ordered printed.

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

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator DAUGHTRY of Cumberland.

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

2 **Sec. 1. 5 MRSA §13056-I** is enacted to read:

3 **§13056-I. Film and Stage Theaters and Music Venue Fund**

4 **1. Fund established.** The Film and Stage Theaters and Music Venue Fund, referred  
5 to in this section as "the fund," is established as a nonlapsing fund within the department  
6 in order to provide funds to film and stage theaters and music venues within this State that  
7 meet the eligibility requirements of this section. The fund may receive appropriations,  
8 allocations, grants or gifts from any federal agency or governmental subdivision or the  
9 State and its agencies. The fund may also accept donations from private sources. The  
10 department shall adopt rules establishing an application process for persons to apply for  
11 grants under this section. The application must include all information necessary for the  
12 purpose of determining grant eligibility under this section.

13 **2. Eligibility.** An applicant for a grant under this section must, in accordance with  
14 rules adopted by the department, demonstrate that the applicant:

15 **A. Operates in this State either:**

16 (1) A movie theater that has at least one permanent indoor auditorium for viewing  
17 films for entertainment by members of the general public who attend through the  
18 purchase of individual tickets to view a specific film that is not adult-oriented, as  
19 defined by the department by rule, and had at least \$15,000 in ticket sales in 2019;

20 (2) A stage theater that has at least one permanent stage for viewing live plays or  
21 similar stage productions by members of the general public who attend through the  
22 purchase of individual tickets; or

23 (3) A music venue that has at least one public space for viewing a live concert or  
24 musical performance by members of the general public who attend through the  
25 purchase of individual tickets, and the majority of income generated by the music  
26 venue is derived through such ticket sales;

27 **B. Experienced, with respect to the operation of the movie theater, stage theater or**  
28 **music venue that satisfies the criteria of paragraph A, subparagraph (1), (2) or (3), a**  
29 **decline of 30% or more in overall ticket sales in 2020 as compared with 2019 as**  
30 **measured by sales in the 2nd and 3rd quarters of each year;**

31 **C. Experienced the decline described in paragraph B as a result of the effect of**  
32 **executive orders issued by the Governor during a state of emergency declared as a**  
33 **result of the COVID-19 pandemic that limited the capacity or operations of the movie**  
34 **theater, stage theater or music venue that satisfies the criteria of paragraph A,**  
35 **subparagraph (1), (2) or (3); and**

36 **D. Has no current state or local tax liens on record related to the movie theater, stage**  
37 **theater or music venue that satisfies the criteria of paragraph A, subparagraph (1), (2)**  
38 **or (3).**

39 **3. Awarding grants.** To the extent funds are available, the department may award a  
40 grant to a person who meets the eligibility requirements of this section and who:

41 **A. Operates a movie theater that satisfies the criteria of subsection 2, paragraph A,**  
42 **subparagraph (1), in an amount up to \$15,000 per movie screen for the first 2 movie**

1 screens and up to \$10,000 for each additional movie screen up to a total amount not to  
2 exceed \$150,000 per theatre;

3 B. Operates a stage theater that satisfies the criteria of subsection 2, paragraph A,  
4 subparagraph (2), in an amount determined by the commissioner, proportional to the  
5 size of the venue and its workforce, not to exceed \$500,000; and

6 C. Operates a music theater that satisfies the criteria of subsection 2, paragraph A,  
7 subparagraph (3), in an amount determined by the commissioner, proportional to the  
8 size of the venue and its workforce, not to exceed \$500,000.

9 A person who receives a grant under this section shall use the grant solely for the purpose  
10 of paying the operating expenses of the movie theater, stage theater or music venue for  
11 which the grant was awarded.

12 **4. Rulemaking.** Rules adopted pursuant to this section are routine technical rules as  
13 defined in chapter 375, subchapter 2-A.

14 **SUMMARY**

15 This bill creates a fund for the purpose of providing grants to film and stage theaters  
16 and music venues that have suffered economically due to restrictions placed on their  
17 operation during the COVID-19 pandemic.