

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2022

(2) Obtains professional representation, including representation by an attorney, for contracts or other legal matters relating to use of the student athlete's name, image or likeness.

For purposes of this paragraph, "full scholarship" means a scholarship that covers the full cost of attendance at that college or university, including but not limited to tuition, room and board; or

C. Prescribe a team contract for an intercollegiate athletic program that prohibits or otherwise prevents a student athlete from using the student athlete's name, image or likeness for a commercial purpose when the student athlete is not engaged in official team activities.

For the purposes of this subsection, a college or university determines what behavior constitutes official team activities at that college or university.

2. Construction. This section may not be construed to limit a college or university from adopting or enforcing a policy, requirement, standard or limitation that establishes conditions by which a student athlete may monetize the student athlete's name, image or likeness, including a policy, requirement, standard or limitation that prohibits a student athlete's use of a college or university trademark, logo or facility or prohibits a student athlete's use of the student athlete's name, image or likeness in a manner that is inconsistent with a college or university code of conduct or other college or university policy.

§12973. Autographs

A student athlete may earn compensation from selling the student athlete's autograph in a manner that does not otherwise conflict with a provision of this chapter.

§12974. University participation in intercollegiate athletics

An athletic association, conference or other group or organization with authority over intercollegiate athletics may not prevent in this State a college or university from participating in intercollegiate athletics as a result of the compensation of a student athlete for the use of the student's athlete's name, image or likeness.

See title page for effective date.

CHAPTER 545

H.P. 1415 - L.D. 1909

An Act To Amend Syringe Service Programs

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

Sec. 1. 22 MRSA §1341, sub-§1, ¶A, as enacted by PL 2007, c. 346, Pt. A, §1, is amended to read:

A. The Maine Center for Disease Control and Prevention may ~~not~~ limit the number of hypodermic apparatuses provided by the certified hypodermic apparatus exchange programs to participants.

See title page for effective date.

CHAPTER 546

H.P. 1420 - L.D. 1914

An Act To Allow Wine Retailers with 2 or More Licensed Facilities To Freely Transfer Wine between Approved Facilities

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

Sec. 1. 28-A MRSA §1201, sub-§3-A, as amended by PL 2013, c. 476, Pt. A, §26, is further amended to read:

3-A. Sale or transfer of malt liquor or wine for off-premises consumption to retailer prohibited. A person licensed under this section, or an agent or employee of the person, may not knowingly sell or transfer malt liquor or wine to another retailer ~~licensed under this section~~ for resale except as provided in section 606 or 1201-B.

Sec. 2. 28-A MRSA §1201-B is enacted to read:

§1201-B. Transfer of wine between retail locations

1. Definition. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Approved retailer" means a retailer licensed to sell wine for off-premises consumption that has received approval to sell or transfer wine to a commonly owned retail licensee under subsection 3.

B. "Commonly owned retail licensee" means, with respect to a retailer licensed to sell wine for off-premises consumption, another retailer licensed to sell wine for off-premises consumption if the same person or persons hold a majority ownership interest in both retailers.

2. Authority to transfer wine between retail locations. Notwithstanding section 1201, subsection 3-A and any other provision of this Title to the contrary, an approved retailer may sell or transfer wine by the case or by the bottle to a commonly owned retail licensee under the following conditions:

A. The approved retailer licensed and any commonly owned retail licensee to which wine is transferred or sold must be located within the territory