**§707-A. Exceptions to indebtedness or operations limitations**

**1. Certain financial interests permitted.**  Notwithstanding section 707, if the requirements of subsection 2 are met, section 707 does not prohibit:

A. A person that owns or has a financial interest in a holder of a retail license issued in conjunction with and as part of the operations of a hotel from owning or having a financial interest in a certificate of approval holder; or [PL 1997, c. 659, §1 (NEW).]

B. A person that owns or has a financial interest in a certificate of approval holder from owning or having a financial interest in the holder of a retail license issued in conjunction with and as part of the operations of a hotel. [PL 1997, c. 659, §1 (NEW).]

[PL 1997, c. 659, §1 (NEW).]

**2. Requirements.**  The exceptions to section 707 set out in subsection 1 apply only if each of the following requirements is met.

A. The hotel must have at least 100 adequate sleeping rooms and the relationship between the occupants of those rooms and the owner or operator of the establishment is that of hotel guest and innkeeper. [PL 2021, c. 658, §99 (AMD).]

B. The hotel may not purchase malt liquor or wine products sold by the certificate of approval holder to wholesale licensees, and the certificate of approval holder may not require any brand of liquor product to be purchased or sold by the hotel. [PL 2021, c. 658, §99 (AMD).]

C. The certificate of approval holder and the retail licensee may not directly or indirectly own or have any interest in a wholesale licensee. [PL 2021, c. 658, §99 (AMD).]

D. The certificate of approval holder and the retail licensees must be separate entities and may not have any common directors. [PL 2021, c. 658, §99 (AMD).]

[PL 2021, c. 658, §99 (AMD).]

**3. Construction.**  The exceptions to section 707 set out in subsection 1 must be construed narrowly and be limited to the express terms contained in subsection 1. The exceptions contained in subsection 1 may not be construed to undermine the general prohibition against tied interests contained in section 707.

[PL 1997, c. 659, §1 (NEW).]

SECTION HISTORY

PL 1997, c. 659, §1 (NEW). PL 2021, c. 658, §99 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.