

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1201

S.P. 412

In Senate, February 11, 1999

An Act to Require Licensing Fees of Tobacco Products Manufacturers.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator LONGLEY of Waldo.

Cosponsored by Senators: GOLDTHWAIT of Hancock, MILLS of Somerset, PARADIS of Aroostook, Representatives: ETNIER of Harpswell, KANE of Saco, VOLENIK of Brooklin.

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

4 **Sec. 1. 22 MRSA §1547 is enacted to read:**

6 **§1547. Tobacco products manufacturer licenses**

8 Beginning January 1, 2000, any tobacco products manufacturer
10 that distributes for sale or sells directly tobacco products in
12 the State shall obtain a license for the distribution or sale as
14 required by this section.

16 **1. Definitions.** As used in this section, unless the
18 context otherwise indicates, the following terms have the
20 following meanings.

22 **A. "Distributes for sale"** means imports into the State for
24 sale or distribution by a retailer or other person or entity.

26 **B. "Sells directly"** means sells, offers for sale or
28 distributes for free and includes transfers by exchange or
30 barter.

32 **C. "Tobacco products manufacturer"** means a manufacturer of
34 tobacco products as defined by paragraph D.

36 **D. "Tobacco products"** means any form of tobacco meant for
38 smoking in cigarettes, cigars, pipes or other objects giving
40 off or containing any substance giving off smoke and
42 includes smokeless tobacco.

44 **2. Licensing requirements.** Applicants for licenses to
46 distribute for sale or sell tobacco products in the State must
48 comply with the following requirements.

50 **A. Applicants must submit a completed application to the**
department.

B. Applicants must submit an annual licensing fee of
\$10,000.

3. Exclusion. This section does not apply to retailers of
tobacco products licensed under chapter 262-A or distributors of
tobacco products licensed under Title 36, chapter 703 or 704.

4. Rulemaking. The department shall adopt rules to
implement this section. Rules adopted pursuant to this
subsection are routine technical rules as defined by Title 5,
chapter 375, subchapter II-A.

SUMMARY

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4 This bill requires tobacco products manufacturers who
6 distribute for sale or sell tobacco products directly in the
8 State to pay an annual licensing fee to the State of \$10,000
 beginning January 1, 2000. The bill does not apply to dealers
 and distributors licensed under the Maine Revised Statutes, Title
 36, chapter 703 or chapter 704 and retailers licensed under Title
 22, chapter 262-A.