

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 941

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HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 660, L.D. 941, Bill, "An Act To Make an Exception to the Law Regarding Licensing of Fair Vendors Selling Tobacco Products"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 22 MRSA §1552, sub-§3, as enacted by PL 1995, c. 470, §9 and affected by §19, is amended to read:

3. Multiple licenses. A Except as provided in subsection 3-A, a licensee applying for licenses to operate more than one premises or more than one vending machine shall obtain a separate license for each premises and each machine and shall pay the fee prescribed for each premises and each machine.

Sec. 2. 22 MRSA §1552, sub-§3-A is enacted to read:

3-A. Seasonal mobile tobacco vendor license. An applicant who is a seasonal mobile tobacco vendor may purchase a single annual license authorizing that vendor to operate at 2 or more agricultural fairs, festivals or exhibitions held during the agricultural fair season. A license issued under this subsection must clearly specify the name and location of each fair, festival or exhibition at which the licensee is authorized to operate and, for each location, the specific dates and number of machines for which the licensee is authorized. A licensee may not operate at any agricultural fair, festival or exhibit except as specifically provided in that license. Upon issuing a license under this

COMMITTEE AMENDMENT

H.O.S.

subsection, the department shall immediately provide the information required by this subsection to the Office of the Attorney General for purposes of inspection and enforcement.

Sec. 3. Seasonal mobile tobacco vendor license; fee. In determining the sliding-scale licensing fee that applies to a seasonal mobile tobacco vendor license sold under the Maine Revised Statutes, Title 22, section 1552, subsection 3-A, the Department of Health and Human Services shall consider the "total square footage of the retail establishment," referred to in Public Law 2005, chapter 12, Part TT, section 2, to be the square footage of equipment or other personal property owned or leased by the licensee that is located at the agricultural fair, festival or exhibition.'

SUMMARY

This amendment clarifies that the seasonal mobile tobacco vendor license proposed in the bill must include the specific name, dates and location of each agricultural fair, festival and exhibition at which the license authorizes the licensee to operate and that, when determining the fee for the seasonal license, the Department of Health and Human Services must consider the size of the retail establishment to be the square footage of the vending equipment located on the premises.

**FISCAL NOTE REQUIRED
(See attached)**



122nd MAINE LEGISLATURE

LD 941

0282(02)

An Act To Make an Exception to the Law Regarding Licensing of Fair Vendors Selling Tobacco Products

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor revenue impact - General Fund

Minor cost increase - General Fund

Fiscal Detail and Notes

Any impact on license fees collected is expected to be minor. Any additional costs to the Department of Health and Human Services in implementing this bill can be absorbed by the department utilizing existing budgetary resources.