

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 941

H.P. 660

House of Representatives, February 22, 2005

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

(EMERGENCY)

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Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative RICHARDSON of Skowhegan.  
Cosponsored by Representatives: MOORE of Standish, PINKHAM of Lexington Township,  
SYKES of Harrison.

2           **Emergency preamble.** Whereas, acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4           Whereas, the fair season will begin before this Act takes  
6 effect; and

8           Whereas, the vendors need to know before the fair season  
begins how many licenses they need to purchase; and

10           Whereas, in the judgment of the Legislature, these facts  
12 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
14 necessary for the preservation of the public peace, health and  
safety; now, therefore,

16  
18 **Be it enacted by the People of the State of Maine as follows:**

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

22           **3. Multiple licenses.** A licensee applying for licenses to  
operate more than one premises or more than one vending machine  
24 shall obtain a separate license for each premises and each  
machine and shall pay the fee prescribed for each premises and  
26 each machine.

28           An applicant who is a seasonal mobile tobacco vendor shall obtain  
only one license per agricultural fair season. The license  
30 covers all fairs, festivals and exhibitions for the season in  
which the license is issued. In addition to the license fee in  
32 subsection 1, a seasonal mobile tobacco vendor must pay an  
additional \$10 for each cart that the seasonal mobile tobacco  
34 vendor operates during the fair season.

36           For the purposes of this subsection, "seasonal mobile tobacco  
vendor" means a person who sells tobacco products at more than  
38 one fair, festival or exhibition during an agricultural fair  
season.

40           **Emergency clause.** In view of the emergency cited in the  
42 preamble, this Act takes effect when approved.

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**SUMMARY**

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48           This bill requires a person who sells tobacco products at  
agricultural fairs, festivals or exhibitions to obtain only one  
license during the fair season. The bill also establishes a fee  
50 of \$10 for each cart that a person operates during a fair season  
in addition to the \$50 license fee. The bill also defines a

2 "seasonal mobile tobacco vendor" as a person who sells tobacco products at more than one location during a fair season.