

MAINE STATE LEGISLATURE

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Date: 5/3/2017

Minority

(Filing No. S- 63)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE

SENATE

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 13, L.D. 34, Bill, "An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 22 MRSA §1542, sub-§2, ¶O is enacted to read:

O. Smoking, other than cigarette smoking, is not prohibited in a cigar lounge licensed under section 1551-A, subsection 1-A as long as:

(1) Cigarettes are not offered for sale or sold in the cigar lounge;

(2) Food is not prepared on the premises; and

(3) Notice is provided to all applicants for employment and employees that work in the cigar lounge that working in the cigar lounge may cause serious negative health effects, including an increased risk of cancer and heart disease, and that no level of exposure to environmental tobacco smoke is safe.

Sec. 2. 22 MRSA §1551-A, sub-§1-A is enacted to read:

1-A. Cigar lounge retail tobacco license. The department may, upon application and payment of the fee in accordance with section 1552, issue a retail tobacco license that allows a retail business to operate as a cigar lounge subject to the provisions of section 1542, subsection 2, paragraph O if the retail business:

A. Occupies a retail business space less than 2,000 square feet in area; and

B. Derived at least 60% of its gross revenue for the last calendar year from the sale of tobacco or tobacco-related products.

A cigar lounge licensed under this subsection may obtain a retail liquor license issued by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations as a cigar lounge under Title 28-A, Part 3, subpart 2.

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 13, L.D. 34

1 and Lottery Operations. The amendment provides that the cigar lounge license fee of
2 \$100 is in addition to the required license fee for a retail tobacco license and the type of
3 liquor license sought.

4 **FISCAL NOTE REQUIRED**

5 (See attached)



128th MAINE LEGISLATURE

LD 34

LR 591(02)

An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores

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

Committee: Health and Human Services

Fiscal Note Required: Yes

(S-63)

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Services (DHHS) to implement the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources. An operator of a cigar lounge will be required to obtain a license, increasing licensing revenue by a small amount.

This bill allows a Cigar Lounge to obtain a Class I, Class II, Class III or Class IV Liquor License from the Bureau of Alcoholic Beverages and Lottery Operations (BABLO) if it has received a cigar lounge retail tobacco license from DHHS and does not allow persons under 21 years of age on the premises. Any additional costs to BABLO to implement the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources. Additional revenue from the issuance of licenses by BABLO is expected to result in a minor increase in General Fund revenue.