

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 343

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H.P. 269

House of Representatives, January 24, 2019

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

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HARRINGTON of Sanford.  
Cosponsored by Representatives: CEBRA of Naples, KRYZAK of Acton, O'CONNOR of  
Berwick, WADSWORTH of Hiram, Senator: WOODSOME of York.

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

2 **Sec. 1. 22 MRSA §1541, sub-§1-B** is enacted to read:

3 **1-B. Cigar lounge.** "Cigar lounge" means a tobacco specialty store licensed under  
4 Title 28-A, section 1080 to sell spirits, wine and malt liquor to be consumed on the  
5 premises.

6 **Sec. 2. 22 MRSA §1542, sub-§2, ¶L,** as amended by PL 2007, c. 180, §2, is  
7 further amended to read:

8 L. Smoking is not prohibited in a tobacco specialty store. The on-premises service,  
9 preparation or consumption of food or drink, if the tobacco specialty store is not  
10 licensed for such service or consumption prior to January 1, 2007, is prohibited in  
11 such a store, unless the store is a cigar lounge. Smoking a waterpipe or hookah is  
12 prohibited in a tobacco specialty store that is newly licensed or that requires a new  
13 license after January 1, 2007.

14 **Sec. 3. 22 MRSA §1542, sub-§2, ¶L-1** is enacted to read:

15 L-1. Smoking is not prohibited in a cigar lounge. A cigar lounge may not sell  
16 cigarettes or allow the smoking of cigarettes and may not prepare food on premises  
17 for sale. A cigar lounge shall provide notice to all applicants for employment and  
18 employees that working in a cigar lounge may cause serious negative health effects,  
19 including an increased risk of cancer and heart disease and that no level of exposure  
20 to environmental tobacco smoke is safe.

21 **Sec. 4. 28-A MRSA §2, sub-§15, ¶B-3** is enacted to read:

22 B-3. "Cigar lounge" has the same meaning as in Title 22, section 1541, subsection  
23 1-B.

24 **Sec. 5. 28-A MRSA §1012, sub-§7** is enacted to read:

25 7. Cigar lounge. The bureau may issue a license as provided in section 1051 to a  
26 cigar lounge. The license fee per calendar year is \$100.

27 **Sec. 6. 28-A MRSA §1080** is enacted to read:

28 **§1080. Cigar lounge**

29 The bureau may issue licenses under this section to cigar lounges for the sale of  
30 spirits, wine and malt liquor to be consumed on the premises.

31 **SUMMARY**

32 This bill allows a tobacco specialty store to be licensed as a cigar lounge, which may  
33 serve nonalcoholic and alcoholic beverages. A cigar lounge may not sell cigarettes or  
34 prepare food on premises for sale. A tobacco specialty store that is a cigar lounge must

1 provide notice about the dangers of environmental tobacco smoke to applicants for  
2 employment and employees. The cigar lounge license fee is \$100 per year.