



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1329

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H.P. 923

House of Representatives, April 4, 2017

### **An Act To Allow Tobacco Retail Establishments To Serve Alcohol**

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

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT  
Clerk

Presented by Representative PIERCE of Dresden.  
Cosponsored by Senator SAVIELLO of Franklin and  
Representatives: ALLEY of Beals, FAY of Raymond, PARRY of Arundel, STANLEY of  
Medway, STEWART of Presque Isle, STROM of Pittsfield, TIMBERLAKE of Turner,  
Senator: KATZ of Kennebec.

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

2 **Sec. 1. 28-A MRSA §2, sub-§15, ¶T-2** is enacted to read:

3 T-2. "Tobacco retail establishment" means a retail establishment licensed under Title  
4 22, chapter 262-A that generates at least 50% of its gross annual income from the sale  
5 of tobacco products.

6 **Sec. 2. 28-A MRSA §2, sub-§32-C** is enacted to read:

7 **32-C. Tobacco products.** "Tobacco products" includes any form of tobacco and  
8 any material or device used in smoking, chewing or other form of tobacco consumption,  
9 including cigarette papers and pipes.

10 **Sec. 3. 28-A MRSA §1001, sub-§3, ¶L**, as enacted by PL 1987, c. 45, Pt. A, §4,  
11 is amended to read:

12 L. Qualified catering services; ~~and~~

13 **Sec. 4. 28-A MRSA §1001, sub-§3, ¶L-1** is enacted to read:

14 L-1. Tobacco retail establishments; and

15 **Sec. 5. 28-A MRSA §1003, sub-§3, ¶L**, as enacted by PL 1987, c. 45, Pt. A, §4,  
16 is amended to read:

17 L. Qualified catering services; ~~and~~

18 **Sec. 6. 28-A MRSA §1003, sub-§3, ¶L-1** is enacted to read:

19 L-1. Tobacco retail establishments; and

20 **Sec. 7. 28-A MRSA §1004, sub-§3, ¶N**, as enacted by PL 1987, c. 45, Pt. A, §4,  
21 is amended to read:

22 N. Restaurants; ~~and~~

23 **Sec. 8. 28-A MRSA §1004, sub-§3, ¶N-1** is enacted to read:

24 N-1. Tobacco retail establishments; and

25 **Sec. 9. 28-A MRSA §1005, sub-§3, ¶O**, as amended by PL 1987, c. 342, §65, is  
26 further amended to read:

27 O. Taverns; ~~and~~

28 **Sec. 10. 28-A MRSA §1005, sub-§3, ¶O-1** is enacted to read:

29 O-1. Tobacco retail establishments; and

30 **Sec. 11. 28-A MRSA §1080** is enacted to read:

1 **§1080. Tobacco retail establishments**

2 **1. Issuance of licenses.** The bureau may issue licenses under this section for the sale  
3 of spirits, wine and malt liquor to be consumed on the premises to tobacco retail  
4 establishments as defined in section 2, subsection 15, paragraph T-2.

5 **2. Minors not allowed on premises.** Minors are not permitted to remain on the  
6 premises of a tobacco retail establishment licensed under this section except when:

7 A. The minor is accompanied by a parent, legal guardian or custodian as defined in  
8 Title 22, section 4002, subsection 5;

9 B. The minor is employed under section 704; or

10 C. The licensee does not permit consumption of liquor on the premises for a specific  
11 period of time or event.

12 **SUMMARY**

13 This bill allows the Department of Administrative and Financial Services, Bureau of  
14 Alcoholic Beverages and Lottery Operations to issue licenses to tobacco retail  
15 establishments to sell spirits, wine and malt liquor for consumption on the premises of  
16 those establishments.