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Legislative Document

No. 730

S.P. 220

In Senate, February 18, 2011

An Act To Streamline the Issuance of State Business Licenses

Received by the Secretary of the Senate on February 18, 2011. Referred to the Committee on Labor, Commerce, Research and Economic Development pursuant to Joint Rule 308.2 and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator THOMAS of Somerset.
Cosponsored by Representative PRESCOTT of Topsham and
Senators: PLOWMAN of Penobscot, RECTOR of Knox, THIBODEAU of Waldo,
Representatives: GIFFORD of Lincoln, HAMPER of Oxford, HARVELL of Farmington,
O'CONNOR of Berwick, OLSEN of Phippsburg.

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

2 **Sec. 1. 5 MRSA §13062, sub-§2, ¶C** is enacted to read:

3 C. The director shall establish within the office a retail business portfolio license
4 program to allow a person possessing a sales tax registration certificate under Title
5 36, chapter 211 for the operation of a retail sales facility, as defined in Title 36,
6 section 6651, subsection 5, to apply to the office for a single license, to be issued by
7 the office, that consolidates all retail licenses required by the State for a person to
8 lawfully operate that retail sales facility. Notwithstanding any other law to the
9 contrary, retail licenses eligible for consolidation and issuance by the office as part of
10 a retail business portfolio license include, but are not limited to, restaurant and food
11 sales licenses, liquor licenses and beer permits, hotel and motel licenses and licenses
12 for the sale of tobacco products, food, beverages, lottery tickets and gasoline.
13 Applications for a retail business portfolio license may be submitted to the office on
14 or after January 3, 2012.

15 **Sec. 2. Rules.** The Director of the Office of Business Development within the
16 Department of Economic and Community Development shall, no later than December 1,
17 2011, adopt rules governing the retail business portfolio license program established in
18 the Maine Revised Statutes, Title 5, section 13062, subsection 2, paragraph C. The rules
19 must specify the application requirements for a portfolio license, establish timelines
20 applicable to the office for the processing and issuance of portfolio licenses, establish the
21 fees for a portfolio license, which may not exceed the combined cost of the individual
22 licenses included in the portfolio license, and require the same renewal date for all
23 individual licenses included in the portfolio license and a prorated license fee based on
24 that renewal date. Rules adopted under this section are routine technical rules pursuant to
25 Title 5, chapter 375, subchapter 2-A.

26 **Sec. 3. Report.** No later than January 15, 2012, the Director of the Office of
27 Business Development within the Department of Economic and Community
28 Development shall submit a report to the Joint Standing Committee on Labor, Commerce,
29 Research and Economic Development on the retail business portfolio license program
30 established in the Maine Revised Statutes, Title 5, section 13062, subsection 2, paragraph
31 C. The report must include recommendations on any statutory changes in the laws
32 governing retail business licensing practices the director determines are necessary to
33 improve the effective operation of the program.

34 **SUMMARY**

35 This bill streamlines the issuance of state business licenses by creating a retail
36 business portfolio license program in the Department of Economic and Community
37 Development, Office of Business Development. The program, which would begin on
38 January 3, 2012, requires the office to issue a single, consolidated portfolio license to any
39 person possessing a sales tax registration certificate issued for the purpose of operating a
40 retail sales facility. The portfolio license would consolidate into a single license all
41 individual business licenses required for that facility to conduct business in the State,
42 would have a single, prorated renewal date for all licenses in the portfolio license and

1 would be available at a fee not to exceed the sum of the fees for each of the individual
2 licenses.

3 The bill requires the Director of the Office of Business Development to adopt routine
4 technical rules by December 1, 2011 in order to begin the program on January 3, 2012.
5 The bill also requires the director, by January 15, 2012, to report to the Joint Standing
6 Committee on Labor, Commerce, Research and Economic Development on the operation
7 of the program and on any statutory changes necessary to improve the effective operation
8 of the program.