



125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1695

H.P. 1247

House of Representatives, December 23, 2011

**An Act To Provide Additional In-store Space for Maine's Businesses
by Removing License and Permit Posting Requirements**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 21, 2011. Referred to the Committee on Labor, Commerce, Research and Economic Development pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative PRESCOTT of Topsham.
Cosponsored by Senator RECTOR of Knox and
Representatives: BENNETT of Kennebunk, McKANE of Newcastle, OLSEN of Phippsburg,
VOLK of Scarborough, Senators: LANGLEY of Hancock, MARTIN of Kennebec, SNOWE-
MELLO of Androscoggin.

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

2 **Sec. 1. 22 MRSA §1552-A**, as amended by PL 1997, c. 305, §1, is further
3 amended to read:

4 **§1552-A. Production of license; notices**

5 **1. Production of licenses.** A licensee shall ~~publicly display~~ make available a copy
6 of the license on the premises and on each machine to which the license applies or the
7 owner's primary place of business for inspection by the commissioner, the
8 commissioner's representatives and agents or authorized municipal officials.

9 **2. Display of prohibition against sales to juveniles.** All licensees shall post notice
10 of the prohibition on tobacco sales to juveniles pursuant to section 1555-B. Notices must
11 be publicly and conspicuously displayed in the licensee's place of business in letters at
12 least 3/8 inches high. Signs required by this section must be provided at cost by the
13 department. Any person who violates this subsection commits a civil violation for which
14 a forfeiture of not less than \$50 nor more than \$200 may be adjudged for any one offense.

15 **Sec. 2. 22 MRSA §2167, first ¶**, as amended by PL 2003, c. 452, Pt. K, §15 and
16 affected by Pt. X, §2, is further amended to read:

17 A person, firm, corporation or copartnership may not operate a food establishment, or
18 a food salvage establishment or act as a salvage broker unless licensed for that purpose by
19 the commissioner. In the case of retail food establishments, licenses issued must be
20 displayed in a place visible to ~~made available at the retail food establishment or at the~~
21 person's, firm's, corporation's or copartnership's primary place of business for inspection
22 by customers or other persons using a licensed the retail food establishment.

23 **Sec. 3. 28-A MRSA §604**, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to
24 read:

25 **§604. Production of licenses**

26 All licensees shall ~~publicly display~~ make available for inspection their licenses ~~on~~ at
27 the premises to which they those licenses apply or at the licensees' primary places of
28 business.

29 **Sec. 4. 30-A MRSA §3703** is enacted to read:

30 **§3703. Production of licenses or permits**

31 The municipal officers may not require a licensee or permittee to publicly display the
32 licensee's or permittee's license or permit on the premises to which that license or permit
33 applies. The municipal officers may require a licensee or permittee to make available for
34 inspection the license or permit at the premises to which the license or permit applies or
35 at the licensee's or permittee's primary place of business.

