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Date: (Filing No. S-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
SENATE
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 14, L.D. 22, 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, ¶L, as amended by PL 2007, c. 180, §2, is further amended to read:

L. Smoking is not prohibited in a tobacco specialty store. The on-premises service, preparation or consumption of food or drink, if the tobacco specialty store is not licensed for such service or consumption prior to January 1, 2007, is prohibited in such a store except that a tobacco specialty store may be licensed as a cigar lounge to serve alcoholic beverages under the provisions of this paragraph. Smoking a waterpipe or hookah is prohibited in a tobacco specialty store that is newly licensed or that requires a new license after January 1, 2007. For the purposes of this paragraph, "cigar lounge" means a business that:

- (1) Is licensed as a tobacco specialty store;
- (2) Has a gross floor area of under 2,000 square feet;
- (3) Derived 60% or more of its gross revenue for the prior calendar year from the sale of tobacco-related products;
- (4) Does not sell cigarettes or allow the smoking of cigarettes on the premises;
- (5) Does not prepare food on premises for sale;
- (6) Provides notice to all applicants for employment and employees that working in a 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; and
- (7) Holds a current Class A license for the sale of spirits, wine and malt liquor issued pursuant to Title 28-A, section 1065.'

COMMITTEE AMENDMENT

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SUMMARY

This amendment is the minority report of the committee and replaces the bill. It allows a tobacco specialty store to be licensed as a cigar lounge and to be licensed to sell alcoholic beverages. A tobacco specialty store that is a cigar lounge may not sell cigarettes or prepare food on premises for sale. A tobacco specialty store that is a cigar lounge must provide notice about the dangers of environmental tobacco smoke to applicants for employment and employees.

FISCAL NOTE REQUIRED

(See attached)