

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 585

S.P. 218

In Senate, March 3, 1987

Reference to the Committee on Business Legislation suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator GAUVREAU of Androscoggin.
Cosponsored by Representative KETOVER of Portland,
Representative BOUTILIER of Lewiston, Senator GILL of
Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Require Registration of Persons
Proposing to Distribute Free Tobacco
Products.

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

Sec. 1. 22 MRSA §1580-A, sub-§2, ¶E is enacted to read:

E. "Tobacco products" means cigarettes, cigars, snuff, smokeless tobacco and any other tobacco product determined by the Bureau of Health to be harmful to the public.

Sec. 2. 22 MRSA §1580-B is enacted to read:

§1580-B. Distribution of free tobacco products

1 Any person, corporation or other entity wishing
2 to distribute free tobacco products shall register
3 this intention with the Bureau of Health.

4 1. Registration. This registration shall in-
5 clude the following information:

6 A. The specific location or locations for such
7 distribution;

8 B. The products to be distributed;

9 C. The days and times of distribution; and

10 D. The names of the persons to be distributing
11 the tobacco products.

12 2. Permit. Upon receipt of the information re-
13 quired the bureau shall issue a permit for free dis-
14 tribution of tobacco products which the distributor
15 shall carry at all times during the distribution.
16 The permit shall include the information required and
17 shall contain notification of Maine law regarding
18 distribution of tobacco products to children under
19 the age of 18.

20 3. Registration fee. The bureau may collect a
21 fee for the issuance of tobacco products free distri-
22 bution permits, not to exceed \$50 for each period of
23 distribution of 3 days or less.

24 4. Penalty. Failure of an individual to comply
25 with this chapter is a civil violation for which a
26 forfeiture of not more than \$50 may be adjudged.

27 STATEMENT OF FACT

28 The recent crackdown by state and federal govern-
29 ments on tobacco products has led to increasing free
30 distribution of tobacco samples, in many cases to mi-
31 nors. From 1980 to 1983, the tobacco industry in-
32 creased their national expenditures on free distribu-
33 tion from \$50,000,000 to \$126,000,000, a 152% in-
34 crease.

1 This bill is designed to give the State, through
2 the Bureau of Health, a method of acquiring informa-
3 tion on free distribution that is going on in Maine,
4 without prohibiting it.

5 The bill requires that those who wish to distrib-
6 ute free tobacco products register their intent, with
7 appropriate information, with the bureau and receive
8 a permit. This allows a means to assure, through
9 monitoring of the distribution, that Maine law pro-
10 hibiting distribution to minors is not being vio-
11 lated.

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