

MAINE STATE LEGISLATURE

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H. O. S.

L.D. 580

(Filing No. H-396)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 454, L.D. 580, Bill, "An Act to Further Discourage the Smoking of Cigarettes by Minors"

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Amend the bill in section 1 in that part designated "§1579." in subsection 1 by striking out all of the 3rd paragraph (page 1, lines 32 to 41 in L.D.) and inserting in its place the following:

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~~'It--is--an--affirmative--defense--to--prosecution--under--this subsection--that--the--defendant--was--the--parent--foster--parent, guardian--or--other--similar--person--responsible--for--the--long--term general--care--and--welfare--of--the--person--under--the--age--of--18--years who--furnished--that--person--with--cigarettes--or--any--other--tobacco product--in--the--defendant's--home--for--use--in--the--defendant's--home. It is an affirmative defense to prosecution under this subsection that the defendant sold cigarettes, cigarette paper or any other tobacco product to a person under the age of 18 years who furnished fraudulent proof of age.'~~

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Further amend the bill by inserting at the end before the statement of fact the following:

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'FISCAL NOTE

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The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenues by a minor amount.'

COMMITTEE AMENDMENT

R. of S.

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STATEMENT OF FACT

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The amendment strikes the provision that it is an affirmative defense to prosecution under sales and distribution of cigarettes to minors that the defendant was the parent, foster parent, guardian or other similar person responsible for the long-term general care of the minor who furnished cigarettes or tobacco products to the minor.

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This amendment also adds a fiscal note. This is the majority report of the Joint Standing Committee on Legal Affairs.

Reported by the Majority of the Committee on Legal Affairs
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