

MAINE STATE LEGISLATURE

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L.D. 1631

DATE: 3-18-04

(Filing No. S-436)

HEALTH AND HUMAN SERVICES

Reported by:

MAJORITY

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 587, L.D. 1631, Bill, "An Act To Prevent the Sale of Water Laced with Nicotine in Maine"

Amend the bill by striking out the title and substituting the following:

'An Act To Prohibit the Sale of Water Containing Nicotine'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 22 MRSA c. 262-A, sub-c. 4 is enacted to read:

SUBCHAPTER 4

NICOTINE WATER

§1560. Nicotine water

1. Definitions. As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Nicotine water" means water that is sold in the State, that is intended for human consumption and that contains as an added ingredient nicotine or an alkaloid having similar physiological activity.

COMMITTEE AMENDMENT

11/23

COMMITTEE AMENDMENT "A" to S.P. 587, L.D. 1631

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2. Prohibition. A person may not sell, furnish, give away or offer to sell, furnish or give away nicotine water in this State.

3. Violation. A person who violates this section commits a civil violation for which fines may be imposed under subsection 4.

4. Fines. The following fines apply to violations of this section.

A. A person who violates subsection 2 commits a civil violation for which a fine of \$500 may be adjudged.

B. A person who violates subsection 2 after having previously violated subsection 2 commits a civil violation for which a fine of \$1,000 may be adjudged.

C. A person who violates subsection 2 after having previously violated subsection 2 more than once commits a civil violation for which a fine of \$5,000 may be adjudged.'

SUMMARY

This amendment is the majority report of the committee. The amendment replaces the bill. It prohibits selling, furnishing or giving away nicotine water, which is water with added nicotine or an alkaloid of nicotine. It reorganizes the penalty provisions from the bill.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT

Approved: 02/26/04 *MAC*

**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1631

An Act To Prevent the Sale of Water Laced with Nicotine in Maine



LR 2171(03)

Fiscal Note for Bill as Amended by Committee Amendment 'A'

Committee: Health and Human Services

Fiscal Note Required: Yes

Majority Report

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Establishes new civil violations