MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 553

H.P. 408

House of Representatives, February 3, 2005

An Act To Regulate the Display of Tobacco Products

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millient M. Macfarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BOWEN of Rockport.

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

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Sec. 1. 22 MRSA §1555-B, sub-§11, as enacted by PL 1999, c. 314, §1 and affected by §2, is amended to read:

Manner of displaying and offering for sale. products, smoking paraphernalia and displays that market tobacco or smoking paraphernalia may not be displayed in a manner that 8 can be viewed by minors, including, but not limited to, on the exterior of a building, in a location visible from a public 10 right-of-way or on a wall or counter inside a retail establishment. Tobacco products may be displayed-er offered for 12 sale only in a manner that does not allow the purchaser direct 14 access to the tobacco products. The requirements of this subsection do not apply to the-display-or-effering-for-sale-ef tobacco-products-in-multi-unit-packages-of-10-or-more-units/-in 16 tobacco specialty stores or in locations in which the presence of minors is generally prohibited. This requirement does not 18 preempt a municipal ordinance that provides for more restrictive 20 regulation of the sale of tobacco products.

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SUMMARY

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This bill prohibits the display of tobacco products, smoking paraphernalia or displays that market tobacco products or smoking paraphernalia in a manner that can be viewed by minors. This bill also eliminates the exception to the law governing the manner of displaying and offering for sale of tobacco products of the display or offering for sale of tobacco products in packages of 10 or more.