

MAINE STATE LEGISLATURE

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE

SENATE

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 391, L.D. 1170, Bill, "An Act To Reduce Youth Access to Tobacco Products"

Amend the bill in section 4 in subsection 2 in the first line (page 1, line 22 in L.D.) by striking out the following: "under" and inserting the following: 'who have not attained'

Amend the bill in section 4 in subsection 2 in the 2nd line (page 1, line 23 in L.D.) by striking out the following: "under" and inserting the following: 'who have not attained'

Amend the bill in section 5 in subsection 1 in paragraph B in subparagraph (2) in the last line (page 1, line 37 in L.D.) by striking out the following: "under the age of 18 to purchase cigarettes 21" and inserting the following: 'under the age of 18 to purchase cigarettes who has not attained 21 years of age'

Amend the bill in section 5 in subsection 1 in the last 2 lines (page 2, lines 5 and 6 in L.D.) by striking out the following: "over 21 years of age" and inserting the following: 'who are 21 years of age or older'

Amend the bill in section 6 in §1555-B by striking out all of subsections 1 and 2 (page 2, lines 10 to 21 in L.D.) and inserting the following:

1. Retail sales. Tobacco products may be sold at retail only in a direct, face-to-face exchange in which the purchaser may be clearly identified. For direct, face-to-face sales, employees who sell tobacco products must be at least 17 years of age. An employee who is at least 17 years of age but less than or older and under 21 years of age may sell tobacco products only in the presence of an employee who is at least 21 years of age or older and is in a supervisory capacity.

2. Sales to persons who have not attained 21 years of age prohibited. A person may not sell, furnish, give away or offer to sell, furnish or give away a tobacco product to any person under 18 who has not attained 21 years of age. Tobacco products may not be sold at retail to any person under 27 who has not attained 30 years of age unless the seller first verifies that person's age by means of reliable photographic identification containing the person's date of birth. That a person appeared to be 30 years of age or older does not constitute a defense to a violation of this section.

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to S.P. 391, L.D. 1170

1 Amend the bill in section 6 in §1555-B in subsection 4 in the last line (page 2, line 27
2 in L.D.) by striking out the following: "under ~~18~~ 21" and inserting the following: '~~under~~
3 ~~18~~ who has not attained 21'

4 Amend the bill in section 6 in §1555-B in subsection 5-A in the first line (page 2, line
5 28 in L.D.) by striking out the following: "~~under~~" and inserting the following: '~~under~~
6 **not attained**'

7 Amend the bill in section 6 in §1555-B in subsection 5-A in the 2nd line (page 2, line
8 29 in L.D.) by striking out the following: "under ~~18~~" and inserting the following: '~~under~~
9 ~~18~~ who has not attained'

10 Amend the bill in section 6 in §1555-B in subsection 5-B in the first and 2nd lines
11 (page 2, lines 35 and 36 in L.D.) by striking out the following: "~~under 21 years of age.~~
12 A person under ~~18~~ 21" and inserting the following: '~~under~~ **who have not attained 21 years of**
13 **age.** A person ~~under 18~~ who has not attained 21'

14 Amend the bill in section 6 in §1555-B in subsection 5-C in the first line (page 3, line
15 1 in L.D.) by striking out the following: "~~under~~" and inserting the following: '~~under~~
16 **not attained**'

17 Amend the bill in section 6 in §1555-B in subsection 5-C in the 2nd line (page 3, line
18 2 in L.D.) by striking out the following: "under ~~18~~ 21" and inserting the following: '~~under~~
19 ~~18~~ who has not attained 21'

20 Amend the bill in section 6 in §1555-B in subsection 6 in the first line (page 3, line 8
21 in L.D.) by striking out the following: "~~under~~" and inserting the following: '~~under~~
22 **not attained**'

23 Amend the bill in section 6 in §1555-B in subsection 6 in the 3rd line (page 3, line 10
24 in L.D.) by striking out the following: "under ~~18~~ 21" and inserting the following: '~~under~~
25 ~~18~~ who have not attained 21'

26 Amend the bill in section 6 in §1555-B in subsection 10 in the 3rd line (page 4, line
27 32 in L.D.) by striking out the following: "under ~~18~~ 21" and inserting the following:
28 '~~under 18~~ who has not attained 21'

29 **SUMMARY**

30 This amendment changes the references to ages in the bill to be consistent with
31 current drafting standards.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



128th MAINE LEGISLATURE

LD 1170

LR 1204(02)

An Act To Reduce Youth Access to Tobacco Products

Fiscal Note for Bill as Amended by Committee Amendment "A" *(S-146)*
 Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Net Cost (Savings)				
General Fund	\$3,587,017	\$4,700,203	\$4,607,693	\$4,531,482
Revenue				
General Fund	(\$3,587,017)	(\$4,700,203)	(\$4,607,693)	(\$4,531,482)
Other Special Revenue Funds	(\$6,616)	(\$8,657)	(\$21,247)	(\$20,868)

Correctional and Judicial Impact Statements

Increases the number of civil violations.

The collection of additional fines may also increase General Fund and Other Special Revenue Funds revenue by minor amounts.

Fiscal Detail and Notes

Increasing the legal age to purchase cigarettes and tobacco products from 18 to 21 is estimated to reduce General Fund revenue by \$3,587,017 in fiscal year 2017-18 and \$4,700,203 in fiscal year 2018-19 and reduce Local Government Fund revenue by \$6,616 in fiscal year 2017-18 and \$8,657 in fiscal year 2018-19. These impacts are to the cigarette tax, the tobacco products tax and the sales and use tax and assume a 3% decline in cigarette sales and a 5% decline in tobacco product sales.

The additional costs to the Department of Health and Human Services to update materials and resources are expected to be minor and can be absorbed within existing budgeted resources.