

Date:

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE**SENATE****128TH LEGISLATURE****FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” 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.'

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~~ **who have**
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~~ **who have**
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~~ **who have**
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.