

129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2135

H.P. 1525

House of Representatives, March 5, 2020

An Act To Amend the Definition of "Tobacco Product" To Exclude Matches and Lighters

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative BAILEY of Saco. Cosponsored by Representative: O'CONNOR of Berwick.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** this legislation must take effect before the expiration of the 90-day period 4 to settle issues regarding the retail sale of tobacco products as soon as possible; and

5 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 6 the meaning of the Constitution of Maine and require the following legislation as 7 immediately necessary for the preservation of the public peace, health and safety; now, 8 therefore,

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

 Sec. 1. 22 MRSA §1551, sub-§3, as repealed and replaced by PL 2017, c. 308,

 \$3, is amended to read:

3. Tobacco product. "Tobacco product" means any product that is made from or 12 derived from tobacco, or that contains nicotine, that is intended for human consumption 13 14 or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, 15 a hookah, pipe tobacco, chewing tobacco, snuff or snus. "Tobacco product" also means 16 17 an electronic smoking device and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes and liquids used in electronic 18 19 smoking devices, whether or not they contain nicotine. "Tobacco product" does not include drugs, devices or combination products authorized for sale by the United States 20 Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and 21 Cosmetic Act, or matches, lighters or similar devices. 22

Emergency clause. In view of the emergency cited in the preamble, this
 legislation takes effect when approved.

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SUMMARY

This bill specifies that tobacco products do not include matches, lighters or similar devices in the laws governing retail tobacco sales.