

1996 PM Supported AAA Bills

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1 Governor Vetoed Legislation (IN)

12 States Defeated AAA Legislation (AL, AZ, CO, FL, HI, ID, MN, MO, NE, OH, WI, WV)

2 States with Pending Bills

3 States in Session

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* Indicates states with pending legislation

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2062304307

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>New Mexico</p> <p>(budget and limited policy bills)</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Mary Ann Woodard Dir. of Alcohol & Gaming P.O. Box 25101 Santa Fe, NM 87504</p> <p>2nd letter sent to Woodward 2/29</p>	<p>Adjourned</p> <p>1/16-2/15/96</p> <p>No activity this year because of budget session</p>		<p>License - Tax & Revenue Dept. - One time registration (Sec. 7-1-12 & 7-12-9)</p> <p>No provision</p> <p>Sale to Minors--Misdemeanor. Fines up to \$1,000 (HB 582, Ch. 244) Purchase by minors prohibited-up to \$100 or 48 hrs comm. serv.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning Sign Required (HB 582, Ch. 244)</p> <p>Unannounced Inspections - Alcohol & Gaming Div of Dept of Reg. & Licensing</p> <p>Vending--Restricted to areas not accessible to minors (HB 582, Ch. 244)</p> <p>No provision</p> <p>Local law must be consistent with State law, (HB 582, Ch. 244) Requires manufacturer's sealed package with federal warning. (HB 582, Ch. 244)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of age • Post signs • Reporting • Vending • Line of sight • Other

2062304308

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Utah</p> <p>Enforcement Information Request letter from PIM sent to:</p> <p>Val Oveson State Tax Commissioner 210 North 1950 West Salt Lake City, UT 84134</p> <p>Response 4/11: From Oveson. Info must come from individual cities, contact UT League of Cities & Towns for info on cities.</p>	<p>Adjourned</p> <p>1/15-2/28/96</p> <p>Retailers opposed to legislation on sale of tobacco.</p>		<p>License -- Tax Commission (Sec. 59-14-201(1); 59-14-202(1)(2)(3); 59-14-203)</p> <p>No provision</p> <p>Sale to Minors --Class C - Class A misdemeanor (Sec 76-10-104 & Sec. 76-10-105); Purchase by minors prohibited--same as above.</p> <p>Minimum Age = 19</p> <p>No provision</p> <p>No provision</p> <p>Unannounced inspections--Local law enforcement, may use minors. (Sec. 77-39-101)</p> <p>Vending--Restricted to areas not available to minors. (Sec. 76-10-105.1(1)(2)(3))</p> <p>No provision</p> <p>Localities may supersede state--Sec. 10-8-47</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of age • Post signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Georgia **</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Marcus Collins Commissioner Dept. of Revenue 270 Washington St. S. W. Room 410 Atlanta, GA 30334</p> <p>Response 3/29: From Captain Larry Miller, Dept of Public Safety. Number of arrests by police dept provided. Does not receive addresses or copies of citations.</p>	<p>Adjourned</p> <p>Bill enacted</p> <p>1/8-3/18/96</p> <p>Retailers opposed to license revocation. B & W and STC oppose line of sight.</p> <p>H1365</p> <p>1/96--H1365 referred to subcmte of House Agriculture Cmte.</p> <p>2/6--Subcmte reported bill to full cmte.</p> <p>2/8--Full cmte hrg held.</p> <p>2/13--Cmte reported to floor with technical amendment.</p> <p>2/29--House passed by 91-4 vote.</p> <p>3/5--Referred to Senate Judiciary Cmte.</p> <p>3/13--Cmte reported bill to floor.</p> <p>3/14--Senate passed without amendments by 40-0 vote, sending bill to Governor.</p> <p>4/2--Governor signed bill.</p>	<ul style="list-style-type: none"> Requires proof of age if seller believes purchaser may be under 18. Affirmative defense. 	<p>License--Commissioner of Revenue. (SB 222, Ch. 12, Title 16, Sec. 48-11-4)</p> <p>No provision</p> <p>Sale to Minors--Misdemeanor not to exceed \$1,000 or jail 1 yr. (SB 222, Ch. 12, Title 16, Sec. 16-12-170, 16-12-171, 16-12-172.) Purchase by minors prohibited--same penalty.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning Sign Required (SB 222, Ch 12, Title 16, Sec. 16-12-172 & 16-12-173)</p> <p>Unannounced Inspections--Dept of Public Safety w/ local police (SB222, 1993; Title 16, Sec 16-12-175)</p> <p>Vending--Must be registered and located in places inaccessible to minors.(SB 222, Ch. 12, Title 16, Sec. 16-12-173)</p> <p>No provision</p>	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of age Post signs Reporting Vending Line of sight

2062304310

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Washington</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Liquor Control Board Chairman, (currently vacant) 1025 W. Union P.O. Box 43076 Olympia, WA 98504-3076</p> <p>Response 5/3: From American Lung Assoc. Understand Liquor Control Board is looking into request. ALA would like to know what benefits will be withheld.</p> <p>7/31: Receiving data on cited stores.</p>	<p>Adjourned</p> <p>1/8-3/7/96</p>		<p>License-- Dept. of Revenue Retail \$93/ann; Vndg \$93 + \$30/ann. (HB 2071; Ch 321, Sec. 7; Code 19.91.130, 82.24.510, & 2.24.530)</p> <p>May suspend/revoke for 5 yrs for sale to minors (HB 2071; Sec 26.28.080(4), 82.24.510, & 82.24.530)</p> <p>Sale to Minors--\$100 - \$1,500 fine and suspension/revocation of license. (HB 2071; Sec 6.28.080(4), 82.24.510, & 82.24.530) Purchase by minors prohibited-infraction.</p> <p>Minimum Age = 18</p> <p>Proof of Age Required --If there is a question of age, retailer, sampler, or agent, shall require proof of age. (HB 2071; Sec 26.28.080(4), 82.24.510, & 82.24.530)</p> <p>Warning Sign Required (HB 2071)</p> <p>Unannounced Inspections -- Liquor Control Board w/local health and law enforcement (HB 2071)</p> <p>Vending -- Restricted to places where minors are prohibited/no less than 10 ft from entrance/exit. (Sec 70.155.030)</p> <p>No provision</p> <p>Local sales and promotional restrictions must conform to state law (HB 2071, 1993) Requires original, unopened package. (Sec 70.155.040)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of age • Post signs • Reporting • Vending • Line of sight • Other

2062304311

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Virginia ** Enforcement Information Request letter from PM sent to: R. Neal Graham Director Tobacco Use & Control Division Dept. of Health P.O. Box 2448, Room 245 Richmond, VA 23218- 2448 Response 1/2: Not responsible for enforcement, but does conduct survey to determine rates of non- compliance. Provided no additional direction. Follow-up letter sent to Graham 2/29	Adjourned 1/10-3/11/96 Bills enacted H1416 1/10/96--H1416 referred to House Courts of Justice. 2/10--Cmte reported to floor. 2/14--Amended on House floor to 18. House passed, goes to Senate Courts of Justice Cmte. 2/21--Senate Cmte reported with amendment on proof of age. 2/23--Senate passed 32-6, returns to House for concurrence. 2/28--House concurred; goes to Governor. 4/1-- Governor signed bill. H1231 1/10/96--H1231 referred to House Courts of Justice. 2/11--Cmte reported to floor. 2/14--House amended to include enforcement. House passed, goes to Senate Courts of Justice. 2/21--Senate Cmte reported with technical amendment. 2/23--Senate passed 30-0, returns to House for concurrence. 2/28--House concurred; goes to Governor. 4/1--Governor signed bill.	<ul style="list-style-type: none"> • Requires proof of age if purchaser appears to be under 21. 18. (H1416) • Enforcement by Dept. of Agriculture & Consumer Services. (H1231) • Require machines to be within line of sight of employee or require tokens. (H1231) 	No provision No provision Sale to Minors --up to \$50 for 1st offense, up to \$100 for 2nd, up to \$250 for subsequent. (H2595; Ch. 305; Sec. 18.2- 371.2) Purchase by minors prohibited up to \$50 for 1st offense, \$100 for subsequent. Minimum Age = 18 No provision Warning Sign Required --Separate signs for retail and vending (Sec. 18.2- 371.2(A)) No provision No provision No provision Requires manufacturer's sealed package with federal warning. (Chapter 675, HB 2595, 1995)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

2062304312

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Virginia cont'd:	<p>Bill carries over to 1997. & 7 carries over to 1997. is wee S1278 1/22/96--Introduced.</p> <p>3/11--Died at adjournment; carries over to 1997.</p>	<ul style="list-style-type: none"> Employee training. Unannounced inspections. Allows minors to be used. Uniformity--sale, distribution, display, use, advertising, promotion. 	<p>No provision</p> <p>No provision</p> <p>Sale to Minors--up to \$50 for 1st offense, up to \$100 for 2nd, up to \$250 for subsequent. (H2595; Ch. 305; Sec. 18.2- 371.2) Purchase by minors prohibited-up to \$50 for 1st offense, \$100 for subsequent.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning Sign Required--Separate signs for retail and vending (Sec. 18.2- 371.2(A))</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>Requires manufacturer's sealed package with federal warning. (Chapter 675, HB 2595, 1995)</p>	<ul style="list-style-type: none"> License Revocation Enforcement Minimum Age Proof of Age Post Signs Reporting Vending Line of Sight Other

2062304313

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
West Virginia Enforcement Information Request letter from PM sent to: The Honorable Gaston Caperton Governor Capitol Building Charleston, WV 25305 Response 3/5: From Colonel Thomas L. Kirk, Superintendent, State Police. State law prohibits the release of this kind of information without permission from person being investigated.	Adjourned Bills died 1/10-3/9/96 H4631 2/16/96--Introduction, referred to House Judiciary Cmte. S448 2/19/96--Introduced, referred to Senate Health & Human Resources and Senate Judiciary Cmtes. 3/9--Both bills died receiving no action. Cmtes heard Health Dept. bills on youth access.	<ul style="list-style-type: none"> • Requires annual retail tobacco license from Alcoholic Beverage Control Commission, fee of \$20. • Suspends license for up to 30 days for 3 or more violations within 2 years. • Sanctions--\$100 for 1st, \$250 for 2nd, \$500 for subsequent in 2 years. Purchase \$50 or 25 hrs comm. serv. for 1st, \$50 & 50 hrs comm. serv. for sub in 1 yr. • Employee training & affidavit. • Requires proof of age if reason to believe purchaser under 18. Affirmative defense provided. • Warning sign to be posted. • Unannounced inspections by Alcohol Beverage Control Commission along with law enforcement and minors. • Requires supervision & lock-out device or restricts to inaccessible to minors. • Line of sight provision. • Uniformity--sale, distribution, display, advertising, promotion, use. • Require manufacturer's original packaging. Prohibits sampling within 500 ft. schools. 	<p>No provision</p> <p>No provision</p> <p>Sales to Minors--\$10 - \$300; (Sec 16-9 A-2 & 16-9 A-3) Possession by minors prohibited-\$5</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>Unannounced Inspections - Division of Public Safety/Local law enforcement (SB 408)</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

2062304314

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>South Dakota</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Mark W. Barnett Attorney General 500 East Capitol Pierre, SD 57501</p> <p>2nd letter sent to Barnett 2/29</p>	<p>Adjourned</p> <p>1/9-3/11/96</p> <p>No activity this year because of new law in 1995</p>		<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Class 2 Misdemeanor; (SB189; Sec. 26-10-23 & 26-10-24) Purchase and possession by minors prohibited--same</p> <p>Minimum Age = 18</p> <p>Affirmative Defense--Provides for defense if a retailer relied upon proof of age. (SB189; Sec. 26-10-23 & 26-10-24)</p> <p>No provision</p> <p>Unannounced Inspections--Attorney General in conjunction with local law enforcement or States Attorney (SB189)</p> <p>Vending--Restricted to places where minors don't have access. (SB189)</p> <p>No provision</p> <p>State governs all matters regarding tobacco (H1297) Requires manufacturer's original package with federal warning. (SB 189, 1994) Requires packs of cigarettes to be sold to contain 20 or 25 cigarettes. (Sec10-50-2) Single Stick--Must be in original Man. package (SB189)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

2062304315

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Indiana</p> <p>Enforcement Information Request letter from PM sent to: Cheryl Sullivan Secr Family & Social Services Admin, 402 West Washington, P.O. Box 7083 Indianapolis, IN 46207-7083</p> <p>Response 1/12: From Sullivan. Requires written info. request to Rich Allen, Dir of External Affairs, Family & Social Services Admin. Info will be available 1 mnth after end of federal fiscal year, October 30.</p> <p>Response 4/23: From Allen. Developing enforcement plan, have not determined if data requested is needed for enforcement, is not needed to comply with SAMHSA.</p>	<p>Adjourned 1/8-3/13/96</p> <p>Governor vetoed stating opposition to uniformity and weak agency for enforcement. Designated Dept of Health to develop plan to meet SAMHSA.</p> <p>Retailers opposed to missing AAA elements.</p> <p>S106 (Companion, H1221) 1/8--S106 referred to Senate Agri. & Small Business Cmte.</p> <p>1/22--Senate Cmte reported S106 with amendment (7-1). Requires original, manufacturer's packaging.</p> <p>1/31--Senate passed bill (29-21).</p> <p>2/6--House Commerce Cmte reported to floor (7-2).</p> <p>2/13--House passed by 64-34 vote, returns to Senate for concurrence.</p> <p>2/19--Senate refused to concur by vote of 31-16, referred to conference cmte.</p> <p>3/6--Conference Cmte report issued, bill amended (noted by *).</p> <p>3/7--Senate passed cmte report by 26-23; House passed by 55-40. Goes to Governor for action.</p> <p>3/19--Governor vetoed bill.</p>	<p>• Unannounced inspections by Division of Mental Health. Prohibits use of minors.</p> <p>• Uniformity-sale, distribution, display. * Amendment to exempt transient merchants. * Prohibit tobacco only stores and tobacco billboards within 200 feet of schools.</p>	<p>No provision</p> <p>No provision</p> <p>Sale to Minors -- Class C Infraction up to \$500 fine (PL125; 122; 209; sec. 35-46-10, 35-46-1-10.5, 34-4-32-4c) Purchase by minors prohibited same as above.</p> <p>Minimum Age = 18</p> <p>Affirmative defense if clerk believes purchaser is 18</p> <p>Warning Sign Required-- Retail & Vending (Sec. 35-46-1-11c, 35-46-1-11d & e)</p> <p>No provision</p> <p>Vending--restricted to where minors don't have access (Sec. 35-46-1-11a, 35-46-1-11b, 35-46-1-11.5a, 35-46-1-11.5c)</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

2062304316

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Wyoming (Budget Session)</p> <p>Enforcement information Request letter from PM sent to:</p> <p>(Ms.) Johnnie Burton Executive Director Dept. of Revenue 22 West 25 Street Herschler Bldg. 2 West Cheyenne, WY 82002-0110</p> <p>Response 1/15: County Attorneys responsible for enforcement. Referred to 23 county courts.</p> <p>Follow-up letter sent to Burton 2/29.</p>	<p>Adjourned 2/19-3/15/96</p> <p>No activity this year because of budget session</p>		<p>License--Dept of Revenue and Taxation. \$10/ann (Art. 1, Sec. 39-6-101, 39-6-102)</p> <p>License Revocation--Locality may revoke (Sec 14-3-306)</p> <p>Sale to Minors--Misdemeanor up to \$50; (Sec. 14-3-301, 14-3-302, 14-3-304, 14-3-305) Purchase and possession by minors prohibited-\$25.</p> <p>Minimum Age = 18</p> <p>Affirmative Defense--Provides for defense if "the person" reasonably relied on an identification card</p> <p>Warning Sign Required (Sec. 14-3-303)</p> <p>No provision</p> <p>Vending--Restricted to where minors don't have access (Sec. 14-3-303)</p> <p>No provision</p> <p>Localities authorized to require local retail license (Sec 14-3-306)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

2062304317

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Idaho Enforcement Information Request letter from PM sent to: The Honorable Phil Batt Governor Office of the Governor State Capitol, 2 Floor Boise, ID 83720 2nd letter sent to Governor 2/29	Adjourned Bill defeated 1/9-3/15/96 Retailers opposed to licensing and line of sight provisions. H563 renumbered to H801 H563 referred to House State Affairs Cmte. 2/1/96--Cmte hearing held, referred to subcmte. 2/13--Subcmte reported new bill to full cmte. 2/21--House State Affairs Cmte reported H801 to floor by 12-8 vote. 2/23--House amended bill to provide for local authority. 2/29--House passed by 57-9 vote with local authority amendment. 3/1--Referral to Senate cmte. 3/8--Senate State Affairs Cmte reported bill to "amending order" with recommendation to remove reverse uniformity. 3/13--Senate removed local authority provision. 3/14--Senate passed by 26-10. House defeated on concurrence vote by 49-16.	<ul style="list-style-type: none"> • Repeals current law. Sales/distribution-Misdemeanor, Minor/purchase & possession-misdemeanor (employment exemption) • Affirmative defense • Unannounced inspections under Dept of Law Enforcement through local law enforcement with minors (Expires 7/1/99) • Uniformity use, sale, marketing, display, distribution • Original, manufacturer's packaging 	License--St. Tax Commission--Retailers \$50 (Code Sec. 63-2502b, 63-2503b, 63-2512c) No provision Sale to Minors--Fine up to \$100 for 1st offense, \$300 or 6 months jail for subsequent; (Code Sec. 18-1502a & 1502b) Purchase by minors prohibited--same as above. Minimum Age = 18 No provision No provision No provision Vending--Restricted to places inaccessible to minors (Code Sec 18-1503) No provision Packs of cigarettes for retail sale must have at least 20 cigarettes & packaged in increments of 5. (Sec 63-2502)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

20622304318

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Minnesota</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Carlson Governor 130 State Capitol Aurora Avenue St. Paul, MN 55155</p> <p>Response 1/12: Received from Anne Barry, Commissioner of Dept of Health. Says legislation is expected to be passed in 1996 session, please contact the following after the session— Cynthia Tumure, Division Director Chemical Dependency Division Dept of Human Services</p> <p>Follow-up letter sent to Cynthia Tumure 2/29</p>	<p>Adjourned 1/16-4/3/96</p> <p>Bill died Governor has adopted amendments as Administrative bill.</p> <p>S558 1/30/96—House Commerce... Cmte approved "delete & replace" amendments (see proposed legis column) to carryover bill S558, defeated motion to repeal uniformity provision (14-12). Cmte reported amended S558 to floor (21-3).</p> <p>2/1—OK'd on House floor 2nd rdg.</p> <p>2/27—House passed amendment to remove uniformity provision by 76-54 vote. Sponsor withdrew from consideration, returned to General Orders.</p>	<ul style="list-style-type: none"> • Local government required, rather than allowed, to license and establish reasonable fee. • Suspend license for 7 days for 3rd or more violations in 2 years. • Sanctions—Licensee—up to \$100 for 1st, \$200 for 2nd in 2 years, suspension for 3rd or more, Employee—\$50, Minors for purchase/ possession—\$50. • Employee training • Affirmative defense if person relied on proof of age. • Require warning sign to be posted. 	<p>No provision</p> <p>No provision</p> <p>Sale to Minors—\$3,000 & up to 1 yr jail; (Sec. 609.685, 609.03, 609.0331 & 297.04a) Purchase by minors prohibited—up to \$200.</p> <p>Minimum Age = 18</p> <p>Affirmative Defense—Provides affirmative defense for retailer if they relied on proof of age (Sec. 609.685, 609.03, 609.0331 & 297.04a)</p> <p>No provision—Vending machines are required to have a warning posted. (Sec. (297.01(14) and 297.04)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Minnesota cont'd		<ul style="list-style-type: none"> • Local enforcement shall conduct unannounced inspections once every 2 years with minors. Results reported to Commissioner of Human Services. • Tobacco within line of sight. • Uniformity—no more stricter than state law. Existing ordinances exempted. 	<p>No provision</p> <p>Vending—Restricted to where in plain view of employee (Sec. 325E.075(2))</p> <p>No provision</p> <p>Localities authorized to adopt more stringent restrictions than the state on sales of tobacco and vending machines. (Sec. 325E.075(3) & 297.02(4))</p> <p>Single servings only in tobacco stores</p>	<ul style="list-style-type: none"> • Reporting • Vending • Line of Sight • Other

2062304320

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Maryland</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Marion E. Scharze Assistant Director Alcohol & Tobacco Tax Division Comptroller of the Treasury P.O. Box 466 Annapolis, MD 21404</p> <p>2nd letter sent to Scharze 2/29.</p> <p>Response 7/5: From Comptroller of the Treasury, John Horney. Referred to Health Dept's Alcohol & Drug Abuse Admin.</p>	<p>Adjourned</p> <p>1/10-4/9/96</p>		<p>Licensing--Circuit Court Clerk --Retailer \$30/ann; Vendors w/ 40+ machines \$500/ann (Ann. Code Art. 56, Sec 610, 611 & 631)</p> <p>License Revocation--4th offense within 3 years. May not reapply for 3 years.</p> <p>Sale to Minors--\$300 - \$3000; (Art. 27, Sec. 404 & 405, SB 309, Chapter 301.) Purchase by minors prohibited same as above. Possession by minors prohibited-- up to \$25 for 1st, \$100 for subsequent.</p> <p>Minimum Age = 18</p> <p>Affirmative Defense--Provides for affirmative defense if retailer carded underage purchaser (Art. 27, Sec. 404 & 405, SB 309, Chapter 301.)</p> <p>License must be displayed w/ age and penalty at retail and on vending (Art. 56, Sec 617)</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Kentucky ** Enforcement Information Request letter from PM sent to: Todd Warnick Tobacco Control Coordinator Cabinet for Human Resources Dept. for Health Services 275 East Main Street Frankfort, KY 40621 2nd letter sent to Warnick 2/29	Adjourned 1/1-4/15/96 Bill Enacted Supported by Senate President & Chairman of Tobacco Task Force. S137 1/18/96--S137 referred to Senate Agriculture Cmte 1/25/96--Cmte reported to floor by unanimous vote. 2/7--Senate amended out line of sight provision; passed amended version by 37-0 vote. (Opposed by B & W, UST, STC.) 2/15--House Agriculture & Small Business Cmte reported bill to floor without amendments. 2/22--House passed bill by unanimous vote without amendments. 2/23--Bill delivered to Governor. 3/5--Governor signed bill into law.	<ul style="list-style-type: none"> • Fine of \$100-500 for 1st offense, \$500-1,000 for 2nd & subsequent offenses. Minors/purchase-\$50 & 20 hrs community service for 1st offense, \$200 & 40 hrs for 2nd & subsequent within 1yr • Require proof of age if person appears under 18 • Line of Sight provision 	No provision No provision Sale to Minors --Fine of \$10-25 for 1st offense, \$25-50 for subsequent offenses. (SB 316, 1994; HB 352, 1992; Chapter 438(1), 365) State law does not prohibit purchase by minors, but employee statement says it is illegal. Employee training and affidavit required. Minimum Age = 18 No provision Warning sign required (HB 352, 1992; Chapter 438) Unannounced Inspections --Dept of Agriculture along with local law enforcement. (SB 316, 1994; Chapter 438) Vending --Line of sight of cashier. (SB 316, 1994; Chapter 438) No provision Prohibits local restrictions on the use, sale and distribution. (SB 316, 1994; Chapter 438)	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

2062304322

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Arizona</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Fife Symington Governor 1700 West Washington Executive Tower Phoenix, AZ 85007</p> <p>Response 2/20: From Jack Dillenberg Director, Dept of Health Services. "Exploring a mechanism to track citations," will keep request on file and alert us when they have a solution.</p> <p>Response letter sent to Dillenberg 3/18.</p>	<p>Adjourned</p> <p>1/8-4/20/96</p> <p>Bill died</p> <p>S1384 1/30/96--S1384 referred to Senate Government Reform Cmte.</p> <p>2/13--Cmte reported bill to floor by 4-3 vote.</p> <p>2/29--Senate amended bill to exempt vending machines and billboards in excess of 650 square feet from uniformity. Other amendments were attached. Defeated amendment to remove uniformity provision.</p> <p>3/5--Senate passed by 16-14 vote.</p> <p>3/7--Referred to House Commerce Cmte.</p> <p>3/19--Cmte reported bill to House Rules Cmte by 9-1 vote.</p> <p>3/26--House Rules reported to floor.</p>	<ul style="list-style-type: none"> • Retail tobacco license-Dept of Liquor Licenses & Control • May suspend/ revoke license for 3 or more violations. • Employer/employee - \$300 for each, possible defense if training. Minors' purchase/ possession-"delinquent" • Employee training • Require proof of age if believed to be minor • Affirmative defenses • Unannounced inspections by Dept of Liquor Licenses & Control with minors. • Requires vending machines to be supervised or equipped with lock-out device or places inaccessible to minors • Uniformity-sale, distribution, adv, promotion, display 	<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Petty offense with a fine up to \$300 for individual, up to \$1,000 for enterprise. (Sec 13-3622) Purchase and possession by minors prohibited-petty offense with fine up to \$300.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Maine (Budget Session and Limited Policy Issues)</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Angus S. King, Jr. Governor</p> <p>Response 1/24-- Responsibility for reporting violations is with the Office of Substance Abuse, State House Station #57, Augusta, ME 04333 (207)624-6525.</p> <p>Follow-up letter sent to Marleen McMullen-Pelsor of the Office of Substance Abuse 2/29</p>	<p>Adjourned 1/3-4/4/96</p> <p>Budget session--no language expected</p>		<p>License--Dept of Human Services for \$25. (Ch 470, 1995)</p> <p>No provision</p> <p>Sale to Minors--Employee/ employer fine \$50-1,500. (Ch. 470, 1995; Ch. 301, 1993, Ch. 445, 1989; Title 22, Sec 1579) Purchase, poss. and use by minors prohibited--\$100-300 &/or comm. serv. for 1st offense, \$200-500 &/or comm. serv. for 2nd, \$500 &/or comm. serv. for subsequent.</p> <p>Minimum Age = 18</p> <p>Affirmative Defense--Provides for affirmative defense if fraudulent proof of age presented. (Ch 470, 1995; Ch 301, 1993, Ch 445, 1989; Sec 1579)</p> <p>Warning sign required--Provided by Dept of Human Services' Bureau of Health at cost. License must be posted. (Ch 470, 1995; Ch301, 1993, Ch 445, 1989; Sec 1579 & 1555)</p> <p>Unannounced Inspections--Office of Substance Abuse with local law enforcement and "contract officers" OK'd by Dept of Public Safety. (Ch470, 1995)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Maine cont'd			<p>Vending—Constant adult supervision. (Ch 470, 1995; Ch 406, 1993; Ch 127, 1987; Sec 1628)</p> <p>No provision</p> <p>Prohibits localities from imposing limits on displays, product placement and time of sales. (Ch 470, 1995)</p> <p>Requires manufacturer's original, sealed package. (Ch 470, 1995; Sec 1629)</p>	<ul style="list-style-type: none"> • Vending • Line of Sight • Other

2062304325

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Nebraska</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Melborn Heard Director Division of Alcoholism & Drug Abuse P.O. Box 94728 Lincoln, NE 68509-4728</p> <p>Response 1/11: Division responsible for compliance. Contracts with State Patrol for compliance checks & they write citations. County Attorney is responsible for pursuing conviction. Requested information would have to be acquired from County Attorneys.</p> <p>Follow-up letter to Heard 2/29</p>	<p>Adjourned</p> <p>1/3-4/18/96</p> <p>Bill died</p> <p>PM bill will not contain line of sight provision, opposed by Grocers.</p> <p>L1350</p> <p>1/18/95--Intro L1350, referred to Judiciary Cmte.</p> <p>2/23--Judiciary Cmte hrg held, no action.</p>	<ul style="list-style-type: none"> • Issuance of license by Dept of Health. Fee set at \$10. • May suspend license for 3rd and subsequent offenses, at discretion of court. • Sanctions-Employee & Employer-Warning for 1st offense, \$50 for subsequent. Minors purchase/use-Warning for 1st offense, \$50 for subsequent, Exempts as part of work • Retail training with employee affidavit. • Affirmative defense • Post signs • Compliance testing with minors by law enforcement officers • Uniformity-sale, distribution, marketing, display, promotion 	<p>License--Clerk of Finance Directors of city, village or county. Fees based on annual sales and population up to \$100. (Sec 77-2601, 28-1420 through 1422, 28-1424)</p> <p>License revocation for violations of sales laws at discretion of court. (Sec 28-1418, 28-1425, 29-1419, 28-106(1))</p> <p>Sale to Minors--Class III misdemeanor, possible license revocation at discretion of court. (Sec 28-1418, 28-1425, 29-1419, 28-106(1))</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>Vending--Restricted to places of employment not open to general public, establishments that sell alcohol for on-premise consumption. (LB 130, 1992)</p> <p>No provision</p> <p>Localities authorized to impose restrictions on vending machines. (LB 130, 1992)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Vermont</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Albert Elwell Director of Enforcement Dept. of Liquor Control Green Mountain Drive, Drawer 20 Montpelier, VT 05620-4501</p> <p>Response 3/8: Dept of Liquor Control has records of violations. Other law enforcement agencies also enforce, but their violations may not be reported to Liquor Control.</p> <p>Response 7/29: From Elwell. Cannot furnish all info requested. Will attempt to in future.</p>	<p>Adjourned</p> <p>1/3-5/3/96</p>		<p>License--From municipality \$10/ann. (Title 7, Sec 1002)</p> <p>License suspension may occur. (Title 7, Sec 236)</p> <p>Sale to Minors--Fine up to \$100, license may be subject to suspension. (Title 7, Sec 1007) Purchase by minors prohibited--\$50 &/or 10 hrs comm. serv.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>State law must be posted-- Provided by Liquor Control Board with annual license. (Title 7, Sec 1006)</p> <p>No provision</p> <p>Vending--Restricted to places inaccessible to minors and overnight accommodations.) Title 7, Sec 1003(a) & (b))</p> <p>No provision</p> <p>Localities authorized to restrict vending machines. (Title 7, Sec 1003(c))</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Iowa</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Terry E. Branstad Governor Executive Office State Capitol Des Moines, IA 50319</p> <p>Response 3/25: From Christopher Atchison, Dir. Dept of Public Health. Need to talk to Janet Zwick, Dir. Division of Substance Abuse & Health Promotion.</p> <p>Response 4/23: From Zwick. Dept of Health does not keep this info, it is kept at the local level by the city clerk.</p> <p>Response 7/26: From Zwick. Referred to Dept of General Services for list of local offices.</p>	<p>Adjourned</p> <p>1/8-5/1/96</p>		<p>License—Dept of Revenue & Finance. Fee based on population up to \$100/ann. (Sec 98.13(1), 98.13(7), 98.13(2)(a))</p> <p>License suspended for 30 days for 2nd offense within 2 years, 60 days for 3rd within 5 years, revocation of license for 4th within 5 years. (HB 232, 1991; Sec 98.2 through 98.5)</p> <p>Sale to Minors—Simple misdemeanor. Fine \$300 for 1st offense, license suspended for 30 days for 2nd offense within 2 years, 60 days for 3rd within 5 years, revocation of license for 4th within 5 years. (HB 232, 1991; Sec 98.2 through 98.5) Purchase and use by minors prohibited-up to \$100 or 30 days jail.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>Vending—Adult supervision with lock-out device. (HB 232, 1991; Sec 98.36)</p> <p>No provision</p> <p>State law supersedes local laws that are inconsistent. Localities authorized to issue local licenses. (HB 232, 1991; Sec 98.13(2), 98-51)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Florida</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>John Harris Director, Division of Alcohol & Tobacco, Bureau of Licensing</p> <p>Response 3/21: From Rod Oldenburg, Management Analyst, Dept of Business & Professional Regulation. Provided sample record of violation to see if that is what we need.</p>	<p>Adjourned</p> <p>3/5-5/3/96</p> <p>Bill Died</p> <p>H1 1/4/96--Prefiled H1 & H87, referred to House Juvenile Justice, House Finance & Taxation & House Appropriations Cmtes.</p> <p>2/24--House Juvenile Justice subcmte combined H1 & H87 under H1, reported to full cmte.</p> <p>2/21--House Juvenile Justice Cmte reported H1, goes to House Finance & Taxation.</p> <p>4/1--Awaits action by House Finance & Taxation and Appropriations Cmtes.</p> <p>4/25--Withdrawn from House Appropriations Cmte; awaits House floor action.</p> <p>5/3--Bill died on House floor at adjournment.</p>	<ul style="list-style-type: none"> • Prohibits minors' possession except as part of employment-\$25. Prohibits minors' purchase-\$50. Could suspend driver's license. • Allow machines equipped with lock-out devices. 	<p>License--Division of Alcoholic Beverages & Tobacco, Annual fee determined by division up to \$50. (Sec. 569.003)</p> <p>License subject to revocation (Sec 569.006)</p> <p>Sale to Minors--2nd Degree misdemeanor fine up to \$500. (Sec 859.06) Employee training required. (Sec.569.008)</p> <p>Minimum Age = 18</p> <p>Affirmative Defense--If purchaser appears to be 18 and ID checked. ID--driver's license, state-issued ID card, passport or armed services ID card. (Sec 859.06)</p> <p>Warning sign required--Provided by Division of Alcoholic Beverages & Tobacco. Post Dealer Permit also. (Sec 859.061)</p> <p>Unannounced Inspections--under license provision, retailer consents to inspections and search by Division of Alcoholic Beverages & Tobacco. (Sec. 569.004)</p> <p>Vending--Unobstructed line of sight. (SB 152-H, 1992)</p> <p>No provision</p> <p>Prohibits sale of single or loose cigarettes. (Sec 210.04(6))</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Hawaii</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Julian Lipsher Dept. of Health 952 N. King Street Honolulu, HI 96817</p> <p>Response 1/22: Section 709-908 provides that local jurisdictions enforce the statute. Any convictions would be recorded by county police departments. State efforts have focused on awareness and education, not on fines, penalties or convictions.</p> <p>Follow-up letter sent to Lipsher 2/29</p> <p>Response 8/7: From Lipsher. Provided list of county police departments. Said, to her knowledge, no citations have been issued.</p>	<p>Adjourned 1/17-4/29/96</p> <p>Bill died H3410</p> <p>4/4/96--Senate Consumer Protection Cmte approved substitute amendment to H3410; reported amended H3410 to floor by 6-1 vote.</p> <p>4/8--Senate returned bill to Cmte, failing to return bill to the House before crossover deadline. Bill is dead.</p>	<ul style="list-style-type: none"> • Retail license from Liquor Commission--\$50 for retail, \$35 for vending. • Commission may refuse to grant or renew license for substantial violations during license term. • Employee training on law and proof of age requirements. Prohibits possession by minors. • Requires proof of age if appears to be under 18 • Requires posting of license and warning sign. • Unannounced inspections by Liquor Commission. • Requires existing machines to be equipped with lock-out device and under constant supervision. • Line of sight provision. • Prohibits sale of single cigarettes, requires original packaging. • Prohibits minors from selling tobacco products. 	<p>License--Unclear as to "dealer" license and its application to retailer. Dept of Treasury, Annual \$2.50. (Sec 245-1, 245-2)</p> <p>No provision</p> <p>Sale to Minors--Fine up to \$100 for 1st offense, \$100-1,000 for subsequent. (Sec 709-908(1)) Purchase by minors prohibited--\$10 for 1st offense, \$50 or 48-72 hrs community service for subsequent.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning sign required (Sec 709-908(2))</p> <p>No provision</p> <p>Vending--Restricted to bars, cabarets or other places that prohibit minors. (SB 1567, 1991; Chapter 328K, new section)</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Hawaii cont'd	<p>Bills died</p> <p>Bills must be in last cmte by 2/16, and to floor 1st week in March.</p> <p>H3783 1/22/96--H3783 referred to House Intergovernmental Cmte, House Consumer Protection & Judiciary Cmte, and House Finance Cmte.</p> <p>3/8--Cmte did not report bill before deadline. Bill is dead.</p> <p>S3049 1/22--S3049 referred to Senate Health Cmte and Senate Consumer Protection Cmte.</p> <p>2/5--Senate Health Cmte hearing held. No action taken.</p> <p>3/8--Cmte did not report bill before deadline. Bill is dead.</p>	<ul style="list-style-type: none"> • Retail license from Liquor Commission--Fee \$50 • May suspend license for up to 30 days for 3 or more violations • Sanctions--Same as current law. Minors purchase/receipt--\$10 for 1st offense, \$50 for subsequent, exempt for work Employee training/ affidavit • Require proof of age if appears to be under 18. • Affirmative defense • Post signage • Attorney General with Liquor Commission shall conduct unannounced inspections with minors 	<p>License--Unclear as to "dealer" license and its application to retailer. Dept of Treasury, Annual \$2.50. (Sec 245-1, 245-2)</p> <p>No provision</p> <p>Sale to Minors--Fine up to \$100 for 1st offense, \$100-1,000 for subsequent. (Sec 709-908(1)) Purchase by minors prohibited--\$10 for 1st offense, \$50 or 48-72 hrs community service for subsequent.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning sign required (Sec 709-908(2))</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting
Hawaii cont'd		<ul style="list-style-type: none"> • Require vending machines to be equipped with lock-out device (Not in draft) • Line-of-sight provision • Uniformity--sale, distribution, display, use, advertising, promotion. Require original, manufacturer's packaging. Prohibit sampling within 1,000 feet of schools, etc. (To be removed from draft) 	<p>Vending--Restricted to bars, cabarets or other places that prohibit minors. (SB 1567, 1991; Chapter 328K, new section)</p> <p>No provision</p>	<ul style="list-style-type: none"> • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Mississippi</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Kirk Fordice Governor P.O. Box 139 Jackson, MS 39205</p> <p>Response 3/26: From Governor. Forwarded to AG, Mike Moore.</p>	<p>Adjourned</p> <p>1/2-4/19/96</p> <p>Support from retail community for proof of age requirement and fine of sight provision. Opposed by STC.</p> <p>Licensing and revocation opposed by retail.</p>		<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Misdemeanor with fine of \$20-100. (HB 1268, 1994; Sec 97-5-25)</p> <p>Minimum Age = 18</p> <p>Employee statement requires proof of age if purchaser appears to be under 18. (HB 1268, 1994; Sec 97-5-25)</p> <p>Warning sign required (HB 1268, 1994; Sec 97-5-25)</p> <p>Unannounced inspections--Commissioner of Public Safety along with local law enforcement. (HB 1268, 1994; Sec 97-5-25)</p> <p>Vending--Constant supervision. (HB 1268, 1994; Sec 97-5-25)</p> <p>No provision</p> <p>Supersedes local laws on use, sale, promotion and distribution. (HB 1268, 1994; Sec 97-5-25)</p> <p>Requires manufacturer's original, sealed package. (HB 1268, 1994; Sec 97-5-25)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

2062304332

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Kansas **</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Bill Graves Governor State Capitol Bldg. Topeka, KS 66612</p> <p>Response 3/19: From Andrew O'Donovan, Dept of Social & Rehabilitation Services. Responsible for block grant. Will provide info on compliance checks, but not enforcement and convictions.</p>	<p>Adjourned</p> <p>1/8-5/2/96 sine die 5/23</p> <p>Bill Enacted</p> <p>H2544</p> <p>1/30--Senate Federal & State Affairs Cmte heard bill.</p> <p>3/19--Cmte amended bill (marked by *) and reported to floor.</p> <p>3/21--Senate amended bill on 2nd reading to include uniformity provision by 20-14 vote.</p> <p>3/28--Senate removed uniformity provision by 39-1 vote on reconsideration. Passed bill by 40-0 vote; goes to House for concurrence.</p> <p>3/29--House refused to concur; goes to Conference Cmte.</p> <p>4/5--Senate approved Conference Cmte report.</p> <p>4/24--House approved conference cmte report by 98-25 vote; bill goes to Governor for action.</p> <p>5/11--Governor signed.</p>	<p>* Increase license fee to \$25 for retail and vending machines.</p> <p>• Sanctions--Class B Misdemeanor & fine of at least \$200. In deciding fine training is a possible defense. Minors- purchase or possession not subject to fine or jail * \$25</p> <p>• Affirmative defense-* also applies to mail order if written documentation exists.</p> <p>• Requires warning signs</p> <p>• Dir of Taxation responsible for enforcement, does not specifically authorize inspections. Prohibits use of minors to test compliance unless an officer authorized to enforce this act.</p> <p>• Requires vending machines to be equipped with lock-out device or restricted to places inaccessible to minors</p> <p>* Uniformity • Ban sampling within 500 feet of schools with exceptions.</p>	<p>License--Director of Taxation. Biennium \$12. (Sec 79-3303, 79-3304(a), 79- 3304(f), 79-3304(h), 79-3304(i))</p> <p>License revocation possible for distribution, not sales to minors. (Sec 79- 3390, 79-3321, 79-3322)</p> <p>Sale to Minors--Fine up to \$1,000 and/or imprisonment for up to 1 year. (Sec. 79-3390, 79-3321, 79-3322)</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Colorado</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Gale Norton Attorney General 1525 Sherman Street, 5th Floor Denver, CO 80203</p> <p>Response 1/9: No centralized system for collecting information. Individual district attorneys may keep such information.</p> <p>Follow-up letter sent to Norton 2/29</p>	<p>Adjourned 1/10-5/8/96</p> <p>Bill defeated S213 3/12/96--Introduced and referred to Senate Business Affairs Cmte. 3/18--Cmte approved bill on 6-2 vote with an amendment to add the word "cigarettes" to the uniformity clause. Referred to Senate Appropriations Cmte. 4/22--Senate Appropriations Cmte unanimously rejected S213.</p>	<ul style="list-style-type: none"> • Require retail/vending license from Liquor Enforcement Division-Annual up to \$25. • May suspend for up to 60 days for 4th offense in 2 yrs, revoke for 2 yrs for 5th offense in 2 yrs. • Sanctions-Employee\$200 for 1st offense, \$250 for 2nd, \$500 for 3rd, \$1,000 for 4th & sub offenses within 2-yr period. Employer-warning for 1st offense, \$100 for 2nd in 2 yrs, \$500 for 3rd. • Unannounced Inspections by Liquor Enforcement Division. May use minors. • Uniformity-sale, distribution, licensure, advertising, promotion, display. 	<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Class 2 petty offense with a fine of \$200. (Sec 18-13-121) Purchase by minors prohibited-\$50 or community service.</p> <p>Minimum Age = 18</p> <p>Affirmative Defense--Provides for affirmative defense if purchaser presented document with age on it. (Sec 18-13-121)</p> <p>Warning sign required (Sec 18-13-121)</p> <p>No provision</p> <p>Vending--Constant supervision. (Sec 18-13-121)</p> <p>No provision</p> <p>Local Authority over the sale of tobacco products. (Sec 18-13-121)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of Sight • Other

2062304334

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Connecticut ** (Budget and Committee Bills)</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Hans Spalter Dept of Revenue Services 25 Sigoumey St. Hartford, CT 06106</p> <p>2nd letter sent to Spalter 2/29</p>	<p>Adjourned 2/7-5/8/96</p> <p>Bill Enacted H5457 2/13/96-Introduced.</p> <p>3/7-House Select Cmte on Children reported substitute version to House Judiciary Cmte.</p> <p>3/25-House Judiciary Cmte reported to floor.</p> <p>4/16-House referred to General Law Cmte.</p> <p>4/24-Cmte reported it.</p> <p>4/29-House referred to House Education Cmte.</p> <p>5/1-Cmte reported it.</p> <p>5/8-House passed with amendments. Senate adopted and concurred, sending bill to Governor.</p> <p>6/6-Governor signed into law.</p>	<p>• Suspend up to 30 days for 3rd/ sub in 18-mnth period. Remove vndg machine for 1 yr for 3rd/ sub in 18-mnth period.</p> <p>• Two penalty structures created--Increases current penalties to \$200 for 1st, \$350 for 2nd, up to \$500 for sub in 18-mnth period. Imposes additional penalty from Dept of Revenue--employee \$100 for 1st offense, \$150 for 2nd/sub in 18-mnth. Employer made sale \$250 for 1st, \$500 for 2nd/sub in 18-mnth. Purchase-up to \$50 for 1st, up to \$100 for sub.</p> <p>• Require penalties on the sign.</p> <p>• Commissioner of Revenue shall report on inspections conducted and enforcement to General Assembly starting 1/1/98.</p>	<p>License--Commissioner of Revenue Services, Annual \$25. (Act 92-66, 1992; Sec 12-286)</p> <p>No provision</p> <p>Sale to Minors--Fine of \$50 for 1st offense, \$50-100 for subsequent. (Act 92-66, 1992; Sec 53-344) Purchase by minors prohibited--\$50 for 1st offense, \$50-100 for subsequent.</p> <p>Minimum Age = 18</p> <p>Requires proof of age, defined as motor vehicle operator's license, valid passport or identity card. (Act 91-66, 1992; Sec 53-344)</p> <p>Warning sign required (Act 92-66, 1992; Sec 12-289)</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting

2062304335

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Connecticut (cont'd)		<ul style="list-style-type: none"> • Requires face-to-face interaction or display of ID. Machines must be inoperable after each sale. On 7/1/98, machines restricted to places inaccessible to minors or separate area accessible to adults only. • Restricts sampling to licensed dealers or areas of events/ establishments that are inaccessible to minors. • Requires original, manufacturer's packaging with warning labels. 	<p>Vending—Constant supervision. (Act 92-66, 1992; Sec 12-289)</p> <p>No provision</p> <p>Local Authority—Vending machines only. (Act 92-66, 1992; Sec 12-289)</p> <p>Prohibits sale of single cigarettes. (Sec 12-314)</p>	<ul style="list-style-type: none"> • Vending • Line of Sight • Other
<p>Alaska</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Tony Knowles Governor</p> <p>Response 1/16: From Dean J. Guaneli, Chief Asst Attorney General. Central criminal record keeping is Dept of Public Safety, Records & Information Section, 5700 E. Tudor Rd, Anchorage, AK 99507-1225.</p>	<p>Adjourned</p> <p>1/8-5/7/96</p>		<p>License - Dept of Revenue \$25 (Sec. 43.050.010(a), 43.050.020, 43.050.010-43.050.180(1))</p> <p>Allows for license suspension/revocation</p> <p>Sale to Minors—Fines up to \$300, possible license revocation. (Sec. 11.76.100(a)(1), 43.050.070) Possession by minors prohibited.</p> <p>Minimum Age = 19</p> <p>No provision</p> <p>Warning sign required--Provided by Dept of Revenue. (HB 84, 1992; Sec 43.70.075)</p> <p>No provision</p> <p>Vending—Requires supervision. (Sec 11.76.100)</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Tennessee</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Den Wheeler Commissioner Dept. of Revenue Ellington Agricultural Center P.O. Box 40627 Nashville, TN 37204</p> <p>Response 1/5: Correct dept--Dept of Agriculture. Funding for enforcement not provided. Until it exists, "there probably will be no enforcement action." Signage, original packaging and supervised vending machine requirements are being monitored in conjunction with sanitation inspections of food stores and food service establishments.</p> <p>Follow-up letter sent to Wheeler 2/29</p>	<p>Adjourned</p> <p>1/9-4/26/96</p>		<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Class A misdemeanor--fine up to \$2,500, 3 violations by employee--5-yr ban on sale or possession. Owner may be penalized if allowed sale. (HB 2395, 1994; Sec 39-15-408, 39-15-409) Purchase by and on behalf of a minor prohibited--\$50 or 25 hrs comm. serv. for 1st offense, \$50 & 50 hrs comm. serv.</p> <p>Minimum Age = 18</p> <p>Requires proof of age if appears to be under 18. Proof of age is defined as driver's license or other ID that has a picture. (HB2395, 1994; Sec 39-15-408, 39-15-409)</p> <p>Warning sign required (HB 2395, 1994; Sec 39-15-411)</p> <p>Unannounced Inspections--Dept of Agriculture. (HB2395, 1994)</p> <p>Vending--Requires supervision. (HB 2395, 1994)</p> <p>No provision</p> <p>State law occupied entire field of tobacco legislation. (HB 2395, 1994) Requires manufacturer's original, sealed package with federal warning. (HB 2395, 1994)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Missouri Enforcement Information Request letter from PM sent to: The Honorable Mel Carnahan Governor Room 216 State Capitol Bldg. Jefferson City, MO 65101 2nd letter sent to Governor 2/29 Response 7/23: From Governor. Referred to Dept of Public Safety.	Adjourned 1/3-5/17/96 Bills Died Other manufacturers and retailers oppose line-of-sight provision; bill will not include. S831 1/23/96--S831 referred to Senate Public Health Cmte. 1/29--Senate Public Health Cmte amended S831. 2/1--Cmte reported S831 to floor (6-4) with amendment. Attempts to repeal uniformity failed. 4/29--Senate removed uniformity provision by 21-10 vote, referred to Senate Budget Control Cmte. 5/17--Died in cmte at adjournment. H1247 1/23--Introduced. 2/13--House Public Health Cmte hrg held, no action taken. 2/20--Cmte voted "do pass" by 7-2 and reported it to the floor. 4/24--House removed uniformity provision by 83-64 vote; awaits final floor action. 5/17--Died awaiting floor action at adjournment.	<ul style="list-style-type: none"> • License--Annual \$25 • Suspends 3 days for 2nd offense in 2 yrs, up to 7 days for 3rd, 9-21 days for sub. in 2 yrs. • Sanctions on employees--\$100 for 1st offense in 2 yrs, \$250 for 2nd, \$500 for 3rd, \$1,000 for subsequent in 2 yrs. Minors purchase/receipt--\$25/10 hrs comm serv, \$50/20 hrs • Require proof of age if person appears to be under 18 • Affirmative defense • Post signs • Random inspections using minors. Supervised by Dept of Alcohol & Tobacco Control • Requires vending machines to be supervised, equipped with lock-out device or restricted to areas inaccessible to minors • Uniformity--sale, use, distribution, display, sampling, promotion. • Require original, manufacturers packaging. Prohibit sampling within 500 feet of schools, etc. 	<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Fine for 1st offense \$25, 2nd \$100, subsequent \$250. (SB 509, 1992)</p> <p>Minimum Age = 18</p> <p>Requires proof of age if appears to be under 18. Proof of age is defined as driver's license or other ID that has a picture. (SB 509, 1992)</p> <p>Warning sign required (SB 509, 1992)</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>Local Authority (SB509, 1992; Sec 71.740)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Alabama</p> <p>Enforcement Information Request letter from PIM sent to:</p> <p>Robert Leavell Administrator Alcoholic Beverage Control Board 2715 Gunter Park Dr., West Montgomery, AL 36109</p> <p>Response to 2/29: From Barry Cravey, Asst Dir, ABC, on 3/5. Do not keep record of store/owner, only individual, which cannot be released. Support S268, then can address request.</p>	<p>Adjourned 2/6-5/20/96</p> <p>Bills died Retailers opposed to the fines and the ABC enforcement provisions.</p> <p>H112 2/6/96--Introduced and referred to House State Administration Cmte. 4/4--House passed H112 with amendments * by 83-0 vote, sent to Senate. 4/17--Senate Governmental Affairs Cmte delayed action. 5/2--Cmte reported bill to floor. 5/20--Senate floor vote, possible amendments.</p> <p>H18 2/6/96--Introduced and referred to House State Administration Cmte.</p> <p>S268 2/6/96--Introduced and referred to Senate Governmental Affairs Cmte. 2/29--Senate Cmte reported bill to floor.</p>	<ul style="list-style-type: none"> • Requires retail tobacco permit from Alcoholic Beverage Control Board. May combine tobacco licensing with alcoholic licensing • * May suspend/ revoke for cause • Minors' possession/purchase ban, exempts employment if person 21 or older present. May attend "responsible vendor program." • Alcoholic Beverage Control Board with law enforcement shall enforce state/federal laws. May conduct unannounced inspections and may use minors. • Local authority. Uniformity * • Requires original, manufacturer's packaging. 	<p>License--Dept of Revenue "Privilege license tax" based on population \$2-15. (Sec 40-12-72, 40-12-176(a), 40-25-2(a))</p> <p>No provision</p> <p>Sale to Minors--Fines \$10-50. May be imprisoned or sentenced to hard labor for 30 days. (Sec 13A-12-3, 26-101(a))</p> <p>Minimum Age = 19</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>Localities authorized to impose "License tax" on vending machines. (Sec 11-51-98)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Rhode Island **</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Lincoln Almond Governor State House Providence, RI 02903</p> <p>Response 2/7: From David Darlington, Dir. of Intergovernmental Relations. Dept of Health has "statistical information on citations," but does not collect info on final fines or convictions, nor does the state plan to collect such info. Municipalities may have info.</p> <p>Follow-up letter sent to Darlington 2/29</p> <p>Response 3/25: Violations are kept by local police departments and the 6th District Court.</p>	<p>Adjourned</p> <p>1/2-8/1/96</p> <p>Bill Enacted.</p> <p>S2804 2/6/96--Introduced. 4/30--Senate passed S2804. 8/1--House passed with amendments. 8/1--Senate concurred; sending bill to the Governor. 8/7--Governor signed into law.</p>	<ul style="list-style-type: none"> • Suspend license for 14 days for 3rd offense in 3-yr period, 90 days for 4th and subsequent offenses in 3-yr period. • Employer responsible for all violations--Fine of \$100 for 1st offense in 3 yrs, \$200 for 2nd, \$300 for 3rd, and \$500 for 4th and subsequent in 3-yr period. • Requires posting of signs on prohibition to sell to minors. Dept of Health will provide at cost. • Dept of Health responsible for enforcement. Shall conduct unannounced inspections. May use minors. • Requires original, manufacturer's packaging. Prohibits sampling within 500 feet of schools. 	<p>License--Tax Administrator \$25 (Sec 44-20-2, 44-20-7)</p> <p>Suspends license for up to 90 days for 3rd violation of sales to minors laws within 60 days. (Sec 11-9-13, 11-9-14)</p> <p>Sale to Minors--Fine for 1st offense \$100, 2nd within 30 days \$200, 3rd within 60 days \$300/license suspension for up to 90 days. (Sec 11-9-13, 11-9-14) Purchase by minors prohibited--same as above.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>State law posted--Dept of Health at cost. (Sec 11-9-13)</p> <p>No provision</p> <p>Vending--Located in direct line-of-sight and equipped with lock-out device, except bars. (SB 1056, 1995)</p> <p>No provision</p> <p>Prohibits sale of cigarettes in packs of less than 20. Specifically bans singles. (SB 1056, 1995; Sec44-20-31)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Rhode Island cont'd:	<p>H8348 2/6/96--Introduced and referred to House Judiciary Cmte.</p> <p>4/2--House Judiciary Cmte hearing scheduled</p> <p>4/10--Sponsor withdrew from consideration.</p> <p>8/1--Died at adjournment.</p> <p>S2764 (Companion) 2/6/96--Introduced and referred to Senate Judiciary Cmte.</p> <p>8/1--Died at adjournment.</p>	<ul style="list-style-type: none"> • Suspend license for up to 14 days for 3rd violation within 1 year, for up to 90 days for 4th violation within 1 year. • Sanctions--\$100 for 1st offense, \$200 for 2nd, \$300 for 3rd offense, \$500 for 4th. • Requires proof of age. Provides for affirmative defense. • Allows minors to purchase as part of enforcement, government or private research. • Uniformity--state given responsibility of sales and marketing of tobacco products. 	<p>License--Tax Administrator \$25 (Sec 44-20-2, 44-20-7)</p> <p>Suspends license for up to 90 days for 3rd violation of sales to minors laws within 60 days. (Sec 11-9-13, 11-9-14)</p> <p>Sale to Minors--Fine for 1st offense \$100, 2nd within 30 days \$200, 3rd within 60 days \$300/license suspension for up to 90 days. (Sec 11-9-13, 11-9-14) Purchase by minors prohibited-same as above.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>State law posted--Dept of Health at cost. (Sec 11-9-13)</p> <p>No provision</p> <p>Vending--Located in direct line-of-sight and equipped with lock-out device, except bars. (SB 1056, 1995)</p> <p>No provision</p> <p>Prohibits sale of cigarettes in packs of less than 20. Specifically bans singles. (SB 1056, 1995; Sec44-20-31)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Oklahoma</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Ron L. Willis Director Alcohol Beverage Law Enforcement Commission 4545 N. Lincoln St., Suite 270 Oklahoma City, OK 73105</p> <p>2nd letter sent to Willis 2/29</p>	<p>Adjourned</p> <p>2/5-5/31/96</p>		<p>License--Tax Commission \$30 for 3-yr period. (Sec 304(a) & (b), 304(d)(2), 316 (b)(2), 1504)</p> <p>No provision</p> <p>Sale to Minors--Fine for 1st offense \$25, 2nd within 1 year \$50, subsequent within 1 year \$75. (SB1130, 1994; Title 21 Sec 1241, 1242; Title 15 Sec 13)</p> <p>Purchase/possession by minors prohibited--\$25 for 1st offense, \$50 for subsequent in 1 yr.</p> <p>Minimum Age = 18</p> <p>Requires proof of age if appears to be under 18. Proof of age is defined as driver's license or other ID that has a picture. (SB1130, 1994; Title 21 Sec 1241, 1242; Title 15 Sec 13)</p> <p>Warning sign required (SB1130, 1994)</p> <p>Unannounced Inspections--Alcoholic Beverage Laws Enforcement Commission with minors (SB 1130, 1994)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting
<p>Oklahoma (Continued)</p>			<p>Vending--Continuous supervision. (SB 1130, 1994)</p> <p>No provision</p> <p>State law supersedes local restrictions on sale, purchase, distribution, advertising, sampling, promotion, display, possession, licensing, and taxation. (SB1130, 1994)</p> <p>Requires manufacturer's original, sealed package. (SB 1130, 1994)</p>	<ul style="list-style-type: none"> • Vending • Line of sight • Other

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>South Carolina **</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Burnet R. Mayback, III Director Dept. of Revenue 301 Gervais St. Columbia, SC 29201</p> <p>Response 1/8: Dept of Revenue has no jurisdiction. Letter forwarded to Court Administration, "which may have some information."</p> <p>Response 4/1: From Beverly Hamilton, Dept of Alcohol & Other Drug Abuse Services. Provided inspection results, but actual purchase does not occur. Referred to Judicial Dept, Division of Court Administration.</p> <p>Response 7/24: From Court Administration. Referred to county court offices.</p>	<p>Adjourned 1/9-6/26/96</p> <p>Bill Enacted H3201 Carryover bill from 1995.</p> <p>1/9/96--Awaits action on Senate floor.</p> <p>5/28--Senate amended bill and passed it. Bill awaits House concurrence.</p> <p>6/12--House concurred with Senate amendments, sending bill to Governor for action.</p> <p>6/18--Governor signed into law.</p>	<p>• Increase fines-up to \$25 for 1st offense, \$50 for 2nd, at least \$100 and/or imprisonment for 60 days to 1 yr for 3rd and subsequent offenses.</p> <p>• Unannounced inspections by Dept of Revenue & Taxation. May use minors.</p> <p>• Uniformity of state law, including smoking. Prohibits local ordinances pertaining to tobacco products.</p>	<p>No provision</p> <p>No provision</p> <p>Sale to Minors—Fine of \$25-100 and/or imprisonment for 2-12 months. (Sec. 16-17-500)</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Louisiana (Fiscal Session)</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Terry Pitre (Mr.) Commissioner Office of Alcoholic Beverage Control 1885 Wooddale Blvd. Baton Rouge, LA 70806</p> <p>2nd letter sent to Pitre 2/29</p>	<p>Adjourned</p> <p>4/29-6/12/96</p> <p>No activity this year because of fiscal session</p>		<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Fines for 1st offense up to \$50, 2nd up to \$100, 3rd up to \$250, subsequent up to \$400. (SB130, Act 64,1994; Sec 14:91.7, 14:91.6) Purchase by minors prohibited same as above.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning sign required (SB130, Act 64, 1994)</p> <p>Unannounced inspections--Alcoholic Beverage Control along with local law enforcement (SB 130, Act 64,1994)</p> <p>No provision</p> <p>No provision</p> <p>State law supersedes local restrictions on sale, promotion and distribution. (SB 130, 1994; Act 64)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

2062304344

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>North Carolina (Fiscal Session)</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Sally Herndon Malek Manager, Smoke & Health Branch, ASSIST Project, Dept. of Environmental Health & Natural Resources</p> <p>Response 1/23: Referred to Dept of Human Resources, entity responsible for SAMHSA regs.</p> <p>Response 3/22: From Britt. Administrative Office of the Courts only state depository of violations. Keeps total # of violations, not individual names/stores.</p>	<p>Adjourned</p> <p>5/13-6/22/96</p> <p>No activity this year because of fiscal session</p>		<p>No provision</p> <p>No provision</p> <p>Sale to Minors—Class 2 misdemeanor. (Chapter 241, HB 766, 1995; HB 852, 1991; Sec 14-313) Purchase by minors prohibited—infraction.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>Unannounced Inspections--Dept of Human Resources with local law enforcement. (Chapter 241, HB 766, 1995)</p> <p>No provision</p> <p>No provision</p> <p>State law supersedes local restrictions on sale, distribution, promotion and display after 9/1/95. (Chapter 241, HB 766, 1995)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Delaware ** Enforcement Information Request letter from PM sent to: William Remington Director Division of Revenue Carvel State Office Bldg. 820 N. French St. Wilmington, DE 19801 2nd letter sent to Remington 2/29	Adjourned 1/9-6/30/96 Bill enacted H440 1/25/96--H440 Introduced and referred to House Judiciary Cmte. 3/12--House Cmte reported bill to floor. 3/28--House passed bill with amendment to provide for uniformity by 41-0 vote. Referred to Senate Health & Social Services Cmte. 3/28--Senate Cmte reported bill to floor. 4/3--Senate passed H440; goes to Governor. 4/5--Governor signed into law.	<ul style="list-style-type: none"> • Allows suspension to 6 mnths for 2nd and sub. in 12 mnths • Employer-\$250 for 1st, \$500 for 2nd, \$1,000 for sub. Minors' purchase-\$50 or 25 hrs serv, \$50 & 50 hrs comm serv for 2nd & sub in 1 yr. • Affirmative defense • Warning signs • Unannounced inspections by Dept of Public Safety with law enforcement and allows use of minors • Restricts machines to taprooms, taverns, tobacco shops or places minors not permitted by law • Local authority. * Uniform state law-preempt local restrictions on subject covered in bill. • Requires sealed, manufacturer's packaging 	License --Dept of Finance \$5. (Sec 5307-5308) Allows for license revocation (Sec 5313) Sale to Minors --Class B misdemeanor, fine up to \$500 for individuals, up to \$2,000 for corporations. Possible 6 month incarceration. (Sec 1106(1), 4206(b), 4207(b), 4208(3)) Minimum Age = 18 No provision No provision No provision No provision No provision	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>New Hampshire</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Edward Dame Dir. of Collections Division Dept. of Revenue Administration 61 South Spring St. Concord, NH 03301</p> <p>2nd letter sent to Dame 2/29</p>	<p>Adjourned</p> <p>1/3-6/13/96</p> <p>Awaiting introductions</p>		<p>License--Tax Commission \$10 for 2-yr period. (Sec 78.2, 78.6)</p> <p>No provision</p> <p>Sale to Minors--Fine of \$100. (HB 650, 1995; Sec 78:12-b, 78:12-c, 78:6) Purchase and possession by minors prohibited--\$100 or 20 hrs community service.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning sign required--Commissioner of Revenue to provide with license. (Sec 78:12-b)</p> <p>No provision</p> <p>Vending--Supervised to determine age of purchaser. (HB 650, 1995)</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>California</p> <p>Enforcement Information Request letter from PIV sent to:</p> <p>Sandra Smolley Secretary Health & Welfare 1600 9th St., Room 460 Sacramento, CA 95814</p> <p>Response 4/9: From Kimberly Belshe of Dept. of Health Services. Detailed info requested is beyond that to be provided HHS. To consider additional efforts to provide info, need more info on program to withhold benefits, ie benefits already provided, names of retailers, agreement with retailers, etc.</p>	<p>Adjourned</p> <p>1/3-8/31/96 (11/30 sine die)</p> <p>Retailers opposed to licensing and other AAA provisions. Will assess opportunities as other legislation is introduced.</p>		<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Employer--\$200-300 for 1st, \$600-900 for 2nd in 5 yrs, \$1,200-1,800 for 3rd, \$3,000-4,000 for 4th, \$5,000-6,000 for sub offenses in 5 yrs. Minors purchase/possession-\$150 and 30 hrs comm service or 90 day suspension of driver's license. (Sec. 22958 and Sec 308(a) & (b); AB 2188, 1996)</p> <p>Minimum Age = 18</p> <p>Requires proof of age if person appears to be under 18. (SB 1927, 1994; Sec 308(a) & (b))</p> <p>Warning sign required--Dept of Health Services to establish signs, must include 800 number to report violations. Must post state law. (SB 1927, 1994; Sec 308)</p> <p>Unannounced inspections-- State Department along with local law enforcement. May use minors. (SB 1927, 1994; AB 2188)</p> <p>Vending--Restricted to places with on-sale public premise liquor license. (AB 686, 1995)</p> <p>No provision</p> <p>Local authority--vending machines. (AB 686, 1995) Requires manufacturer's original packaging with federal warning. (Sec 308.2)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

2062304348

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Illinois</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Jim Edgar Governor 207 State House Springfield, IL 62706</p> <p>Response from Rosales 3/20: Do not have system to maintain. Use "mock-purchase" to check compliance.</p>	<p>Adjourned</p> <p>1/10-5/22/96 (sine die 12/31)</p> <p>Draft not considered</p> <p>5/9/96--Draft bill awaiting introduction.</p> <p>5/22-Draft was never introduced.</p>	<ul style="list-style-type: none"> • Requires employee training and signed affidavit. • Undertraining requirements, proof of ID is required if purchaser believed to be under 18. • Specifies wording and size. • Clarifies inspections. May use state & local law enforcement for inspections. May use minors. File report with HHS. • Uniformity--sale, distribution, display, use, advertising, promotion. Grandfathers ordinances in effect by 5/1/96. • Requires manufacturer's original packaging. • Prohibits sampling within 500 feet of schools, etc. 	<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Fine for 1st offense \$200, 2nd within 1 year \$400, subsequent within 1 year \$600. (HB 1576, 1993; Sec 2357-8, 2358-1, 2358-24, 2358-32) Purchase by minors prohibited--same as above.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning sign required (SB 784, 1991)</p> <p>Unannounced Inspections--Liquor Control Commission (HB 1576, 1993)</p> <p>Vending--Direct Supervision (Public Act 181, SB 717, 1995)</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

2062304349

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Massachusetts</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Gus Pancatore Dept. of Revenue Executive Office for Administration & Finance 100 Cambridge St. Room 806 Boston, MA 02202</p> <p>Response 4/3: From Augrey Rushton, Dept of Revenue. Referred to Dr. Greg Connolly, Dept of Public Health's Tobacco Control Program.</p> <p>Response 7/9: From Connolly. Requests more info on what will be withheld. Volunteers to collect data from local bds of health and provide to PM.</p> <p>Response 8/21: Receiving violations from Newton Bd of Hlth.</p>	<p>Adjourned</p> <p>1/3-7/31 (sine die 12/31/96)</p> <p>Awaiting introductions</p>		<p>Localities authorized to require local retail license. (Chapter 64C, Sec 2, 10)</p> <p>License—Dept of Revenue \$5 for 2-yr period. (Chapter 64C, Sec 2, 10)</p> <p>License application denied after 4 violations within 3-year period. (Chapter 270, Sec 6)</p> <p>Sale to Minors—Fine for 1st offense at least \$100, 2nd at least \$200, subsequent at least \$300. License application denied after 4 violations within 3 years. (Chapter 270, Sec 6)</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>State law must be posted (Chapter 270, Sec 7)</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight

2062304350

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Michigan</p> <p>Enforcement Information Request letter from PIM sent to:</p> <p>The Honorable John Engler Governor State Capitol Bldg. P.O. Box 30013 Lansing, MI 48909</p> <p>Response 4/1: From James Haveman, Dept of Public Health. Does not maintain requested info. If available, it will be from state and local police agencies.</p>	<p>1/10-12/13/96</p> <p>Carryover S730 awaits action in House.</p> <p>S730</p> <p>2/7/96—House Local Government Cmte reported bill to floor by 7-0 vote.</p> <p>2/27—House amendment to repeal uniformity passed by 70-32 vote.</p> <p>2/29—House passed with amendment by 83-23 vote; returns to Senate for concurrence.</p> <p>3/5—Senate refused to concur by 21-15 vote against. Bill goes to conference cmte.</p>	<p>As passed Senate (11/30/95)</p> <ul style="list-style-type: none"> • Sanctions—Employee—\$150 if training provided, Minors for purchase/possession/use—\$100 (except for employment). May only convict retailer if minor convicted. • Employee training, employee certification <p>• Affirmative defense if person relied on proof of age or training not provided</p> <p>• Requires warning sign to be posted.</p> <p>• Dept. of Public Health, with local enforcement, shall conduct unannounced inspections with minors</p>	<p>No provision--</p> <p>No provision</p> <p>Sale to Minors—Fine of \$50 (Sec 25.281-25.285, 7.411(5)) Possession by minors prohibited—\$50. Sign says purchase by minors prohibited.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning sign required--Dept of Public Health will provide. (Act 327, HB 5104, 1993)</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement <p>• Minimum Age</p> <p>• Proof of Age</p> <p>• Post Signs</p> <p>• Reporting</p>

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Michigan cont'd		<ul style="list-style-type: none"> • Single packs of cigarettes within plain view of cashier or behind counter (exempts tobacco stores). • Prohibits sale of cigarettes separate from package, or in packs of less than 20 (exempts tobacco stores). 	<p>Vending--Restricted to places inaccessible to minors or with a Class C liquor license. (HB 5017, 1992; Sec 470)</p> <p>No provision</p> <p>State law prohibits local restrictions on sale or licensure of tobacco products. (Act 327, HB 5104, 1993)</p> <p>Prohibits sale of cigarettes separate from package, except in tobacco specialty stores. (Act 31, HB 5225, 1992)</p>	<ul style="list-style-type: none"> • Vending • Line of sight • Other

2062304352

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>New Jersey</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Harvey Brooks Dir. of Miscellaneous Tax Division, Dept. of Treasury, Division of Taxation</p> <p>Response 3/11: Forwarded to Joseph Flynn, Chief Criminal Investigations.</p> <p>Response 3/25: From Len Fishman, Commissioner, Dept of Health. Will include PM on distribution of status reports on enforcement.</p> <p>Response 3/28: From Flynn. Referred to Bonnie Schuster, Dept of Health.</p> <p>Response 8/14: Testing enforcement system; info available October 1996.</p>	<p>1/9-12/31/96</p>		<p>License--Division of Taxation, Annual \$40 in 1996, \$50 in subsequent years. (S1186, 1995; Sec 54:40A-s, A-3, A-4, A-24)</p> <p>Allows license revocation after 2nd or subsequent violations. (Sec 2A:170-51; S279, 1995)</p> <p>Sale to Minors--Fine of \$250 for 1st offense, \$500 for 2nd, \$1,000 for 3rd and sub. offenses. (Sec 2A:170-51; S279, 1995)</p> <p>Minimum Age = 18</p> <p>Affirmative Defense if person appears to be of "legal age." (Sec 2A:170-51; S279, 1995)</p> <p>Warning sign required (Sec 54:40A-4.1)</p> <p>Unannounced Inspections--Commissioner of Health will issue grants funded by license fees to local health depts for enforcement and inspections. (S1186, 1995)</p> <p>Vending--Ban on property used for school purposes and owned by school board. (Sec 18A:40A-1)</p> <p>No provision</p> <p>Local authority over vending machine restrictions.</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

2062304353

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>New York</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>David Morrow State of NY Dept. of Health Corning Tower Empire State Plaza Albany, NY 12237</p> <p>Response 3/20: Federal & state law does not require tracking of violations. Enforcement is through county health departments.</p>	<p>Adjourned</p> <p>1/3-7/13 (sine die 12/31/96)</p> <p>NYACS opposed to any youth access legislation.</p>		<p>License--Commissioner of Taxation & Finance, "registration" for \$100. (Sec 489, 470(7-9))</p> <p>License suspension for one year with 3 violations within 2-year period. (SB 4183-B, 1994; AB3900-E, 1993)</p> <p>Sale to Minors--Fine for 1st offense \$100-300, subsequent \$1,000. One-year license suspension for 3 violations within 2-year period. (SB 4183-B, 1994; AB3900-E, 1993)</p> <p>Minimum Age = 18</p> <p>Requires proof of age if person appears to be under 25. Proof of age must be photo ID issued by government entity or educational institution. Appearance is not a defense. (SB 4183-B, 1994; AB3900-E, 1993)</p> <p>Warning sign required (SB 4183-B, 1994; AB3900-E, 1993)</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting
<p>New York (Continued)</p>			<p>Vending--Restricts to bars or bar areas of restaurants with on-premise liquor license, private clubs, tobacco businesses, places of employment not open to public. (AB 3900-E, 1993)</p> <p>No provision</p> <p>State law supersedes local restrictions on distribution of samples or coupons. (AB 3900-E, 1993)</p> <p>Prohibits sale of out-of-package cigarettes. (AB 7139-E, 1994)</p>	<ul style="list-style-type: none"> • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Ohio</p> <p>Enforcement Information Request letter from PM sent to: The Honorable George Voinovich Governor</p> <p>Response 1/17: From Luceille Fleming, Dept of Alcohol & Drug Addiction Services. Responsible for compliance checks. Contact Scott Brown, Div. of Prevention & Training, or Ronald Sherwood.</p> <p>Response 3/18: From Peter Somani, Dept of Health. No central tracking, handled locally.</p>	<p>Adjourned</p> <p>1/2-11/15/96 (sine die 12/31/96)</p> <p>Carryover bill from 1995, H299.</p> <p>H299</p> <p>1/10/96--House Local Government Cmte reported to floor (13-1).</p>	<p>As passed cmte...</p> <ul style="list-style-type: none"> • Minors purchase prohibited. • Employee training and certification <ul style="list-style-type: none"> • Requires proof of age if seller believes purchaser is under 18 • Affirmative defenses <ul style="list-style-type: none"> • Requires warning sign <ul style="list-style-type: none"> • Unannounced inspections by local law enforcement with minors. (Local health depts may assist.) No citations issued unless law enforcement there. <ul style="list-style-type: none"> • Uniformity-sale, distribution, use, display, promotion • Sampling ban within 500 ft of schools. • Requires cigarettes/ smokeless to be in manufacturer's packaging 	<p>License--County Treasurer, Annual \$30. (Sec 5743.15)</p> <p>No provision</p> <p>Sale to Minors--4th Degree misdemeanor fine up to \$250 and/or up to 30 days of jail for 1st offense, 3rd degree misdemeanor, fine up to \$500 and/or up to 60 days jail for subsequent. (Sec 2927.02)</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning sign required (Sec 2927.02)</p> <p>No provision</p> <p>Vending--Immediate vicinity and in plain view. (SB 40, 1991; Sec 2927.02)</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Pennsylvania</p> <p>Enforcement Information Request letter from PIM sent to:</p> <p>Mary Crowley Chief Miscellaneous Tax Division Dept. of Revenue</p> <p>Response 1/12: Crowley--Enforce cigarette tax statutes only. Enforcement of sales, a criminal penalty, is by state & local police. No knowledge of central information sight.</p> <p>Follow-up letter sent to Crowley 2/29</p>	<p>1/9-12/31/96</p> <p>S1008 Carryover from 1995.</p> <p>05/07/96--Senate Finance Cmte reported bill with amendments to Senate Appropriations Cmte.</p>	<ul style="list-style-type: none"> • License suspended for 7 days for 3rd offense in 2 yrs, 1 mnth for 4th, 6-12 mnths for 5th and sub. offenses in 2 yrs. • Employee--\$50 for 1st offense, \$100 for 2nd, 3rd Degree Misdemeanor for 3rd and sub. offenses. Employer--\$150 for 1st in 2-yr period, \$300 for 2nd, \$450 for 3rd, \$600 for 4th and sub. in 2-yr. period. • Provides for affirmative defense. • Requires warning signs with 800 number for violations. Requires Surgeon General's warning to be posted. • Unannounced inspections by Dept of Health & Dept of Agriculture. Agriculture required to use minors. Health may contract with local entities. 	<p>License--Dept of Revenue, Annual \$25 (Title 72, Sec 8221(a), 8227(a), 8271(a), 8201)</p> <p>No provision</p> <p>Sale to Minors--Summary offense with a fine of at least \$25 for 1st offense, at least \$100 for subsequent. (Title 18, Sec6305(a) & (b)) Purchase by minors prohibited same as above.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Pennsylvania cont'd	S1008 (cont'd)	<ul style="list-style-type: none"> • Restricts to places inaccessible to minors, horse racing facilities, off-track betting facilities. • Products located within line of sight or under direct control. • Uniformity of subject in chapter. Grandfathers ordinances enacted by effective date. • Original, manufacturer's packaging. • Ban sampling within 500 feet of schools. 	<p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • Vending • Line of sight • Other

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Pennsylvania cont'd	<p>H2190 Carryover H2190 was referred to House Finance Cmte in 1995 on 11/1/95. Bill has received no action in 1996.</p>	<ul style="list-style-type: none"> • Employee-\$25 for 1st offense, \$100 for 2nd, 3rd degree misdemeanor for subsequent. Minors' purchase-\$50 & 25 hrs comm. serv., \$50 & 50 hrs comm. serv. for 2nd in 1 yr. • Requires proof of age if believed to be under 18 • Affirmative defense • Warning signs • Unannounced inspections by county district attorneys with minors • Require supervision & lock-out device on machines or restricts to places inaccessible to minors • Uniformity-sale, distribution, promotion, display • Ban sampling within 500 ft of schools 	<p>License--Dept of Revenue, Annual \$25 (Title 72, Sec 8221(a), 8227(a), 8271(a), 8201)</p> <p>No provision</p> <p>Sale to Minors--Summary offense with a fine of at least \$25 for 1st offense, at least \$100 for subsequent. (Title 18, Sec6305(a) & (b)) Purchase by minors prohibited-same as above.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

2062304358

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Wisconsin</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Tommy G. Thompson, Governor</p> <p>Response 1/26: From Richard Lorang, Deputy Secretary, Dept of Health & Social Services. No tracking system for convictions. New statewide database of retail licenses located in Bureau of Substance Abuse Services, 1 West Wilson St., Rm 434, P.O. Box 7851, Madison, WI 53707-7851.</p> <p>Response 3/14: Regs do not require tracking system. Info available from local enforcement & courts.</p>	<p>Adjourned</p> <p>1/9-5/13 (sine die 12/31/96)</p> <p>Amendment not considered</p> <p>4/96—"Delete all" substitute amendment awaits approval when legislature returns from recess; has support of Assembly leadership.</p> <p>5/7—Assembly leadership requested new draft substitute.</p> <p>5/8—Senate adjourned for the year making action by the Assembly moot.</p>	<ul style="list-style-type: none"> • Employee training and signed statement required, may be used as a defense by retailer. If trained, employee fined \$50 and 20 hours of community service for 1st offense, fined up to \$100 for subsequent offenses within 1 year. 	<p>License—Dept of Revenue issued through the municipal clerk. Annual \$5. (Sec 50.51(1) & (2), 139.30, 139.34)</p> <p>License suspended for 3 days for 2nd offense, 3-10 days for 3rd offense, 15- 30 days for 4th offense within 1 year. (SB 155, 1991, Sec 48.983(2)(a) & (3))</p> <p>Sale to Minors—Fine up to \$500 for 1st offense in 1 year, \$200-500 and/or license suspended for 3 days for 2nd offense within 1 year, license suspension for 3-10 days for 3rd offense, 15-30 days for 4th offense within 1 year. (SB 155, 1991; Sec 48.983(2)(a) & (3)). Purchase and possession by minors prohibited—same</p> <p>Minimum Age = 18</p> <p>Affirmative Defense--Defense if retailer asked for "identification card" and person appeared to be at least 18. (SB 155, 1991; Sec 48.983(2)(a) & (3))</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Wisconsin (Continued)		<ul style="list-style-type: none"> • Unannounced Inspections by Dept of Health & Family Services along with local law enforcement. May use minors. • Restricts machines to barrooms or factories/offices not open to general public. • Prohibits local health dept regulation. • Restricts sampling to places inaccessible to minors or places licensed to sell tobacco. 	<p>Warning sign required (Sec 134.66(2)(b)(1) & (2)(b)(2))</p> <p>No provision</p> <p>Vending—Prohibits within 500 feet of schools. (Act 95, SB 155, 1991; Sec 134.66)</p> <p>No provision</p> <p>State law requires local restrictions to strictly conform to this section. (Sec 48.983(5))</p> <p>Prohibits sale of cigarettes without package/container with tax stamp. (Act 312, AB 295, 1994)</p>	<ul style="list-style-type: none"> • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Montana</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Marc Racicot Governor Capitol Station Helena, MT 59620</p> <p>Response 12/27: Information requested available through Board of Crime Control. Letter was forwarded to Kathy Kendall with the Board of Crime Control for review and additional response.</p> <p>Follow-up letter sent to Kendall 2/29</p>	No Regular Session	• No session	<p>License--Dept of Revenue, Ann \$5. (HB 548, 1993; Sec 16-11-102(2), 16-11-120 & 121, 16-11-132, 16-11-148)</p> <p>License suspended for 3 months for 6th offense in 3 years, for 1 year for 7th offense in 3 years. (HB 539, 1995; HB 548, 1993; Sec 16-11-308)</p> <p>Sale to Minors--Employee fine is \$25 for each offense. Owner, 1st-3rd offense in 3-year period--verbal notice, 4th--written notice, 5th--\$500 education fee, 6th--suspension of license for 3 months, 7th in 3-year period--suspension for 1 year. (HB 539, 1995; HB 548, 1993; Sec 16-11-308) Possession or consumption by minors prohibited.</p> <p>Minimum Age = 18</p> <p>Requires proof of age from driver's license or other ID with picture if reasonable doubt of purchaser's age. (HB 539, 1995; HB 548, 1993; Sec 16-11-308)</p> <p>Warning sign required--Provided by Dept of Revenue (HB 539, 1995; HB 548, 1993; Sec 16-11-304)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Montana (Continued)			Unannounced inspections --Dept of Corrections & Human Services (HB 539, 1995) Vending --Direct supervision No provision State law prohibits local restrictions more stringent than state law. (HB 548, 1993) Requires manufacturer's original package with federal warning. (HB 539, 1995; HB 548, 1993; Sec 16-11-307)	<ul style="list-style-type: none"> • Reporting • Vending • Line of sight • Other

2062304362

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Nevada</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>John Albrecht Deputy Attorney General, Office of the Attorney General, Capitol Complex, Carson City, NV 89710</p> <p>Response 1/8: Has no method of tracking convictions. Understand it is not required under proposed regs for SAMSHA. Maintaining list of stores where someone was "charged" and list where inspections conducted and no charges. Willing to share those lists upon request.</p> <p>Response 3/13: From Albrecht. Federal law does not require a tracking system. Can provide list of stores inspection held and violation occurred.</p>	<p>No Regular Session</p>	<p>• No session</p>	<p>License--Dept of Taxation, no fee (Sec 370.015, 370.033, 370.080)</p> <p>No provision</p> <p>Sale to Minors--Fine of up to \$500. (AB 622, 1995; Sec 237, 238, 202.010)</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>Unannounced Inspections-- Attorney General along with local law enforcement and other "contract" groups. (AB 622, 1995)</p> <p>Vending--Prohibits in public elevators; public waiting areas, lobbies or hallways of medical care facilities; public buses; school buses. (SB 421, 1993; Chapter 202)</p> <p>No provision</p> <p>State law supersedes local restrictions on smoking, use, sale, distribution, marketing, display and promotion. (AB 622, 1995)</p> <p>Requires manufacturer's original packaging with federal warning. (AB 622, 1995)</p> <p>Requires notification of intent to sell in packs less than 20. (Sec 370.315)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>North Dakota</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>Bob Hanson State Tax Commissioner Office of State Tax Commissioner 600 E. Blvd. Bismarck, ND 58505-0599</p> <p>2nd letter sent to Hanson 2/29</p>	No Regular Session	• No session	<p>License—Tax Commissioner, Annual \$15. (Sec 57-36-01(4), 57-36-02)</p> <p>No provision</p> <p>Sale to Minors—Class B misdemeanor with fine of \$500 and/or imprisonment for 30 days. (Sec 12.1-31-03(1) & (2), 12.1-32-01(6)) Purchase and use by minors prohibited.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Oregon</p> <p>Enforcement Information Request letter from PM sent to: Jeffrey Kushner Assistant Director Office of Alcohol & Drug Abuse Dept. of Human Resources</p> <p>Response 1/10: Correct Dept--Office of Alcohol & Drug Abuse, contact Dr. Clinton Goff. Will check with courts 3 months after ticket issued (convictions should be concluded at that time). Requests copy of any actions PM takes.</p> <p>Response 3/19: From Kushner. Provides list of individuals and stores where convictions occurred.</p> <p>7/31: Correspondence on cited stores continues.</p>	No Regular Session	• No session	<p>No provision</p> <p>No provision</p> <p>Sale to Minors--Fine of \$100-500. (HB 3590, 1991; Sec 163-575(1)(d), 163-575(1)(e), 163-575(3)) Possession by minors prohibited-\$100.</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning sign required (HB 3146, 1989; Sec 163.575, 431.840(1)(b) & (3))</p> <p>Unannounced Inspections--Dept of Human Resources. (SB 453, 1993)</p> <p>Vending--Restricts to places inaccessible to minors. (HB 3590, 1991)</p> <p>No provision</p> <p>State law prohibits local restrictions on vending machines. (HB 3590, 1991; Sec 431.840) Requires cigarettes to be in sealed package. (HB 3146, 1989)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Texas</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable George W. Bush Governor State Capitol, Room 25.1 Austin, TX 78701</p> <p>Response 3/12: Local law enforcement responsible for smoking violations. Referred to Sharon Kohoute, Office of Smoking & Health, TX Cancer Council for minors information.</p> <p>Response 5/27: From Ron Lindsey, Hlth & Human Services Policy Director. Referred us to prior letter that referenced Cancer Council. Also referred to Terry Bleier, Commission on Alcohol & Drug Abuse.</p>	No Regular Session	• No session	<p>License--State Treasurer, 2-yr permit, no fee. (SB 689, 1991; Sec 154.101(b), 154.001(14))</p> <p>No provision</p> <p>Sale to Minors--Class C misdemeanor with fine up to \$200. (Chapter 607, 1989; Civ. 4476-16)</p> <p>Minimum Age = 18</p> <p>Affirmative Defense--Provides for a defense if relied on driver's license or ID card with "physical description" and age. (Chapter 607, 1989; Civ. 4476-16)</p> <p>Warning sign required--Provided by Dept of Health (SB 689, 1991; Sec 154.101(b), 154.001(14))</p> <p>No provision</p> <p>No provision</p> <p>No provision</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight

State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
<p>Arkansas</p> <p>Enforcement Information Request letter from PM sent to:</p> <p>The Honorable Jim Guy Tucker Governor State Capitol Bldg Little Rock, AR 72201</p> <p>Response 1/12: Received from Governor's Executive Asst. for Health referred letter to Dr. Sandra Nichols, Dir. of Dept. of Health saying she should be able to provide information.</p> <p>Response 7/25: From Nichols. State law has no enforcement clause, so no convictions or fines.</p>	<p>No Regular Session</p>	<p>• No session</p>	<p>License--Dept of Finance & Administration, Annual \$10 (Sec 26-57-203, 26-57-214(c), 26-57-301)</p> <p>License suspended for 2nd offense within 2-year period for 7 days, 3rd offense 1-6 months, subsequent offense within 2-year period 9 months. (Act 543, 1991; Sec 57-27-227)</p> <p>Sale to Minors--Misdemeanor with fine of \$100 for 1st offense, for 2nd offense within 2-year period \$250 fine and license suspension for 7 days, 3rd offense \$500 fine and license suspension for 1-6 months, subsequent offense within 2-year period \$1,000 fine and license suspension for 9 months. (Act 543, 1991; Sec 57-27-227)</p> <p>Minimum Age = 18</p> <p>No provision</p> <p>Warning sign required (Act 543, SB 184, 1991; Sec 5-27-227)</p> <p>No provision</p> <p>Vending--Constant supervision. (Act 543, SB 184, 1991; Sec 5-27-277)</p> <p>No provision</p> <p>Localities authorized to impose local license requirement and tax. (Sec 26-57-214 & 215)</p>	<ul style="list-style-type: none"> • License • Revocation • Enforcement • Minimum Age • Proof of Age • Post Signs • Reporting • Vending • Line of sight • Other