

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

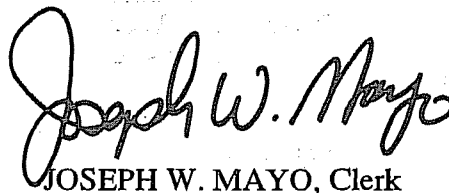
No. 716

H.P. 532

House of Representatives, February 25, 1993

An Act Relating to the Omnibus Drug Policy Reform Act.

Reference to the Committee on State and Local Government suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative BOWERS of Washington.
Cosponsored by Representatives: BENNETT of Norway, GRAY of Sedgwick, LEMKE of
Westbrook, STEVENS of Sabattus, TRUE of Fryeburg, Senator: CAREY of Kennebec.

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

2 Sec. 1. 5 MRSA §12004-I, sub-§30-A is enacted to read:

4 30-A. Tobacco, Expenses 5 MRSA
6 Health Alcohol and Only for §21102
8 Scheduled Nonstate
10 Drugs Com- Employees
 mission

12 Sec. 2. 5 MRSA Pt. 27 is enacted to read:

14 PART 27

16 OMNIBUS DRUG POLICY REFORM ACT

18 CHAPTER 561

20 OMNIBUS DRUG POLICY REFORM ACT

22 §21101. Omnibus Drug Policy Reform Act

24 This Part is known and may be cited as the "Omnibus Drug
26 Policy Reform Act of 1993."

28 §21102. Commission

30 1. Commission established. There is established the
32 Tobacco, Alcohol and Scheduled Drugs Commission, referred to in
34 this Part as the "commission."

36 2. Membership. The commission consists of the following 15
38 members:

40 A. Ten members appointed by the Governor representing the
42 fields of general health care, substance abuse treatment,
44 economics, public relations, social welfare, law enforcement
46 and other disciplines related to drug policy. No more than
48 2 members who represent the field of law enforcement may be
 appointed;

B. Two members appointed by the Governor representing the
 general public;

C. Two legislative members, one appointed by the President
 of the Senate and one appointed by the Speaker of the House
 of Representatives; and

2 D. One member of the Attorney General's staff appointed by
3 the Attorney General.

4 3. Terms of members; vacancies. The legislative members of
5 the commission serve until the end of the biennium in which they
6 are appointed. The member appointed by the Attorney General
7 serves at the pleasure of the Attorney General. Members
8 appointed by the Governor serve for 3-year terms, except that, of
9 the initial appointments, 4 serve for 3-year terms, 4 serve for
10 2-year terms and 4 serve for one-year terms. Vacancies must be
11 filled by the appointing authority for the remainder of the
12 vacant term.

13 4. Chair. The commission shall elect a chair from among
14 its members.

15 5. Compensation. Members of the commission who are state
16 employees are not entitled to compensation. Other members may
17 receive compensation for expenses.

18 6. Staff. The Department of Human Services, Bureau of
19 Health; the Department of Administrative and Financial Services,
20 Bureau of Taxation; the Office of Substance Abuse; and the
21 Department of Public Safety shall jointly staff the commission.

22 §21103. Duties of the commission

23 1. Initial study. By October 1, 1994, the commission shall
24 complete the following initial reviews and studies.

25 A. The commission shall conduct a comprehensive review of
26 current research related to the hazards associated with the
27 use or abuse of tobacco products, alcohol and scheduled
28 drugs.

29 B. The commission shall conduct a study to identify the
30 total direct and indirect economic costs to the State that
31 are associated with the use or abuse of tobacco products,
32 alcohol and scheduled drugs.

33 C. The commission shall conduct a comprehensive review of
34 current state regulatory, enforcement, taxation, education,
35 health care and treatment policies and activities related to
36 the use or abuse of tobacco products, alcohol and scheduled
37 drugs.

38 2. Initial report. The commission shall submit a report to
39 the Legislature by January 15, 1995 and a copy of that report to
40 the Executive Director of the Legislative Council, containing the
41 following:

2 A. The commission's conclusions regarding its studies and
3 reviews under subsection 1;

4
5 B. Legislation recommended by the commission as necessary
6 to ensure that the full costs to the State of the use or
7 abuse of tobacco products, alcohol and scheduled drugs are
8 recovered through taxation of or the imposition of fees on
9 the producers, distributors and users of tobacco products,
10 alcohol and scheduled drugs; and

11
12 C. Recommendations for changes in governmental regulatory
13 programs that are necessary to minimize the costs to the
14 State of the use or abuse of tobacco products, alcohol and
15 scheduled drugs.

16
17 3. Continuing review and recommendations. The commission
18 shall continually review and monitor the progress of state
19 regulatory, enforcement, taxation, education, health care and
20 treatment policies and activities related to the use or abuse of
21 tobacco products, alcohol and scheduled drugs and may make any
22 recommendations to the Governor, the Legislature or state
23 agencies for changes to minimize the costs to the State of the
24 use or abuse of tobacco products, alcohol and scheduled drugs.
25 The commission shall submit a report describing its activities
26 and recommendations to the Legislature by January 15th of each
27 odd-numbered year.

28 29 30 STATEMENT OF FACT

31
32 This bill establishes the Tobacco, Alcohol and Scheduled
33 Drugs Commission to review state laws and regulatory,
34 enforcement, taxation, education, health care and treatment
35 policies and activities related to the use or abuse of tobacco
36 products, alcohol and scheduled drugs. The commission is
37 required to recommend to the Legislature changes in law and
38 policies necessary to minimize the costs of use or abuse of
tobacco products, alcohol and scheduled drugs.