

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 2167

S.P. 769

In Senate, April 7, 1999

**An Act to Ensure the Availability of Funds for Tobacco Prevention and Control.**

(AFTER DEADLINE)

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

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator RUHLIN of Penobscot.  
Cosponsored by Representative MATTHEWS of Winslow and  
Senators: CATHCART of Penobscot, PARADIS of Aroostook, Representatives: COLWELL  
of Gardiner, GREEN of Monmouth, LOVETT of Scarborough.

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

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Sec. 1. 22 MRSA §§273, 274 and 275 are enacted to read:

**§273. Tobacco Prevention and Control Fund**

1. Fund established. The Tobacco Prevention and Control Fund, referred to in this section as the "fund," is established as an Other Special Revenue fund for purposes of funding the activities authorized by this chapter. Any unexpended balance in the fund may not lapse but must be carried forward to be used pursuant to this section.

2. Fund resources. The fund consists of the following resources:

A. Amounts received by the State pursuant to an award or settlement from a tobacco company pursuant to the action brought by the State against cigarette manufacturers and any other funds received as a result of any legal action involving the tobacco industry and transferred pursuant to section 275; and

B. Any other amounts made available to the fund from state, federal or private sources.

The State Controller shall transfer \$3,600,000 in fiscal year 1999-00 and \$3,700,000 in fiscal year 2000-01 to the fund from amounts collected by the State under Title 36, section 4365. In fiscal year 2001-02 and subsequent years, the amount transferred must be equal to the amount transferred in the previous year adjusted for inflation by the Consumer Price Index.

**§274. Health Care Fund for Maine Citizens**

1. Fund established. The Health Care Fund for Maine Citizens, referred to in this section as the "fund," is established as an Other Special Revenue fund for purposes of funding the activities authorized by this chapter. Any unexpended balance in the fund may not lapse but must be carried forward to be used pursuant to this section.

2. Fund resources. The fund consists of the following resources:

A. Amounts received by the State pursuant to an award or settlement from a tobacco company pursuant to the action brought by the State against cigarette manufacturers and any other funds received as a result of any legal action

2 involving the tobacco industry and transferred pursuant to  
section 275; and

4 B. Any other amounts made available to the fund from state,  
federal or private sources.

6 **§275. Tobacco suit settlement**

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10 Any award or settlement amount received by the State from a  
tobacco company pursuant to an action brought by the State  
12 against cigarette manufacturers and any other funds received as a  
result of any action involving the tobacco industry must be  
14 divided equally between the Tobacco Prevention and Control Fund  
and the Health Care Fund for Maine Citizens. The Attorney  
16 General may recover the costs of bringing the action upon  
allocation of funds by the Legislature.

18 **Sec. 2. Allocation.** The following funds are allocated from  
20 Other Special Revenue funds to carry out the purposes of this Act.

22 **1999-00**                      **2000-01**

24 **HUMAN SERVICES, DEPARTMENT OF**

26 **Bureau of Health**

28                      All Other                                      \$3,600,000                      \$3,700,000

30                      Provides funds for purposes  
32                      of the Tobacco Prevention and  
34                      Control Program.

36 **SUMMARY**

38                      This bill establishes the Tobacco Prevention and Control  
40                      Fund and the Health Care Fund for Maine Citizens. The bill  
42                      continues the commitment of tobacco tax revenues for the  
                    prevention and control of tobacco usage prevention and control  
                    and provides that settlement funds received from legal actions by  
                    the State against tobacco companies be divided equally between  
                    the Tobacco Prevention and Control Fund and the Health Care Fund  
                    for Maine Citizens.