MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 919

H.P. 637

House of Representatives, March 9, 2009

An Act To Prevent and Treat Cancer in Maine by Implementing Critical Portions of the Comprehensive Cancer Program

Reference to the Committee on Taxation suggested and ordered printed.

Millient M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative STRANG BURGESS of Cumberland.

Cosponsored by Senator MARRACHÉ of Kennebec and

Representatives: AYOTTE of Caswell, BLODGETT of Augusta, BRIGGS of Mexico, BURNS of Whiting, CAMPBELL of Newfield, CASAVANT of Biddeford, COHEN of Portland, DAVIS of Sangerville, DILL of Cape Elizabeth, EVES of North Berwick, FITTS of Pittsfield, FLAHERTY of Scarborough, FLEMINGS of Bar Harbor, FOSSEL of Alna, GIFFORD of Lincoln, GILES of Belfast, GOODE of Bangor, HASKELL of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, WALSH INNES of Yarmouth, JONES of Mount Vernon, JOY of Crystal, NELSON of Falmouth, PEOPLES of Westbrook, PERCY of Phippsburg, PERRY of Calais, Speaker PINGREE of North Haven, PINKHAM of Lexington Township, RUSSELL of Portland, SANBORN of Gorham, SAVIELLO of Wilton, SCHATZ of Blue Hill, SUTHERLAND of Chapman, TILTON of Harrington, VALENTINO of Saco, WAGNER of Lyman, WEBSTER of Freeport, WILLETTE of Presque Isle, Senators: BOWMAN of York, COURTNEY of York, JACKSON of Aroostook, MILLS of Somerset, PERRY of Penobscot, RAYE of Washington, SIMPSON of Androscoggin, SULLIVAN of York.

1	Be it enacted by the People of the State of Maine as follows:	
2	Sec. 1. 36 MRSA §4403, sub-§1, as amended by PL 2005, c. 627, §8, is repealed.	
3	Sec. 2. 36 MRSA §4403, sub-§2, as amended by PL 2005, c. 627, §8, is repealed.	
4	Sec. 3. 36 MRSA §4403, sub-§2-A is enacted to read:	
5	2-A. Tax rate. A tax is imposed at the rate of \$1 per ounce on:	
6	A. Smokeless tobacco, including chewing tobacco and snuff;	
7	B. Cigars;	
8	C. Pipe tobacco; and	
9	D. Other tobacco intended for smoking.	
10 11 12	A tax imposed pursuant to this subsection must be reviewed and amended to match the equivalent of any change to the rate of tax under section 4365 so that all tobacco products are taxed equally.	
13	Sec. 4. PL 2007, c. 341, §2 is repealed and the following enacted in its place:	
14 15 16 17 18	Sec. 2. Maine cancer plan implementation. The Department of Health and Human Services shall, contingent upon availability of funding, establish a comprehensive cancer screening, detection and prevention program pursuant to the Maine Revised Statutes, Title 22, section 1407, subsection 1, paragraph E based on the implementation strategy developed by the Maine Cancer Consortium for "The Maine Comprehensive Cancer Control Plan."	
20 21	Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.	
22	HEALTH AND HUMAN SERVICES, DEPARTMENT OF	
23	Comprehensive Cancer Screening, Detection and Prevention Fund Z054	
24	Initiative: Provides funds for comprehensive cancer screening.	
25		
26 27 28	OTHER SPECIAL REVENUE FUNDS 2009-10 All Other \$2,000,000	2010-11 \$2,500,000
29	OTHER SPECIAL REVENUE FUNDS TOTAL \$2,000,000	\$2,500,000
0ر	SUMMARY	
31 32 33 34	This bill provides funding for a portion of the cancer prevention and controlled plan enacted into law during the First Regular Session of the 123rd Leg providing an ongoing Other Special Revenue Funds allocation for a companier screening, detection and prevention program. This bill requires a	islature by prehensive

products other than cigarettes to be taxed at the rate of \$1 per ounce to provide the funding and any future tax rate increase to be tied to increases in the cigarette tax in the Maine Revised Statutes, Title 36, section 4365.