

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1600

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H.P. 1103

House of Representatives, May 11, 2017

**An Act To Establish an Opioid Addiction Prevention and  
Rehabilitation Treatment Program Funded by a Tax Imposed upon  
the Sale of Opioids**

(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 Taxation suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative O'NEIL of Saco.  
Cosponsored by Senator BELLOWS of Kennebec and  
Representatives: GATTINE of Westbrook, GROHMAN of Biddeford, McCREIGHT of  
Harpwell, POULIOT of Augusta, STANLEY of Medway, TIPPING of Orono, WARREN of  
Hallowell, Senator: DIAMOND of Cumberland.

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

2 **Sec. 1. 22 MRSA §2354** is enacted to read:

3 **§2354. Opioid Addiction Prevention and Rehabilitation Program**

4 **1. Program establishment.** The Opioid Addiction Prevention and Rehabilitation  
5 Program, referred to in this section as "the program," is established in the department to  
6 provide resources for opioid addiction prevention and rehabilitation services such as  
7 public awareness programs and education within public school systems; research on the  
8 analgesic and addictive properties of opioids and the causes of opioid abuse for persons  
9 dependent on opioids; and the contracting of public and private addiction treatment  
10 facilities that have been properly accredited as determined by the department by rule.

11 **2. Fund establishment.** The Opioid Addiction Prevention and Rehabilitation  
12 Program Fund is established to implement the program. The fund is funded from the tax  
13 on opioids collected pursuant to Title 36, section 4921 and from other funds accepted by  
14 the commissioner or allocated or appropriated by the Legislature. All revenue deposited  
15 into the fund must be allocated by the department based on demonstrated need.

16 **3. Rules.** The department shall adopt routine technical rules pursuant to Title 5,  
17 chapter 375, subchapter 2-A to implement the provisions of this section.

18 **Sec. 2. 36 MRSA c. 723** is enacted to read:

19 **CHAPTER 723**

20 **TAX ON OPIOIDS**

21 **§4921. Opioid tax**

22 **1. Definitions.** As used in this chapter, unless the context otherwise indicates, the  
23 following terms have the following meanings.

24 A. "Active opioid ingredient" means the part of a product that is an opioid.

25 B. "Distribution" means the sale of opioids in the State.

26 C. "Manufacturer" means a person that makes opioids.

27 D. "Opiate" means the dried, condensed juice of a poppy, *Papaver somniferum*, that  
28 has a narcotic, soporific, analgesic and astringent effect.

29 E. "Opioid" means:

30 (1) An opiate;

31 (2) A synthetic or semisynthetic narcotic that has effects similar to natural opium  
32 alkaloids but is not derived from opium; or

33 (3) A derivative of an opioid described in subparagraph (1) or (2).

34 F. "Wholesaler" means a person that distributes opioids to a buyer whose intention is  
35 to resell the opioids.

