

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed
during the Second Regular or First Special Sessions of the 123rd Maine
Legislature coming from the

**JOINT STANDING COMMITTEE ON HEALTH AND HUMAN
SERVICES**

May 2008

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR & FIRST SPECIAL SESSIONS



**LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular or First Special Sessions of the 123rd Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Health and Human Services

LD 2316 An Act Regarding Flavored Cigarettes and Cigars

**PUBLIC 612
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

This bill is an emergency bill. The bill makes changes to the criteria for granting exemptions to the ban on flavored cigarettes and cigars first on the market after January 1, 1985. The bill imposes upon the person or entity to whom an exemption has been granted the affirmative duty to notify the Attorney General of a material change in the characterizing flavor of flavored cigarettes and cigars and designates a violation of this requirement a civil violation for which a fine of \$10,000 may be adjudged. The bill authorizes the Attorney General to revoke an exemption if the Attorney General determines that a material change has been made to the product's characterizing flavor. The bill authorizes the adoption of rules on an emergency basis to conform existing rules to the requirements of the bill.

Enacted Law Summary

Public Law 2007, chapter 612 makes changes to the criteria for granting exemptions to the ban on flavored cigarettes and cigars first on the market after January 1, 1985. The law imposes upon the person or entity to whom an exemption has been granted the affirmative duty to notify the Attorney General of a material change in the characterizing flavor of flavored cigarettes and cigars and designates a violation of this requirement a civil violation for which a fine of \$10,000 may be adjudged. The law authorizes the Attorney General to revoke an exemption if the Attorney General determines that a material change has been made to the product's characterizing flavor. The law authorizes the adoption of rules on an emergency basis to conform existing rules to the requirements of the law.

Public Law 2007, chapter 612 was enacted as an emergency measure effective April 14, 2008.

LD 2322 An Act To Amend the Charter of Northern Maine General

P & S 45

Sponsor(s)

Committee Report

Amendments Adopted

MARTIN

This bill removes the Roman Catholic bishop of the diocese of Portland as a trustee and president of Northern Maine General. The bill also amends the charter by designating that the president is elected by the board of trustees. This bill was not referenced to the Joint Standing Committee on Health and Human Services.

Enacted Law Summary

Private and Special Law 2008, chapter 45 removes the Roman Catholic bishop of the diocese of Portland as a trustee and president of Northern Maine General. The bill also amends the charter by designating that the president is elected by the board of trustees.