

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

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

July 2009

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## 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 First Regular Session of the 124<sup>th</sup> 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:

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

## *Joint Standing Committee on Health and Human Services*

3. It repeals a provision of the law that has been enjoined by the federal court and a provision that does not apply to premium cigars; and
4. It adds an effective date of October 1, 2009.

### **Senate Amendment "B" To Committee Amendment "A" (S-308)**

This amendment incorporates Senate Amendment "A" except that the definition of "premium cigar" is amended by taking out the word "hand."

This amendment amends Committee Amendment "A" as follows:

1. It exempts premium cigars from the requirement that delivery sales of tobacco products must be shipped to a licensed tobacco distributor or retailer;
2. It retains current law on shipment of tobacco products, narrowing it beginning October 1, 2009 to apply to premium cigars, and retaining the requirement that shippers of premium cigars into the State be licensed as tobacco retailers;
3. It repeals a provision of the law that has been enjoined by the federal court and a provision that does not apply to premium cigars; and
4. It adds an effective date of October 1, 2009.

### **Enacted Law Summary**

Public Law 2009, chapter 398 prohibits delivery sales of tobacco products in the State to anyone other than a licensed tobacco distributor or a licensed tobacco retailer but exempts premium cigars. For premium cigars it retains current law on shipment of tobacco products, narrowing it beginning October 1, 2009 to apply to premium cigars, and retaining the requirement that shippers of premium cigars into the State be licensed as tobacco retailers. It repeals a provision of the law that has been enjoined by the federal court and a provision that does not apply to premium cigars.

Public Law 2009, chapter 398 takes effect October 1, 2009.

### **LD 1244 Resolve, To Advance Health Care in Maine**

**ONTP**

Sponsor(s)

HARVELL  
MILLS P

Committee Report

ONTP

Amendments Adopted

This resolve requires the State Budget Officer to transfer funds from the Federal Relief Funds Reserve account to the Medical Care - Payments to Providers program to pay MaineCare settlements for hospital fiscal year 2007 and hospital fiscal year 2008.