

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

**Sec. 1. 36 MRSA §4403, sub-§1**, as repealed and replaced by PL 2009, c. 213, Pt. H, §1 and affected by §3, is repealed.

**Sec. 2. 36 MRSA §4403, sub-§2**, as amended by PL 2005, c. 627, §8, is repealed.

**Sec. 3. 36 MRSA §4403, sub-§2-A** is enacted to read:

**2-A. Tax rate.** A tax is imposed at the rate of \$2.00 per ounce on:

A. Smokeless tobacco, including chewing tobacco and snuff. The tax on a package containing less than one ounce of smokeless tobacco is \$2.00 per package;

B. Cigars;

C. Pipe tobacco; and

D. Other tobacco intended for smoking.

**Sec. 4. 36 MRSA §4403, sub-§5** is enacted to read:

**5. Equivalence with cigarette tax.** If the tax on cigarettes under chapter 703 is increased or decreased, the State Tax Assessor shall calculate a rate of tax per ounce on tobacco products under this section that is substantially equivalent to the tax on cigarettes per ounce. The assessor shall submit a bill to the Legislature at the earliest opportunity to amend this section to incorporate equivalent rates.

**Sec. 5. PL 2007, c. 341, §2** is repealed and the following enacted in its place:

**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 2011-2015."

**Sec. 6. Appropriations and allocations.** The following appropriations and allocations are made.

### **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

#### **Comprehensive Cancer Screening, Detection and Prevention Fund Z054**

Initiative: Provides funds for comprehensive cancer screening.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$2,000,000	\$2,500,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,000,000</b>	<b>\$2,500,000</b>

**Sec. 7. Effective date.** This Act takes effect October 1, 2011.

### **SUMMARY**

This bill provides funding for a portion of the cancer prevention and control program plan originally enacted into law during the First Regular Session of the 123rd Legislature by providing an ongoing Other Special Revenue Funds allocation for a comprehensive cancer screening, detection and prevention program. This bill requires all tobacco products other than cigarettes to be taxed at the rate of \$2.00 per ounce to provide the funding.