



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 680

H.P. 472

House of Representatives, February 26, 2013

An Act To Nullify the Federal Patient Protection and Affordable Care Act of 2010

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative LIBBY of Waterboro.
Cosponsored by Senator MASON of Androscoggin and
Representatives: CRAFTS of Lisbon, CRAY of Palmyra, McCLELLAN of Raymond,
SANDERSON of Chelsea, SIROCKI of Scarborough, TIMBERLAKE of Turner, WALLACE
of Dexter, Senator: COLLINS of York.

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

2 **Sec. 1. 24-A MRSA c. 93** is enacted to read:

3 **CHAPTER 93**

4 **PROHIBITION AGAINST ENFORCEMENT OF THE FEDERAL PATIENT**
5 **PROTECTION AND AFFORDABLE CARE ACT OF 2010**

6 **§7201. Findings**

7 The Legislature finds that:

8 **1. Agent of the people.** The people of the several states that compose the United
9 States of America created the Federal Government to be their agent for certain
10 enumerated purposes;

11 **2. Tenth Amendment.** The United States Constitution, Amendment X declares that
12 the powers not delegated to the Federal Government by the United States Constitution,
13 nor prohibited by it to the states, are reserved to the states respectively, or to the people;

14 **3. Interference with regulation of health care.** The assumption of power that the
15 Federal Government has made by enacting the federal Patient Protection and Affordable
16 Care Act of 2010 interferes with the right of the people of the State to regulate health care
17 as they see fit;

18 **4. Rejection of Act.** The federal Patient Protection and Affordable Care Act of
19 2010, Public Law 111-148 is not authorized by the United States Constitution and
20 violates the true meaning and intent of the United States Constitution; as such, the federal
21 Patient Protection and Affordable Care Act of 2010 is invalid in this State, may not be
22 recognized by this State, is specifically rejected by this State and is considered null and
23 void and of no effect in this State; and

24 **5. Duty of Legislature.** It is the duty of the Legislature to enact all measures as may
25 be necessary to prevent the enforcement of the federal Patient Protection and Affordable
26 Care Act of 2010 within the boundaries of this State.

27 **§7202. Prohibition**

28 **1. Violation by federal official.** An official, agent or employee of the Federal
29 Government or an employee of a corporation providing services to the Federal
30 Government who enforces or attempts to enforce the federal Patient Protection and
31 Affordable Care Act of 2010, Public Law 111-148 or any order, law, statute, rule or
32 regulation of the Federal Government made in connection with that Act is guilty of a
33 Class C crime.

34 **2. Violation by state official.** An official, agent or employee of the State who
35 enforces or attempts to enforce the federal Patient Protection and Affordable Care Act of
36 2010, Public Law 111-148 or any order, law, statute, rule or regulation of the Federal
37 Government made in connection with that Act is guilty of a Class D crime.

