

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 684

H.P. 501

House of Representatives, February 14, 2003

An Act To Provide Health Coverage for Smokers Who Suffer from Smoking-related Illnesses

Reference to the Committee on Taxation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative JOY of Crystal.

Cosponsored by Representatives: BLANCHETTE of Bangor, CARR of Lincoln, DUPREY of Medway, GOODWIN of Pembroke, JACKSON of Fort Kent.

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

4 Sec. 1. 36 MRSA §4381 is amended to read:

6 **§4381. Tax credited to General Fund**

8 The revenue derived from the tax imposed by this chapter
shall-be is credited to the General Fund of the State, except for
10 40% of the revenue, which is credited to the smoker illness fund
established in section 4384, subsection 3.

12 Sec. 2. 36 MRSA §4384 is enacted to read:

14 **§4384. Smoker illness program**

16 **1. Smoker illness program.** There is established a smoker
illness program to provide health coverage to eligible tobacco
18 smokers for smoking-related diseases. The Department of Human
Services shall administer the program.

20 **2. Eligibility.** A person is eligible for the smoker
22 illness program if the person contributes to the fund in
subsection 3 through the purchase of tobacco products in the
24 State. An illness of the person is eligible for coverage if the
illness is smoking related.

26 **3. Smoker illness fund.** There is established the smoker
28 illness fund to carry out the purposes of the smoker illness
program under this section. The smoker illness fund consists of
30 40% of the proceeds of the tax levied in this chapter and chapter
704. The Department of Human Services shall administer the
32 smoker illness fund. Eligible investment earnings credited to
the assets of the smoker illness fund become part of the assets
34 of that fund. Any balance remaining in the smoker illness fund
at the end of any fiscal year does not lapse but must be carried
36 forward for the next fiscal year.

38 **4. Publicity and marketing.** The Department of Human
40 Services shall actively seek to enroll eligible persons into the
smoker illness program by advertising and marketing the program
and working in conjunction with licensed distributors of tobacco.

42 **5. Rulemaking.** The Department of Human Services shall
44 adopt rules to administer the smoker illness program, including
procedures for application to the program, verifying the
46 eligibility of applicants, verifying the illnesses of applicants,
methods of health coverage and disbursements from the smoker
48 illness fund. Rules adopted pursuant to this section are major
substantive rules pursuant to Title 5, chapter 375, subchapter
50 2-A.

2

Sec. 3. 36 MRSA §4403, sub-§5 is enacted to read:

4

5. Disposition of tax. The revenue derived from the tax imposed by this chapter is credited to the General Fund of the State, except for 40% of the revenue, which is credited to the smoker illness fund established in section 4384, subsection 3.

6

8

10

SUMMARY

12

This bill creates a smoker illness program and a smoker illness fund with the purpose of providing coverage to smokers for smoking-related illnesses. The fund will consist of 40% of the revenue derived from the cigarette tax. This program and fund will be administered by the Department of Human Services.

14

16