

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 21, 2001**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2001**

Provides funds to change the name of all Medicaid and Cub Care programs to the MaineCare program.

**Sec. C-4. Allocation.** The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2001-02

**HUMAN SERVICES,  
DEPARTMENT OF**

**Bureau of Medical Services**

All Other	\$49,500
Provides funds for the federal match to change the name of all Medicaid and Cub Care programs to the MaineCare program.	

**PART D**

**Sec. D-1. 36 MRSA §4366-D** is enacted to read:

**§4366-D. Additional cigarette tax**

**1. Additional tax imposed.** Beginning October 1, 2001, an additional tax is imposed of 3 mills for each cigarette imported into this State or held for sale in this State by any person. The tax imposed under this section must be added to the tax imposed under section 4365 and collected and administered in the same manner as the tax under that section.

**2. Transition.** The State Tax Assessor shall adopt rules to ensure that cigarettes sold or held for resale, including sales through vending machines, on October 1, 2001 are stamped at the combined tax rate applicable under section 4365 and this section. The rules must specify a due date for payment of tax due under this subsection. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

**PART E**

**Sec. E-1. 22 MRSA §260** is enacted to read:

**§260. Maine Health Access Fund**

There is established the Maine Health Access Fund, referred to in this section as the "fund," as a dedicated fund to provide expanded access to health care.

**1. Transfers to fund.** The State Controller shall transfer to the fund such money as authorized by law. The fund may also receive funds from other sources that are designated for the fund. Interest earned on fund balances and investment income on balances in the fund accrue to the fund.

**2. Nonlapsing.** Any unexpended balances in the fund may not lapse but must be carried forward.

**3. Restriction.** Allocations from the fund must be used to supplement and not supplant appropriations from the General Fund.

**Sec. E-2. Transfer of funds.** Any unexpended amounts from the General Fund appropriations in this Part must be transferred by the State Controller to the Maine Health Access Fund.

See title page for effective date.

**CHAPTER 451**

**H.P. 603 - L.D. 758**

**An Act Concerning the Training of  
Personnel Who Administer  
Medications in Schools**

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

**Sec. 1. 20-A MRSA §254, sub-§5, ¶A,** as enacted by PL 1999, c. 669, §1, is amended to read:

A. The commissioner shall adopt ~~or amend~~ rules for the administration of medication in public or approved private schools, including the training of unlicensed personnel to administer medication. The rules for training must describe how the department will provide training at the local level directly to unlicensed personnel in each school administrative unit or approved private school in the State. Rules adopted pursuant to this section are routine technical major substantive rules pursuant to Title 5, chapter 375, subchapter II-A.

**Sec. 2. Commissioner to submit draft rules.** The Commissioner of Education shall submit the provisionally adopted rules required by the Maine Revised Statutes, Title 20-A, section 254, subsection 5 to the Legislature for review by the Joint Standing Committee on Business and Economic Development no later than February 28, 2002.

See title page for effective date.