

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2002

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Legislative Document

No. 1917

S.P. 715

In Senate, December 17, 2001

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**An Act to Increase the Licensing Fee Cap for the Maine Board of  
Pharmacy.**

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Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Received by the Secretary of the Senate on December 17, 2001. Referred to the Committee on Business and Economic Development and ordered printed pursuant to Joint Rule 308.2

A handwritten signature in cursive script that reads "Pamela L. Cahill".

PAMELA L. CAHILL  
Secretary of the Senate

Presented by Senator SHOREY of Washington.  
Cosponsored by Representative RICHARDSON of Brunswick and  
Representative: CLOUGH of Scarborough.

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

2           **Sec. 1. 32 MRSA §13723, sub-§5**, as amended by PL 1997, c. 245,  
4       §§9 and 10, is repealed.

6           **Sec. 2. 32 MRSA §13724** is enacted to read:

8       **§13724. Establish fees**

10           The Director of the Office of Licensing and Registration may  
12       establish by rule fees for purposes authorized under this chapter  
14       in amounts that are reasonable and necessary for their respective  
16       purposes, except that the fee for any one purpose may not exceed  
      \$300 annually. Rules adopted pursuant to this section are  
      routine technical rules as defined in Title 5, chapter 375,  
      subchapter II-A.

18           **Sec. 3. 32 MRSA §13732, sub-§1, ¶G**, as enacted by PL 1987, c.  
20       710, §5, is amended to read:

22           G. Have paid the required fees ~~specified by the board for~~  
24       ~~application, examination and issuance of a license under~~  
      section 13724 set by the Director of the Office of Licensing  
      and Registration.

26           **Sec. 4. 32 MRSA §13733, sub-§1, ¶H**, as enacted by PL 1987, c.  
28       710, §5, is amended to read:

30           H. Have paid the required fees ~~specified by the board under~~  
32       ~~section 13724 set by the Director of the Office of Licensing~~  
      and Registration for issuance of licenses.

34           **Sec. 5. 32 MRSA §13734, sub-§1**, as enacted by PL 1987, c. 710,  
      §5, is amended to read:

36           1. **Annual renewal.** A license ~~shall expire~~ expires annually  
38       on December 31st or on such other date as the commissioner may  
40       determine. Notice of expiration ~~shall~~ must be mailed to each  
      licensee's last known address at least 30 days in advance of the  
      expiration of the license. The notice ~~shall~~ must include any  
      requests for information necessary for renewal.

42           Licenses may be renewed up to 90 days after the date of  
44       expiration upon payment of a late fee ~~of \$10~~ in addition to the  
46       renewal fee. Any person who submits an application for renewal  
48       more than 90 days after the license renewal date ~~shall be~~ is  
      subject to all requirements governing new applicants under this  
      chapter, except that the board may, giving due consideration to  
      the protection of the public, waive examination if that renewal  
50       application is made within 2 years from the date of that  
      expiration.

2       **Sec. 6. 32 MRSA §13734, sub-§3**, as amended by PL 1993, c. 600,  
Pt. A, §270, is repealed.

4       **Sec. 7. 32 MRSA §13751, sub-§3-A, ¶B**, as enacted by PL 1997,  
6       c. 117, §11, is amended to read:

8           B. Pay the ~~license fee, which may not exceed \$200~~ required  
10          fees under section 13724 set by the Director of the Office  
            of Licensing and Registration;

12       **Sec. 8. 32 MRSA §13752, sub-§1**, as enacted by PL 1987, c. 710,  
§5, is amended to read:

14           **1. Procedures.** The board shall specify by rule the  
16          registration procedures to be followed, including, but not  
limited to, specification of forms for use in applying for  
18          certificates of registration ~~and the times, places and fees for~~  
~~filing an application, provided that the annual fee for an~~  
20          ~~original or renewal certificate does not exceed \$200.~~ Each  
22          registrant shall pay the required fee under section 13724 set by  
            the Director of the Office of Licensing and Registration.

24       **Sec. 9. 32 MRSA §13758, sub-§5**, as enacted by PL 1987, c. 710,  
§5, is amended to read:

26           **5. Fees.** Each registrant shall pay a the required fee not  
28          ~~to exceed \$200~~ under section 13724 set by the Director of the  
            Office of Licensing and Registration.

30       **Sec. 10. 32 MRSA §13762, sub-§2**, as enacted by PL 1987, c.  
32       710, §5, is amended to read:

34           **2. Annual renewal.** Licenses shall expire annually on  
December 31st or on such other date as the commissioner  
36          determines. Notice of expiration shall must be mailed to each  
licensee's last known address at least 30 days in advance of the  
38          expiration of the license. The notice shall must include any  
requests for information necessary for renewal.

40          Licenses may be renewed up to 90 days after the date of  
42          expiration upon payment of a late fee ~~of \$10~~ in addition to the  
renewal fee. Any person who submits an application for renewal  
44          more than 90 days after the license renewal date ~~shall be~~ is  
46          subject to all requirements governing new applicants under this  
chapter.

48       **Sec. 11. 32 MRSA §13762, sub-§3**, as amended by PL 1993, c.  
716, §4, is further amended to read:

50           **3. Notice.** Any rural health center wishing to be licensed  
52          under this subchapter shall notify the board of its intent to

2 establish a contract with a pharmacy for pharmaceutical services  
and shall apply for a license, submit floor plans of the physical  
4 ~~13723~~ 13724 set by the Director of the Office of Licensing and  
Registration. The application must include the name, address and  
6 registration number of the provider of pharmaceutical services.

8  
**SUMMARY**

10 This bill increases the licensing fee cap for the Maine  
12 Board of Pharmacy.