

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION

December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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

J.S. McCarthy Company
Augusta, Maine
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

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

22 MRSA §254, sub-§4, as repealed and replaced by PL 1983, c. 66, is amended to read:

4. **Method of prescribing or ordering drugs.** The method of prescribing or ordering these drugs, which may include, but not be limited to, the use of standard or larger prescription refill sizes so as to minimize operational costs and to maximize economy. Unless the prescribing physician indicates otherwise, the use of generic or chemically equivalent drugs ~~shall be~~ is required, provided that these drugs are of the same quality and have the same mode of delivery as is provided to the general public, consistent with good pharmaceutical practice;

See title page for effective date.

CHAPTER 646

H.P. 1448 - L.D. 2060

An Act to Establish Ambient Air Quality Standards for Toluene and Perchloroethylene

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

38 MRSA §584-A, sub-§§9 and 10 are enacted to read:

9. **Perchloroethylene.** The maximum annual concentration of perchloroethylene at any location may not exceed 0.01 micrograms per cubic meter.

10. **Toluene.** The ambient air quality standards for toluene are as follows.

A. The maximum concentration of toluene at any location may not exceed 15,000 micrograms per cubic meter.

B. The maximum concentration of toluene for any 24-hour period at any location may not exceed 260 micrograms per cubic meter.

C. The maximum annual concentration of toluene at any location may not exceed 180 micrograms per cubic meter.

See title page for effective date.

CHAPTER 647

H.P. 683 - L.D. 982

An Act to Provide Equitable Insurance Reimbursement for Acupuncture Services Provided by Licensed Acupuncturists

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

Sec. 1. 24 MRSA §2320-B is enacted to read:

§2320-B. Acupuncture services

All individual and group nonprofit medical services plan contracts and all nonprofit health care plan contracts providing coverage for acupuncture must provide coverage for those services when performed by an acupuncturist licensed pursuant to Title 32, chapter 113-A, under the same conditions that apply to the services of a licensed physician.

Sec. 2. 24-A MRSA §2745-B is enacted to read:

§2745-B. Acupuncture services

All individual insurance policies providing coverage for acupuncture must provide coverage for those services when performed by an acupuncturist licensed pursuant to Title 32, chapter 113-A, under the same conditions that apply to the services of a licensed physician.

Sec. 3. 24-A MRSA §2837-B is enacted to read:

§2837-B. Acupuncture services

All group insurance policies providing coverage for acupuncture must provide coverage for those services when performed by an acupuncturist licensed pursuant to Title 32, chapter 113-A, under the same conditions that apply to the services of a licensed physician.

See title page for effective date.

CHAPTER 648

H.P. 1217 - L.D. 1775

An Act to Prescribe the Duties and Liabilities of Ice-skating Rink Operators and Persons Who Use Ice-skating Rinks

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

8 MRSA c. 24 is enacted to read:

CHAPTER 24

ICE-SKATING SAFETY

§621. Short title

This chapter is known and may be cited as the "Ice-skating Safety Act."

§622. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Ice-skating rink. "Ice-skating rink" means a building, facility or premises that provides an area used for ice-skating.

2. Operator. "Operator" means a private person or entity who owns or controls or who has operational responsibility for an ice-skating rink. An "operator" does not include the State or a political subdivision of the State.

3. Skater. "Skater" means a person in an ice-skating rink for the purpose of skating.

§623. Duties of operators

An operator shall:

1. Post duties. Post in conspicuous places at the ice-skating rink the duties of skaters and inherent dangers of skaters as provided in sections 624 and 625;

2. Maintain equipment. Maintain ice-skating equipment and ice-skating surfaces in a reasonably safe condition; and

3. Stability and legibility of notices. Maintain the stability and legibility of all required signs, symbols and posted notices.

§624. Duties and conduct of skaters

1. Ability. Each skater shall know the range of that skater's ability to travel while on ice skates and shall skate within the limits of that ability.

2. Control. Each skater shall maintain control of the skater's speed and course at all times when skating and be alert and observant as to avoid other skaters, spectators and objects. A skater attempting to overtake other skaters shall do so in a manner that avoids collision with structures and other skaters in that skater's field of vision.

§625. Inherent dangers

Insofar as the dangers inherent in ice-skating are obvious, by participating in ice-skating, a person accepts those dangers. Those dangers include, but are not limited to, injuries that result from collisions with other skaters, injuries that result from falls and injuries that involve objects or artificial structures properly within the intended travel of the skater that are not otherwise attributable to a breach of the operator's common law duties.

§626. Violation; liability

A skater or operator who violates this chapter is liable to an injured person in a civil action for damages resulting from the violation.

See title page for effective date.

CHAPTER 649

H.P. 1441 - L.D. 2053

An Act to Achieve Parity between the Authority of Loan Officers of State-chartered Credit Unions and the Authority of Loan Officers of Federally Chartered Credit Unions

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

9-B MRSA §845, sub-§2, ¶C, as amended by PL 1991, c. 386, §23, is further amended to read:

C. A loan officer may not disapprove any loan application, but shall refer those applications to the board of directors or the full credit committee. Each loan officer shall furnish to the board of directors or credit committee a record of each application acted upon by that loan officer at the next meeting of the board of directors or committee after the date of filing of the application. If there is a credit committee, all applications not approved by the loan officer must be reviewed by the credit committee. The approval of a majority of the members who are present at the meeting when such review is undertaken is required to reverse the loan officer's decision, provided a majority of the full committee is present. If there is no credit committee, a member, upon written request, has the right of review by the board of directors of a loan application that has been denied. A loan officer may not disburse funds of the credit union for any loan approved by that loan officer in the capacity as loan officer.

See title page for effective date.