

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 electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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
1995

patient. Valid photographic identification includes but is not limited to the following:

A. A valid Maine motor vehicle operator's license;

B. A valid Maine identification card issued under Title 5, section 88-A;

C. A valid United States passport;

D. A valid passport or motor vehicle operator's license of another state, territory, possession or foreign country only if it:

(1) Contains a photograph of the traveler or licensee;

(2) Is encased in tamper-resistant plastic or otherwise possesses indicia of tamper-resistance; and

(3) Identifies the traveler's or licensee's date of birth; or

E. Other valid, tamper-resistant, photographic identification as provided in rules adopted by the Board of Commissioners of the Profession of Pharmacy pursuant to section 13722, subsection 1, paragraph A and in accordance with Title 5, chapter 375.

2. Refusal to fill prescription or dispense drug. A pharmacist or person acting at the direction of a pharmacist may exercise discretion and refuse to fill any prescription or dispense any drug if unsatisfied as to the legitimacy or appropriateness of any prescription presented, the validity of any photographic identification or the identity of any patient presenting a prescription or any person acting on behalf of the patient.

See title page for effective date.

CHAPTER 176

S.P. 366 - L.D. 992

An Act to Repeal the Salmon Aquaculture Monitoring and Research Fund

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

Sec. 1. 12 MRSA §6078, as amended by PL 1993, c. 562, §2, is repealed.

Sec. 2. Review. The Commissioner of Marine Resources shall report to the joint standing committee of the Legislature having jurisdiction over marine

resources on or before March 15, 1996 on the findings of the aquaculture monitoring program under the Maine Revised Statutes, Title 12, sections 6077 and 6078 and the status of the Salmon Aquaculture Monitoring and Research Fund, established in Title 12, section 6078. The report must include an accounting of income and expenses for the fund during the preceding 2 years and a statement of need concerning the monitoring program for the succeeding 2 years. The commissioner shall consult with industry representatives and scientific advisors when formulating the report.

Sec. 3. Effective date. That section of this Act that repeals the Maine Revised Statutes, Title 12, section 6078 takes effect July 1, 1996.

Sec. 4. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

1996-97

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Water Quality Control

All Other \$8,800

Allocates funds to cover the additional costs of issuing wastewater discharge licenses to aquaculture sites formerly monitored by the Department of Marine Resources.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL

\$8,800

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Development

| | |
|-------------------------|------------|
| Positions - Other Count | (-1.0) |
| Personal Services | (\$43,368) |
| All Other | (101,253) |
| Capital Expenditures | (39,421) |

Deallocates funds to reflect the repeal of the Salmon

Aquaculture Monitoring and
Research Fund.

**DEPARTMENT OF MARINE
RESOURCES**

TOTAL _____
(\$184,042)

TOTAL ALLOCATIONS _____
(\$175,242)

See title page for effective date.

CHAPTER 177

H.P. 431 - L.D. 594

**An Act to Modify Community Rating
for Individual and Small Group
Health Plans**

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

Sec. 1. 24-A MRSA §2736-C, sub-§2, ¶D,
as amended by PL 1993, c. 546, §1, is further
amended to read:

D. A carrier may vary the premium rate due to
age, smoking status, occupation or industry, and
geographic area only under the following
schedule and within the listed percentage bands.

(1) For all policies, contracts or certificates
that are executed, delivered, issued for de-
livery, continued or renewed in this State
between December 1, 1993 and July 14,
1994, the premium rate may not deviate
above or below the community rate filed by
the carrier by more than 50%.

(2) For all policies, contracts or certificates
that are executed, delivered, issued for de-
livery, continued or renewed in this State
between July 15, 1994 and July 14, 1995,
the premium rate may not deviate above or
below the community rate filed by the car-
rier by more than 33%.

(3) For all policies, contracts or certificates
that are executed, delivered, issued for de-
livery, continued or renewed in this State
between after July 15, 1995 and July 14,
1996, the premium rate may not deviate
above or below the community rate filed by
the carrier by more than 20%.

~~(4) For all policies, contracts or certificates
that are executed, delivered, issued for de-
livery, continued or renewed in this State~~

~~between July 15, 1996 and July 14, 1997,
the premium rate may not deviate above or
below the community rate filed by the car-
rier by more than 10%.~~

~~(5) For all policies, contracts or certificates
that are executed, delivered, issued for de-
livery, continued or renewed in this State
on or after July 15, 1997, the premium rate
may not deviate from the community rate
filed by the carrier.~~

Sec. 2. 24-A MRSA §2808-B, sub-§2, ¶D,
as amended by PL 1993, c. 546, §2, is further
amended to read:

D. A carrier may vary the premium rate due to
age, smoking status, occupation or industry, and
geographic area only under the following
schedule and within the listed percentage bands.

(1) For all policies, contracts or certificates
that are executed, delivered, issued for de-
livery, continued or renewed in this State
between July 15, 1993 and July 14, 1994,
the premium rate may not deviate above or
below the community rate filed by the car-
rier by more than 50%.

(2) For all policies, contracts or certificates
that are executed, delivered, issued for de-
livery, continued or renewed in this State
between July 15, 1994 and July 14, 1995,
the premium rate may not deviate above or
below the community rate filed by the car-
rier by more than 33%.

(3) For all policies, contracts or certificates
that are executed, delivered, issued for de-
livery, continued or renewed in this State
~~between after July 15, 1995 and July 14,~~
1996, the premium rate may not deviate
above or below the community rate filed by
the carrier by more than 20%.

~~(4) For all policies, contracts or certificates
that are executed, delivered, issued for de-
livery, continued or renewed in this State
between July 15, 1996 and July 14, 1997,
the premium rate may not deviate above or
below the community rate filed by the car-
rier by more than 10%.~~

~~(5) For all policies, contracts or certificates
that are executed, delivered, issued for de-
livery, continued or renewed in this State
on or after July 15, 1997, the premium rate
may not deviate from the community rate
filed by the carrier.~~