

MAINE STATE LEGISLATURE

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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

(6) Coordinate with other related land-owner relations activities, including Land-owner Recognition Day; and

B. A program called the Sport Hunter Program. The Sport Hunter Program is established to combat disrespect and misconduct and to improve the hunter's image through landowner relations, coordination with hunter safety programs and conservation ethics. Three dollars of each \$15 collected under section 7101, subsection 5-A, section 7133, subsection 4-A and section 7151, subsection 5-A is dedicated to the Sport Hunter Program.

The Support Landowners Program and the Sport Hunter Program must operate within the department and must be implemented no later than January 1, 1996.

Sec. 2. 12 MRSA §7101, sub-§5, ¶E, as repealed and replaced by PL 1993, c. 419, §5, is repealed.

Sec. 3. 12 MRSA §7101, sub-§5-A is enacted to read:

5-A. Supersport hunting license. In addition to the fees listed in subsection 5, a person may purchase a supersport license from the commissioner for \$15.

Sec. 4. 12 MRSA §7133, sub-§4-A is enacted to read:

4-A. Supersport trapping license. In addition to the fees listed in subsection 4, a person may purchase a supersport trapping license from the commissioner for \$15.

Sec. 5. 12 MRSA §7151, sub-§5-A is enacted to read:

5-A. Supersport fishing license. In addition to the fees listed in subsection 5, a person may purchase a supersport fishing license from the commissioner for \$15.

Sec. 6. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1995-96	1996-97
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF Support Landowners Program		
All Other	\$18,000	\$36,000

Allocates funds for the operating costs of the newly established Support Landowners Program.

Sport Hunter Program

All Other	4,500	9,000
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Allocates funds for the operating costs of the newly established Sport Hunter Program.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

TOTAL	\$22,500	\$45,000
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See title page for effective date.

CHAPTER 437

S.P. 21 - L.D. 52

An Act Concerning the Labeling of Refundable Beverage Containers

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

Sec. 1. 32 MRSA §1865, sub-§1-B is enacted to read:

1-B. Labels; nonrefillable containers; exclusive distributorships. Notwithstanding subsection 1 and with respect to nonrefillable beverage containers, for the deposits that are initiated pursuant to section 1863-A, subsection 2, the refund value and the word "Maine" or the abbreviation "ME" may be clearly indicated on refundable beverage containers sold or offered for sale by a dealer in this State by use of stickers or similar devices if those containers are not otherwise marked in accordance with subsection 1. A redemption center shall accept containers identified by stickers in accordance with this subsection or by embossing or stamping in accordance with subsection 1.

See title page for effective date.

CHAPTER 438

H.P. 536 - L.D. 732

An Act to Increase the Compensation of Members of the State Claims Commission

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

Sec. 1. 5 MRSA §12004-B, sub-§5, as enacted by PL 1987, c. 786, §5, is amended to read:

5. State \$400 \$150/Day 23 MRSA
Claims Com- §152
mission

Sec. 2. 23 MRSA §152, 2nd ¶, as repealed and replaced by PL 1987, c. 395, Pt. A, §92, is amended to read:

Members of the State Claims Commission ~~shall~~ must be compensated according to the provisions of Title 5, chapter 379. The daily rate for commission members is \$150.

Sec. 3. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1995-96	1996-97
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
State Claims Commission		
Personal Services	\$5,175	\$6,900
All Other	193	255
Allocates funds to increase the per diem of commission members from \$100 to \$150 and for related charges.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	\$5,368	\$7,155

See title page for effective date.

CHAPTER 439

H.P. 590 - L.D. 800

An Act to Amend the Laws Related to Optometry

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

Sec. 1. 32 MRSA §2411, sub-§1, ¶A, as amended by PL 1987, c. 542, Pt. K, §§2 and 20, is further amended to read:

A. The examination of the eye and related structures without the use of invasive surgery or other invasive techniques or tissue-altering lasers to ascertain defects, abnormalities or diseases of the eye;

Sec. 2. 32 MRSA §2411, sub-§1, ¶C, as repealed and replaced by PL 1987, c. 542, Pt. K, §§3 and 20, is amended to read:

C. The correction, treatment or referral of vision problems and ocular abnormalities by the prescribing, adapting and application of ophthalmic lenses, devices containing lenses, prisms, contact lenses, orthoptics, vision therapy, ~~ocular~~ pharmaceutical agents and prosthetic devices and other optical aids, and by using other corrective procedures to preserve, restore or improve vision, excluding invasive, laser or other surgery and tissue-altering lasers;

Sec. 3. 32 MRSA §2411, sub-§3, as repealed and replaced by PL 1987, c. 542, Pt. K, §§4 and 20, is repealed and the following enacted in its place:

3. Pharmaceutical agent. "Pharmaceutical agent" means any medicinal diagnostic and therapeutic substances for use in the diagnosis, cure, treatment or prevention of glaucoma, and any topical medicinal diagnostic and therapeutic substances for use in the diagnosis, cure, treatment or prevention of ocular conditions and diseases other than glaucoma.

Sec. 4. 32 MRSA §2411, sub-§5, as enacted by PL 1987, c. 542, Pt. K, §§5 and 20, is amended to read:

5. Therapeutic pharmaceuticals. "Therapeutic pharmaceuticals" means those pharmaceutical agents required to prevent, manage or treat abnormal ocular conditions or diseases, excluding glaucoma.

Nothing in this section may be construed to permit the optometric use of pharmaceutical agents ~~which~~ that are:

A. Controlled substances identified in schedules I and II as described in the United States Code, Title 21, Section 812;

B. Any pharmaceutical agent administered by subdermal injection, intramuscular injection, intravenous injection, subcutaneous injection or retrobulbar injections, except injections for the emergency treatment of anaphylactic shock; and

C. Any pharmaceutical agent for the specific treatment of a systemic disease, unless the agent is used specifically for an ocular disease.