MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION December 4, 1996 to March 27, 1997 FIRST SPECIAL SESSION March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR FIRST REGULAR SESSION NON-EMERGENCY LAWS IS JUNE 26, 1997

> FIRST SPECIAL SESSION NON-EMERGENCY LAWS IS SEPTEMBER 19, 1997

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 1997

tion over health and human services matters, setting forth the number of letters of intent, applications and requests for determination of nonapplicability that the department has received with respect to proposed or contemplated management agreements or management service contracts for health care facilities. The department shall also report on the number of nonapplicability determinations, the number of certificate of need decisions and the number of pending certificate of need review proceedings involving management agreements or management service contracts occurring between the effective date of this Act and the close of the calendar year immediately preceding the reporting deadline. The joint standing committee of the Legislature having jurisdiction over health and human services matters shall review the department's report and consider whether any legislative action is necessary to avoid overly broad certificate of need review requirements in connection with management agreements. committee may report out any necessary legislation to the Second Regular Session of the 118th Legislature.

See title page for effective date.

CHAPTER 243

S.P. 28 - L.D. 26

An Act to Clarify Use of Tree Stands

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

- **Sec. 1. 12 MRSA §7406, sub-§16, ¶D,** as amended by PL 1995, c. 667, Pt. A, §29, is further amended to read:
 - D. Damages or destroys a tree on another person's land by inserting into that tree any metallic or ceramic object to be used as, or as part of, a ladder or observation stand, unless the person has the permission of the landowner; or
- **Sec. 2. 12 MRSA §7406, sub-§16, ¶E,** as enacted by PL 1995, c. 667, Pt. A, §30, is amended to read:
 - E. Except as provided in subsection 20, paragraph C, erects or uses either a portable or permanent tree ladder or stand attached to a tree on the land of another person, unless:
 - (1) That person has obtained verbal or written authorization to erect and use a tree ladder or stand from the landowner or the landowner's representative; and
 - (2) The tree ladder or stand is plainly labeled with a 2-inch by 4-inch tag identify-

ing the name and address of the person or persons authorized by the landowner to use the tree stand or ladder; and.

(3) The tree ladder or stand is removed within 10 days after the close of the hunting season for which the ladder or stand was erected.

See title page for effective date.

CHAPTER 244

S.P. 229 - L.D. 798

An Act to Protect the Department of Inland Fisheries and Wildlife from Unfunded Mandates

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

Sec. 1. 12 MRSA §7019 is enacted to read:

§7019. Establishment of new programs

Any new program or service involving a mandated responsibility to the department must include provisions that specify that full funding for the new program or service is collected from those individuals who receive the service from the department.

See title page for effective date.

CHAPTER 245

H.P. 538 - L.D. 729

An Act to Amend the Maine Pharmacy Act

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

- **Sec. 1. 5 MRSA §12004-A, sub-§30,** as amended by PL 1989, c. 503, Pt. A, §5, is repealed.
- Sec. 2. 5 MRSA §12004-A, sub-§30-A is enacted to read:
- <u>30-A. Maine Board</u> <u>\$35/Day</u> <u>32 MRSA</u> <u>\$13711</u>
- **Sec. 3. 32 MRSA §13702, sub-§1,** as enacted by PL 1987, c. 710, §5, is amended to read:
- **1. Board.** "Board" means the <u>Maine</u> Board of Commissioners of the Profession of Pharmacy.