

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 21, 2001**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2001**

tion to a sheriff ~~or~~ deputy sheriff or county corrections employee who has completed at least 25 years of creditable service in that capacity and who retires upon or after reaching age 55. For the purposes of this subsection, "county corrections employee" means an employee of a county who is employed at a county jail and whose duties include contact with prisoners or juvenile detainees.

**Sec. 4. Report to the Legislature.** The Board of Trustees of the Maine State Retirement System shall include in its report to the Joint Standing Committee on Labor in year 2001 under the Maine Revised Statutes, Title 5, section 17103, subsection 11 an update on the actions of the board and the Participating Local District Advisory Committee to make available a special retirement plan for county correctional employees like that available to sheriffs and deputy sheriffs.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 8, 2001.

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## CHAPTER 369

H.P. 193 - L.D. 204

### An Act to Encourage the Creation of an Alliance for the Purpose of Purchasing Health Insurance

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

**Sec. 1. 24-A MRSA §1951, sub-§2,** as amended by PL 1997, c. 616, §1, is further amended to read:

**2. Private purchasing alliance.** "Private purchasing alliance" or "alliance" means a corporation licensed pursuant to this section established under Title 13-A or Title 13-B to provide health insurance to its members through ~~multiple unaffiliated~~ one or more participating carriers.

**Sec. 2. 24-A MRSA §1954, sub-§2,** as amended by PL 1997, c. 370, Pt. A, §§1 and 2, is further amended to read:

**2. Enrollee choice.** Ensure that enrollees have a choice among a reasonable number of competing carriers and types of health benefit plans ~~in accordance with the following.~~

~~A. In every portion of the alliance's service area, the alliance must offer at least 3 different carriers. When 3 participating carriers are not rea-~~

~~sonably available in some or all of the alliance's service area, the superintendent may waive this requirement in accordance with standards and procedures established by rule pursuant to this chapter.~~

**Sec. 3. 24-A MRSA §2677-A, sub-§2,** as enacted by PL 1999, c. 609, §14, is amended to read:

**2. Benefit level.** The benefit level differential between services rendered by preferred providers and nonpreferred providers may not exceed 20% of the allowable charge for the service rendered, except that the superintendent may waive this requirement for a given benefit plan. Compliance with this requirement for a given benefit plan may be demonstrated on an aggregate basis. This demonstration of compliance must be based on a reasonably anticipated mix of claims certified by a qualified actuary who is a member of the American Academy of Actuaries or a successor organization. As used in this subsection, "allowable charge" means the amount that would be payable for services under the preferred provider arrangement including deductible and coinsurance amounts.

See title page for effective date.

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## CHAPTER 370

H.P. 733 - L.D. 953

### An Act Relating to Discovery Procedures under the Maine Unfair Trade Practices Act

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

**Sec. 1. 5 MRSA §211, sub-§3, ¶B,** as enacted by PL 1969, c. 577, §1, is amended to read:

B. Require the disclosure of any documentary material ~~which that~~ would be privileged, ~~or which contains trade secret information, or which that~~ for any other reason would not be required by a subpoena duces tecum issued by a court of this State.

**Sec. 2. 5 MRSA §211, sub-§§4 to 8** are enacted to read:

**4. Disclosure of documentary material.** Documentary material demanded pursuant to this section must be produced for inspection, reproduction and copying during normal business hours at the principal office or place of business of the person served, in the county where that person resides or has a place of business, in Kennebec County if the person served is a nonresident or has no place of business