

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION
July 29, 2005

SECOND REGULAR SESSION
January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 23, 2006

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

Penmor Lithographers
Lewiston, Maine
2006

the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 13 MRSA §961, as repealed and replaced by PL 2003, c. 523, §7, is amended by adding at the end a new paragraph to read:

Any corporation organized under this chapter may merge or consolidate with or into a corporation formed under Title 13-B. The procedure, manner of adoption of the plan of merger or consolidation, form of articles of merger or consolidation and effect of such merger or consolidation for any such merger or consolidation are governed by the provisions of Title 13-B, chapter 9.

Sec. 2. 13-B MRSA §901, sub-§1, as enacted by PL 1977, c. 525, §13, is amended to read:

1. Domestic corporations may merge. Any 2 or more domestic corporations organized under this Act or under Title 13, chapter 81 may merge into one of such corporations pursuant to a plan of merger approved in the manner provided in this Act.

Sec. 3. 13-B MRSA §902, sub-§1, as enacted by PL 1977, c. 525, §13, is amended to read:

1. Domestic corporations may consolidate. Any 2 or more domestic corporations organized under this Act or under Title 13, chapter 81 may consolidate into a new corporation pursuant to a plan of consolidation approved in the manner provided in this Act.

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

Effective April 4, 2006.

CHAPTER 532

S.P. 777 - L.D. 2014

An Act Protecting Youth from Losing Health Insurance Coverage

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

Sec. 1. 24-A MRSA §2742-A is enacted to read:

§2742-A. Extension of coverage for dependent children

Notwithstanding section 2703, subsection 3, an individual health insurance policy that provides coverage for a dependent child at certain ages only if the child is a student must continue that coverage if the child is unable to remain enrolled in school on a full-time basis due to a mental or physical illness or an accidental injury. This coverage may be terminated at the age at which coverage for students terminates under the terms of the policy. An insurer may require, as a condition of eligibility for continued coverage in accordance with this section, that the student provide written documentation from a health care provider and the student's school that the student is no longer enrolled in school on a full-time basis due to a mental or physical illness or accidental injury.

Sec. 2. 24-A MRSA §2833-A is enacted to read:

§2833-A. Extension of coverage for dependent children

Notwithstanding section 2822, a group health insurance policy that provides coverage for a dependent child at certain ages only if the child is a student must continue that coverage if the child is unable to remain enrolled in school on a full-time basis due to a mental or physical illness or an accidental injury. This coverage may be terminated at the age at which coverage for students terminates under the terms of the policy. An insurer may require, as a condition of eligibility for continued coverage in accordance with this section, that the student provide written documentation from a health care provider and the student's school that the student is no longer enrolled in school on a full-time basis due to a mental or physical illness or accidental injury.

Sec. 3. 24-A MRSA §4233-A is enacted to read:

§4233-A. Extension of coverage for dependent children

An individual or group health maintenance organization contract that provides coverage for a dependent child at certain ages only if the child is a student must continue that coverage if the child is unable to remain enrolled in school on a full-time basis due to a mental or physical illness or an accidental injury. This coverage may be terminated at the age at which coverage for students terminates under the terms of the contract. An insurer may require, as a condition of eligibility for continued coverage in accordance with this section, that the student provide written documentation from a health care provider and the student's school that the student is no longer

enrolled in school on a full-time basis due to a mental or physical illness or accidental injury.

See title page for effective date.

CHAPTER 533

H.P. 1421 - L.D. 2020

An Act Relating to Elver Fishing

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the management of the American eel population in Maine is dependent on elver dealers reporting harvest data to the Department of Marine Resources in a timely manner; and

Whereas, this legislation must be enacted prior to the end of the elver fishing season on May 31st to ensure the Department of Marine Resources receives harvest data in time to use that information for developing a long-term conservation plan for the American eel; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §6505-A, sub-§2, as amended by PL 1999, c. 534, §1, is further amended to read:

2. Eligibility. An elver fishing license may be issued only to an individual who:

C. Possessed an elver fishing license in the previous calendar year; ~~or,~~

~~D. Becomes eligible to obtain an elver fishing license pursuant to a lottery under subsection 2-A.~~

~~The department may not issue more than 827 elver fishing licenses each elver fishing season.~~

Sec. 2. 12 MRSA §6505-A, sub-§2-A, as enacted by PL 1999, c. 534, §2, is repealed.

Sec. 3. 12 MRSA §6575-B, sub-§2-B, as enacted by PL 1999, c. 534, §5, is amended to read:

2-B. Type and amount of gear. It is unlawful for a person to immerse elver fishing gear other than the types and amounts authorized pursuant to this subsection. ~~In determining the number of traps or nets that may be immersed, the following limits apply.~~

A. A person who is issued an elver fishing license pursuant to section 6505-A, subsection 2, paragraph C may not immerse elver fishing gear other than the types and amounts of gear the person was authorized to immerse during the previous elver fishing season, except that a person may surrender the authority to use an elver fyke net in order to use an elver dip net.

~~B. In the 2000 elver fishing season, a person who is issued an elver fishing license pursuant to section 6505-A, subsection 2, paragraph D may not immerse at any one time a total of more than 2 elver dip nets, elver fyke nets and Sheldon eel traps. In determining the number of traps or nets that may be immersed, the following formula must be used, except that if the number arrived at using the formula is greater than 2 nets or traps, the maximum number of traps and nets that may be immersed is 2. A person may not immerse:~~

~~(1) A number of elver dip nets that is greater than the average number, rounded down, of elver dip nets that person was authorized to use during any of the elver fishing seasons in 1996, 1997 and 1998 for which that person held a license;~~

~~(2) A number of elver fyke nets that is greater than the average number, rounded down, of elver fyke nets that person was authorized to use during any of the elver fishing seasons in 1996, 1997 and 1998 for which that person held a license; and~~

~~(3) A number of Sheldon eel traps that is greater than the average number, rounded down, of traps that person was authorized to use during any of the elver fishing seasons in 1996, 1997 and 1998 for which that person held a license.~~

~~C. Beginning with the 2001 elver fishing season and in subsequent years, a person who is issued an elver fishing license pursuant to section 6505-A, subsection 2, paragraph D may not immerse more than one elver dip, elver fyke net or Sheldon eel trap.~~

Sec. 4. 12 MRSA §6864, sub-§8 is enacted to read:

8. Reporting. A dealer licensed under this section shall report the total annual harvest of elvers received by that dealer to the department within 30