

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

B. The fee prescribed by the commission rules, that fee to be a minimum of \$50 but no greater than 1/4 of 1% of the total development costs, ~~except that the fee for subdivision applications is \$300 per lot. Zoning petitions submitted by other than a state or federal agency range from \$50 to \$500 depending on size and complexity.~~ The fees apply to all amendments except for minor changes to building permits. In addition to the fee paid in accordance with this paragraph, the director of the Maine Land Use Regulation Commission may assess a processing fee on applications for extraordinary projects in accordance with section 685-F;

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

Effective May 14, 2007.

CHAPTER 115

H.P. 640 - L.D. 841

An Act To Extend Health Insurance Coverage for Dependent Children up to 25 Years of Age

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

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

§2742-B. Mandatory offer to extend coverage for dependent children up to 25 years of age

1. Dependent child; definition. As used in this section, "dependent child" means the child of a person covered under an individual health insurance policy when that child:

- A. Is unmarried;
- B. Has no dependent of the child's own;
- C. Is a resident of this State or is enrolled as a full-time student at an accredited public or private institution of higher education; and
- D. Is not provided coverage under any other individual or group health insurance policy or health maintenance organization contract or under a federal or state government program.

2. Offer to extend coverage. Notwithstanding section 2703, subsection 3, an individual health insurance policy that provides coverage for a dependent child must offer to extend coverage, at the option of the policyholder, until the dependent child is 25 years of age. An insurer may require, as a condition of eligibility for continued coverage in accordance with this section, that a covered person seeking continued cov-

erage for a dependent child provide written documentation on an annual basis that the dependent child meets or continues to meet the requirements in subsection 1.

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

§2833-B. Mandatory offer to extend coverage for dependent children up to 25 years of age

1. Dependent child; definition. As used in this section, "dependent child" means the child of a person covered under a group health insurance policy when that child:

- A. Is unmarried;
- B. Has no dependent of the child's own;
- C. Is a resident of this State or is enrolled as a full-time student at an accredited public or private institution of higher education; and
- D. Is not provided coverage under any other individual or group health insurance policy or health maintenance organization contract or under a federal or state government program.

2. Offer to extend coverage. Notwithstanding section 2822, a group health insurance policy that provides coverage for a dependent child must offer to extend coverage, at the option of the policyholder, until the dependent child is 25 years of age. An insurer may require, as a condition of eligibility for continued coverage in accordance with this section, that a covered person seeking continued coverage for a dependent child provide written documentation on an annual basis that the dependent child meets or continues to meet the requirements in subsection 1.

Sec. 3. 24-A MRSA §4233-A, as enacted by PL 2005, c. 532, §3, is amended 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~~ A health maintenance organization 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. 4. 24-A MRSA §4233-B is enacted to read:

§4233-B. Mandatory offer to extend coverage for dependent children up to 25 years of age

1. Dependent child; definition. As used in this section, "dependent child" means the child of a person covered under an individual or group health maintenance organization contract when that child:

- A. Is unmarried;
- B. Has no dependent of the child's own;
- C. Is a resident of this State or is enrolled as a full-time student at an accredited public or private institution of higher education; and
- D. Is not provided coverage under any other individual or group health insurance policy or health maintenance organization contract or under a federal or state government program.

2. Offer to extend coverage. An individual or group health maintenance organization contract that provides coverage for a dependent child shall offer to extend coverage, at the option of the contract holder, until the dependent child is 25 years of age. An insurer may require, as a condition of eligibility for continued coverage in accordance with this section, that a covered person seeking continued coverage for a dependent child provide written documentation on an annual basis that the dependent child meets or continues to meet the requirements in subsection 1.

Sec. 5. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after the effective date of this Act. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

CHAPTER 116

H.P. 747 - L.D. 987

An Act To Provide Gambling Addiction Counseling Services through the Office of Substance Abuse

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

Whereas, standards for the provision of gambling addiction counseling services and other activities related to the prevention and treatment of gambling addiction are needed as soon as possible; 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. 5 MRSA §20002, as corrected by RR 2003, c. 2, §13, is amended to read:

§20002. Purpose

The purposes of this Act are:

1. Integrated and comprehensive approach. To adopt an integrated approach to the problem of alcohol and other drug abuse and to focus all the varied resources of the State on developing a comprehensive and effective range of alcohol and other drug abuse prevention and treatment activities and services; and

2. Single administrative unit. To establish a single administrative unit within the Department of Health and Human Services, with responsibility for planning, developing, implementing, coordinating and evaluating all of the State's alcohol and other drug abuse prevention and treatment activities and services;

3. Tobacco use by juveniles. To enforce the State's laws relating to the sale and use of tobacco products by juveniles and to coordinate state and local activities related to those provisions. The office shall take all necessary actions to ensure compliance with the Synar Act, 42 United States Code 300X-26, including the preparations of reports for the signature of the Governor. All law enforcement agencies, all state departments, including the Department of Public Safety, and municipalities shall cooperate with the office in these efforts.

The office may enter into any contracts or agreements necessary or incidental to the performance of its duties under this section, subject to section 20005, subsection 6 and section 20005-A. The office shall provide or assist in the provision of voluntary training programs regarding the sales of tobacco products to juveniles; and

4. Gambling addiction counseling. To establish standards for the provision of gambling addiction counseling services and other activities relating to the prevention and treatment of gambling addiction. The office may accept private, state and federal funds to support the performance of its duties under this subsection.

Sec. 2. 5 MRSA §20003, sub-§4, as amended by PL 1991, c. 601, §4, is further amended to read: