

# 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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

**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.

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**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:

**4. Community service provider.** "Community service provider" means a provider of alcohol or drug abuse treatment or gambling addiction treatment, including, but not limited to, evaluation.

**Sec. 3. 5 MRSA §20005, sub-§6, ¶A**, as amended by PL 1995, c. 560, Pt. L, §5 and affected by §16, is further amended to read:

A. Administer all contracts with community service providers for the delivery of alcohol and drug abuse services; ~~and~~

**Sec. 4. 5 MRSA §20005, sub-§6, ¶A-1** is enacted to read:

A-1. Administer all contracts with community service providers for the delivery of gambling addiction counseling services; ~~and~~

**Sec. 5. 5 MRSA §20005-A, first ¶**, as amended by PL 1995, c. 560, Pt. L, §6 and affected by §16, is further amended to read:

In addition to other applicable requirements and unless precluded by other restrictions on the use of funds, the commissioner shall manage all funds available for the provision of alcohol or other drug abuse services, as well as all funds available for the provision of gambling addiction counseling services, in accordance with the provisions of this section.

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

Effective May 14, 2007.

## CHAPTER 117

### H.P. 817 - L.D. 1124

#### An Act To Create an Ownership Interest in Agency Liquor Store Licenses

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

**Sec. 1. 28-A MRSA §453-B**, as repealed and replaced by PL 2001, c. 358, Pt. V, §2, is repealed and the following enacted in its place:

#### **§453-B. License fees**

The initial license fee for an agency liquor store and the fee for a transferee of a license for an agency liquor store under section 457 is \$2,000. The renewal fee for an annual license is \$300.

**Sec. 2. 28-A MRSA §457**, as amended by PL 1997, c. 373, §49, is repealed and the following enacted in its place:

#### **§457. Transfer of agency liquor store license**

Upon application of a licensee under this chapter, an agency liquor store license must be transferred to a new owner upon the sale of the licensed establishment and payment of the transfer fee required in section 453-B if the new owner is eligible under section 601 and the physical premises of the establishment remain unchanged.

**Sec. 3. Rules.** No later than March 1, 2008, the Department of Public Safety shall adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to carry out the purposes of the Maine Revised Statutes, Title 28-A, section 457.

See title page for effective date.

## CHAPTER 118

### S.P. 439 - L.D. 1253

#### An Act To Protect Consumers from Deceptive Insurance Solicitation

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

**Sec. 1. 24-A MRSA §2154**, as amended by PL 2007, c. 32, §1, is further amended to read:

#### **§2154. False information; advertising**

A person may not make, publish, disseminate, circulate or place before the public, or cause, directly or indirectly, to be made, published, disseminated, circulated or placed before the public, in a newspaper, magazine or other publication or on a business card, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio or television station, or in any other way, an advertisement, announcement or statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of that person's insurance business or with respect to the name of a financial institution in a manner that is untrue, deceptive or misleading ~~or that uses the name of a financial institution without that financial institution's express written permission unless the person discloses that the person does not have permission to use the financial institution's name and the person discloses that the person is not affiliated with the financial institution.~~

See title page for effective date.