

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

from a list provided by the Maine Pharmacy Association. One provider member must be a mental health provider chosen from a list provided by the Maine Association of Mental Health Services. One provider member must represent a home health care company.

B. The commissioner shall appoint ~~2 members~~ one member who is an employee of the department to represent the State's interest in maintaining health data and to ensure that information collected is available for determining public health policy.

D. The Executive Director of Dirigo Health, or a designee of the executive director who is an employee of Dirigo Health, shall serve as a voting member.

E. The Commissioner of Professional and Financial Regulation, or the commissioner's designee who is an employee of the Department of Professional and Financial Regulation, shall serve in a nonvoting, consultative capacity.

Sec. 7. 22 MRSA §8703, sub-§3, ¶B, as amended by PL 2005, c. 253, §4, is further amended to read:

B. ~~The terms of departmental board members are 3 year terms. Departmental State agency board members may serve an unlimited number of terms.~~

Sec. 8. 22 MRSA §8712, sub-§2, as amended by PL 2005, c. 391, §2, is repealed and the following enacted in its place:

2. Payments. The organization shall create a publicly accessible interactive website that presents reports related to health care facility and practitioner payments for services rendered to residents of the State. The services presented must include, but not be limited to, imaging, preventative health, radiology and surgical services and other services that are predominantly elective and may be provided to a large number of patients who do not have health insurance or are underinsured. The website must also be constructed to display prices paid by individual commercial health insurance companies, 3rd-party administrators and, unless prohibited by federal law, governmental payors.

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

Effective May 4, 2009.

CHAPTER 72

S.P. 31 - L.D. 82

An Act To Create a Penalty for Harvesting Scallops in a Conservation Area

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

Sec. 1. 12 MRSA §6404-G is enacted to read:

§6404-G. Suspension based on 2 or more convictions of scallop fishing in a conservation area

The commissioner shall suspend the license authorizing the activity in which the person was engaged at the time of the violation for any person adjudicated of a 2nd or subsequent violation of section 6626. The suspension must be for one year from the date of adjudication.

Sec. 2. 12 MRSA §6626 is enacted to read:

§6626. Scallop conservation areas

Notwithstanding section 6174, subsection 3, a person who violates a rule adopted pursuant to section 6171 regarding a scallop conservation area commits a civil violation for which the penalties under this section apply.

1. First offense. For the first offense, a fine of \$1,000 is imposed and all scallops on board may be seized.

2. Second or subsequent offense. For a 2nd or subsequent offense, a mandatory minimum fine of \$1,000 is imposed, all scallops on board may be seized and the commissioner shall suspend the license authorizing the activity in which the person was engaged at the time of violation. The court may not suspend a fine imposed under this paragraph. The license suspension must be for one year from the date of adjudication.

See title page for effective date.

CHAPTER 73

S.P. 64 - L.D. 178

An Act To Create the Support Animal Welfare Registration Plate

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

Sec. 1. 29-A MRSA §456-G is enacted to read: