

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

CHAPTER 168
H.P. 485 - L.D. 702

**An Act To Allow the Donation
of Certain Perishable Food
Products to Nonprofit
Organizations**

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

Sec. 1. 14 MRSA §166, sub-§4, as enacted by PL 1981, c. 300, is amended to read:

4. Application. This section applies to all good faith donations of perishable food ~~which~~ that is not readily marketable due to appearance, freshness, grade, surplus or other conditions, including food that is beyond the date by which the manufacturer recommends that the food be sold, but nothing in this section restricts the authority of any appropriate agency to regulate or bar the use of that food for human consumption.

See title page for effective date.

CHAPTER 169
H.P. 740 - L.D. 1073

**An Act To Provide for
Insurance Coverage of
Telemedicine Services**

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

Sec. 1. 24-A MRSA §4316 is enacted to read:

§4316. Coverage for telemedicine services

1. Definition. For the purposes of this section, "telemedicine," as it pertains to the delivery of health care services, means the use of interactive audio, video or other electronic media for the purpose of diagnosis, consultation or treatment. "Telemedicine" does not include the use of audio-only telephone, facsimile machine or e-mail.

2. Coverage of telemedicine services. A carrier offering a health plan in this State may not deny coverage on the basis that the coverage is provided through telemedicine if the health care service would be covered were it provided through in-person consultation between the covered person and a health care provider. Coverage for health care services provided through telemedicine must be determined in a manner consistent with coverage for health care services provided through in-person consultation. A carrier may offer a health plan containing a provision for a deductible, copayment or coinsurance requirement for a health care service provided through telemedicine as

long as the deductible, copayment or coinsurance does not exceed the deductible, copayment or coinsurance applicable to an in-person consultation.

See title page for effective date.

CHAPTER 170
H.P. 365 - L.D. 520

**An Act Authorizing Colleges
and Universities To Regulate
Public Safety on Their
Campuses**

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

Sec. 1. 20-A MRSA §10009 is enacted to read:

§10009. Regulation of public safety on college and university campuses

1. Definition. As used in this section the following terms have the following meanings.

A. "College or university" means any postsecondary educational institution, including:

- (1) Any degree-granting educational institution regulated under chapter 409;
- (2) Any university in the University of Maine System;
- (3) Any college in the Maine Community College System; and
- (4) The Maine Maritime Academy.

2. Power to regulate. Nothing in Title 25, section 2011 limits the power of any college or university to regulate the possession of firearms on the property of the college or university.

See title page for effective date.

CHAPTER 171
H.P. 571 - L.D. 835

**An Act To Amend the Forcible
Entry and Detainer Laws**

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

Sec. 1. 14 MRSA §6002, first ¶, as amended by PL 2003, c. 296, §1, is further amended to read:

Tenancies at will must be terminated by either party by a minimum of 30 days' notice, except as provided in ~~subsection 4~~ subsection 2, in writing for that purpose given to the other party, but if the landlord or