

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2011

**CHAPTER 218
H.P. 1050 - L.D. 1429**

**An Act To Amend the Laws
Governing Prescription
Monitoring Information**

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

Sec. 1. 22 MRSA §7250, sub-§4, ¶F, as corrected by RR 2009, c. 1, §15, is amended to read:

F. The Office of Chief Medical Examiner for the purpose of conducting an investigation or inquiry into the cause, manner and circumstances of death in a medical examiner case as described in section 3025. Prescription monitoring information in the possession or under the control of the Office of Chief Medical Examiner is confidential and, notwithstanding section 3022, may not be disseminated. Information that is not prescription monitoring information and is separately acquired following access to prescription monitoring information pursuant to this paragraph remains subject to protection or dissemination in accordance with section 3022; ~~and~~

Sec. 2. 22 MRSA §7250, sub-§4, ¶G, as reallocated by RR 2009, c. 1, §16, is amended to read:

G. The office that administers the MaineCare program pursuant to chapter 855 for the purposes of managing the care of its members, monitoring the purchase of controlled substances by its members and avoiding duplicate dispensing of controlled substances; ~~and~~

Sec. 3. 22 MRSA §7250, sub-§4, ¶H is enacted to read:

H. Another state pursuant to subsection 4-A.

Sec. 4. 22 MRSA §7250, sub-§4-A is enacted to read:

4-A. Information sharing with other states. The office may provide prescription monitoring information to and receive prescription monitoring information from another state that has prescription monitoring information provisions consistent with this chapter and has entered into a prescription monitoring information sharing agreement with the office. The office may enter into a prescription monitoring information sharing agreement with another state to establish the terms and conditions of prescription monitoring information sharing and interoperability of information systems and to carry out the purposes of this subsection. For purpose of this subsection, "another

state" means any state other than Maine and any territory or possession of the United States, but does not include a foreign country.

See title page for effective date.

**CHAPTER 219
S.P. 211 - L.D. 722**

**An Act To Reduce Fines for
Certain Trucking Violations**

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

Sec. 1. 29-A MRSA §558, sub-§1-A, as amended by PL 2009, c. 598, §20, is further amended to read:

1-A. Maximum fine. Notwithstanding Title 17-A, section 1301, the ~~minimum~~ maximum fine for a violation of a state rule that adopts by reference the federal regulations found in 49 Code of Federal Regulations, ~~Parts 392, 395.3, 395.8e and 395.8k~~ is \$250 and that is not an out-of-service order is \$250, and the maximum fine for a violation of a state rule that adopts by reference the federal regulations found in 49 Code of Federal Regulations and that meets the definition of an out-of-service order as defined in 49 Code of Federal Regulations is \$500. If a minimum fine is provided by any rule adopted pursuant to this subchapter, the court shall impose at least the minimum fine, which may not be suspended by the court.

For purposes of this subsection, "out-of-service order" means a declaration by a law enforcement officer authorized to enforce the provisions of this subchapter that a driver, a commercial motor vehicle or a motor carrier operation is out of service pursuant to 49 Code of Federal Regulations, Part 386.72, 392.5, 392.9a, 395.13 or 396.9, or compatible laws, or the North American Standard Out-of-Service Criteria.

See title page for effective date.

**CHAPTER 220
H.P. 1112 - L.D. 1509**

**An Act To Enhance
Enforcement of Fish and Game
Laws By Authorizing Maine To
Enter into an Interstate
Wildlife Violator Compact**

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