

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

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

Augusta, Maine
2011

at face value, cigarette tax stamps affixed to packages of cigarettes that have become unsalable if application is made within 90 days of the return of the unsalable cigarettes to the manufacturer or of the destruction of the unsalable cigarettes by the distributor. The assessor may either witness the destruction of the unsalable cigarettes or may accept another form of proof that the unsalable cigarettes have been destroyed by the distributor or returned to the manufacturer.

Sec. 3. 36 MRSA §4404, 2nd ¶, as amended by PL 2007, c. 438, §102, is further amended to read:

Before July 1, 2012, the return must include further information as the assessor may prescribe and must show a credit for any tobacco products exempted as provided in section 4403. Records must be maintained to substantiate the exemption. Tax previously paid on tobacco products that are returned to a manufacturer because the product has become unfit for use, sale or consumption may be taken as a credit on a subsequent return upon receipt of the credit notice from the original supplier.

Sec. 4. 36 MRSA §4404, as amended by PL 2009, c. 213, Pt. H, §2, is further amended by adding after the 2nd paragraph a new paragraph to read:

Beginning July 1, 2012, the return must include further information as the assessor may prescribe and must show a credit for any tobacco products exempted as provided in section 4403. Records must be maintained to substantiate the exemption. Tax previously paid on tobacco products that are returned to a manufacturer or a distributor because the product has become unfit for use, sale or consumption and for tobacco products that are returned to a distributor that are subsequently destroyed by the distributor may be taken as a credit on a subsequent return. The assessor may either witness the destruction of the product or may accept another form of proof that the product has been destroyed by the distributor or returned to the manufacturer.

See title page for effective date.

CHAPTER 442

H.P. 555 - L.D. 748

An Act To Improve Driver Education Licensing

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

Sec. 1. 29-A MRSA §1354, sub-§5-A, ¶B, as enacted by PL 1995, c. 505, §15 and affected by §22, is amended to read:

B. The fee for a driver education teacher or instructor license is \$80 \$100.

Sec. 2. 29-A MRSA §1354, sub-§5-A, ¶C, as enacted by PL 1995, c. 505, §15 and affected by §22, is amended to read:

C. Each license issued pursuant to this section A driver education school license expires one year from the date of issuance. The fee for the renewal of a driver education school license is \$125. A driver education teacher or instructor license expires 2 years from the date of issuance. The fee for the renewal of a driver education teacher or instructor license is \$80 \$100.

See title page for effective date.

CHAPTER 443

H.P. 828 - L.D. 1116

An Act To Restore Market-based Competition for Pharmacy Benefits Management Services

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

Sec. 1. 22 MRSA §1711-E, sub-§1, ¶G, as enacted by PL 2005, c. 589, §1, is amended to read:

G. "Pharmacy benefits manager" has the same meaning as in section 2699, subsection 1, paragraph F Title 24-A, section 1913, subsection 1, paragraph A.

Sec. 2. 22 MRSA c. 603, sub-c. 4, as amended, is repealed.

Sec. 3. 22 MRSA §8702, sub-§8-B, as amended by PL 2007, c. 695, Pt. A, §26, is further amended to read:

8-B. Pharmacy benefits manager. "Pharmacy benefits manager" means an entity that performs pharmacy benefits management as defined in section 2699, subsection 1, paragraph E has the same meaning as in Title 24-A, section 1913, subsection 1, paragraph A.

Sec. 4. 24-A MRSA §1913, as enacted by PL 2009, c. 581, §4, is repealed and the following enacted in its place:

§1913. Registration of pharmacy benefits managers

Beginning April 1, 2011, a person may not act as a pharmacy benefits manager in this State without first paying the registration fee required under section 601, subsection 28.

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