

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

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

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**Augusta, Maine**  
**2013**

Fund unappropriated surplus no later than June 30, 2013.

**Sec. FF-3. Lapsed balances; Office of Program Evaluation and Government Accountability, General Fund account.** Notwithstanding any other provision of law, the State Controller shall lapse \$12,598 from the Personal Services line category in the Office of Program Evaluation and Government Accountability, General Fund account in the Office of Program Evaluation and Government Accountability to the General Fund unappropriated surplus no later than June 30, 2013.

**PART GG**

**Sec. GG-1. Adjustment of reimbursement under the MaineCare program for services provided by certain clinicians.** The Department of Health and Human Services shall amend the rules for reimbursement under the MaineCare program as set forth in Chapter 101: MaineCare Benefits Manual, Chapter II, Section 65: Behavioral Health Services. Beginning March 1, 2013, reimbursement rates must be reduced by 5% for services provided by licensed clinical professional counselors and licensed marriage and family therapists. Rules adopted pursuant to this section are routine technical rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

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

Effective March 6, 2013.

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**CHAPTER 2**

**H.P. 177 - L.D. 216**

**An Act To Extend the Hours for the Sale of Liquor on Sunday When St. Patrick's Day Is on a Sunday**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this legislation needs to take effect before the expiration of the 90-day period in order to enhance business opportunities for establishments in connection with the upcoming observance of St. Patrick's Day; 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 preserva-

tion of the public peace, health and safety; now, therefore,

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

**Sec. 1. 28-A MRSA §4, sub-§1, ¶A,** as amended by PL 1995, c. 159, §1, is further amended to read:

A. Licensees may not sell liquor on Sunday between the hours of 6 a.m. and 9 a.m., except on March 17th.

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

Effective March 15, 2013.

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**CHAPTER 3**

**H.P. 24 - L.D. 26**

**An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Change a Fishing Season Opening Date Statewide**

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

**Sec. 1. 12 MRSA §12456, sub-§2, ¶A,** as amended by PL 2009, c. 214, §6, is further amended to read:

A. A person who holds a valid Maine fishing license may take smelts for recreational purposes only from the inland waters or portions of inland waters that are naturally free of ice with a dip net in the usual and ordinary way from noon to 2:00 a.m. in accordance with bag limits established by rule. Bag limits established by rule under this paragraph are for a 24-hour period, beginning at noon on a given day and ending at 11:59 a.m. the following day. The commissioner may prohibit the taking of smelts under this section or shorten the noon to 2:00 a.m. smelt fishing timeframe by rule for enforcement or conservation purposes.

(1) A person may not keep more than 5 dozen smelts alive as part of that person's daily bag limit pursuant to this paragraph.

(2) A person may not take smelts with a dip net unless that dip net meets the requirements under section 10001, subsection 12-A.

Each day a person violates subparagraph (1) or (2) that person commits a Class E crime; and

**Sec. 2. 12 MRSA §12456, sub-§2, ¶E** is enacted to read: