

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.

Augusta, Maine
2013

**CHAPTER 18
H.P. 37 - L.D. 42**

**Resolve, To Require the
Department of Inland Fisheries
and Wildlife To Conduct a
Study on the Use of Rubber
Lures and Nondegradable
Fishing Hooks and Lures**

Sec. 1. Department of Inland Fisheries and Wildlife to study effects of artificial fishing lures made of rubber and soft plastic and nondegradable hooks for fishing. Resolved: That the Department of Inland Fisheries and Wildlife, referred to in this resolve as "the department," shall study the effects of artificial fishing lures made of rubber and soft plastic and nondegradable hooks for fishing on fish and wildlife species in the State, other states and countries. The department shall review and analyze the existing literature on the effects of artificial fishing lures made of rubber and soft plastic and the longevity of nondegradable hooks for fishing, including field and laboratory studies, and conduct direct observation of multiple species of fish in waters of the State or in waters that contain chemical characteristics that are similar to waters of the State. As part of its study, the department may seek and include in its report information obtained from fishing tackle manufacturers or fishing tackle manufacturers' associations regarding the effects of disposal and ingestion of soft baits made of rubber and soft plastic and longevity of nondegradable hooks for fishing, and the performance and durability of biodegradable alternatives; and be it further

Sec. 2. Reporting date established. Resolved: That the department shall report its findings, including recommendations and recommended legislation, to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2014. The Joint Standing Committee on Inland Fisheries and Wildlife may report out a bill relating to the subject matter of this report.

See title page for effective date.

**CHAPTER 19
S.P. 196 - L.D. 506**

**Resolve, Directing the Bureau
of Insurance To Amend Its
Rules Pertaining to Medicare
Advantage Plans**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergencies; and

Whereas, state law and rules adopted by the Department of Professional and Financial Regulation, Bureau of Insurance allow those residents of the State covered under Medicare Advantage plans to have more than one year to move from a Medicare Advantage plan to traditional Medicare coverage and enroll in a Medicare supplement plan without affecting their continuity of coverage; and

Whereas, recent interpretations under federal regulations appear to limit the ability of a Medicare beneficiary to move from one Medicare Advantage plan to another Medicare Advantage plan without losing continuity of coverage; and

Whereas, this resolve directs the Bureau of Insurance to amend its rules to clarify that a Medicare beneficiary who is enrolled in a Medicare Advantage plan has the right to enroll in another Medicare Advantage plan offered by the same insurer or a different insurer without affecting the Medicare beneficiary's continuity of coverage; 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 preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Bureau of Insurance to amend eligibility rules for Medicare Advantage plans. Resolved: That the Department of Professional and Financial Regulation, Bureau of Insurance shall amend Bureau of Insurance Rule Chapter 275 to clarify that a Medicare beneficiary who is enrolled in a Medicare Advantage plan has the right to enroll in another Medicare Advantage plan offered by the same insurer or a different insurer for a period of 3 years without affecting the Medicare beneficiary's continuity of coverage. Rules adopted pursuant to this section are routine technical rules as defined in 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.

Effective May 14, 2013.
