

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**

**January 5, 1994 to April 14, 1994**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 14, 1994**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1993**

posed on a first-time offender pursuant to Title 15, section 3314 or section 1312-B, the Secretary of State shall issue a special license or permit to the person if the Secretary of State receives written notice that the person has completed the assessment components of the alcohol and other drug program as set out in Title 5, section 20073-A. First offenders with an aggravated offense as defined in Title 5, section 20071, subsection 4-B are entitled to receive a special license after completion of the evaluation provided by the Office of Substance Abuse. First offenders who have registered for the completion of treatment programs as described in Title 5, section 20072, subsection 2 are entitled to receive a special license after completion of a minimum of 3 treatment sessions provided by a counselor or agency approved by the Office of Substance Abuse. A special license or permit may not be issued under this section to 2nd and subsequent offenders.

See title page for effective date.

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**CHAPTER 632**

**S.P. 690 - L.D. 1876**

**An Act Concerning Municipally Owned and Operated Solid Waste Incinerators**

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

**Sec. 1. 38 MRSA §352, sub-§5-A, in that part designated "TABLE II" related to "Title 38, SECTION 1310-N," paragraph B is repealed and the following enacted in its place:**

B. Incineration facilities

<u>1. New or expanded for the acceptance of municipal or special wastes, or both</u>	<u>3,500</u>	<u>5,000</u>
<u>2. Municipally owned and operated solid waste incinerators with licensed capacity of 10 tons per day or less</u>	<u>3,500</u>	<u>1,000</u>

**Sec. 2. 38 MRSA §352, sub-§5-B, in that part designated "TABLE II" related to "Title 38, SECTION 1304," paragraph I is enacted to read:**

<u>I. Municipally owned and operated solid waste incinerators with licensed capacity of 10 tons per day or less</u>	<u>3,500</u>	<u>1,000</u>
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**Sec. 3. Retroactivity.** This Act takes effect retroactively to July 1, 1993.

See title page for effective date.

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**CHAPTER 633**

**S.P. 693 - L.D. 1879**

**An Act to Enhance the Effectiveness of the Office of the Public Advocate**

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

**Sec. 1. 35-A MRSA §116, sub-§8, ¶C,** as enacted by PL 1991, c. 591, Pt. CC, §2, is repealed.

**Sec. 2. 35-A MRSA §116, sub-§8, ¶C-1** is enacted to read:

C-1. Except as specified in this subsection, funds that are not expended at the end of a fiscal year do not lapse but must be carried forward to be expended for the purposes specified in this section in succeeding fiscal years; but unexpended funds in excess of 10% of the total annual assessment authorized in this section must, at the option of the Public Advocate, either be presented to the Legislature in accordance with paragraph A for reallocation and expenditure or used to reduce the utility assessment in the following fiscal year.

**Sec. 3. Retroactivity.** This Act applies retroactively to June 30, 1994.

See title page for effective date.

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**CHAPTER 634**

**S.P. 701 - L.D. 1899**

**An Act to Require Risk-based Capital Standards and Standard Valuation to Ensure Continued Accreditation for the Bureau of Insurance**

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