

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

time to live, including gifts of stereos, television sets and trips to Disneyworld; and

Whereas, the budgets of these organizations are not large and therefore a sales tax exemption would provide needed additional money for their widely supported efforts, and the loss to the State would be insignificant; and

Whereas, proposals for sales tax exemptions of this kind have been enacted in the past, but must be presented to the Joint Standing Committee on Taxation on an individual basis; and

Whereas, the urgency of these acts of charity require that these savings be available in the current year; 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 enacted by the People of the State of Maine as follows:

36 MRSa §1760, sub-§62 is enacted to read:

62. Organizations fulfilling the wishes of children with life-threatening diseases. Sales to incorporated nonprofit organizations whose sole purpose is to fulfill the wishes of children with life-threatening diseases when their family or guardian is unable to otherwise financially fulfill those wishes.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 2, 1988.

CHAPTER 825

H.P. 1850 — L.D. 2532

AN ACT to Develop a Plan to Minimize and Dispose of Household Hazardous Waste.

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

Whereas, hazardous wastes generated by households pose a serious threat to the State's air and water quality; and

Whereas, existing collection and disposal systems are completely inadequate to handle these wastes; 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 pub-

lic peace, health and safety; now, therefore,

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

Sec. 1. PL 1987, c. 491, §27 is amended to read:

Sec. 27. Authorization for program development. ~~The Legislature authorizes the Department of Environmental Protection to~~ shall develop a program plan to assist persons who generate up to 1,000 kilograms of hazardous waste in a calendar month, including household hazardous waste, in minimizing the generation of hazardous waste and developing economical methods of properly collecting, transporting and disposing of their hazardous waste.

The department shall include recommendations for additional legislative authority and appropriations, when necessary, to carry out its proposed program. The program plan shall be completed and submitted to the joint standing committee of the Legislature having jurisdiction over natural resources by ~~January 1~~ April 15, 1989, and shall include:

1. Survey. A survey of businesses and public institutions which utilize some form of hazardous waste recycling, chemical substitution or other waste minimization methods;

2. Assessment. An assessment of practical recycling or waste minimization methods that may be available to businesses and public institutions;

3. Transportation. Methods by which persons generating up to 1,000 kilograms of hazardous waste in a calendar month may reduce transportation costs for disposal through cooperative or cost-sharing practices;

3-A. Household hazardous waste. An analysis of the problem of household hazardous waste, including, without limitation, the estimated volume and nature of this waste and geographic, political, economic and other factors which would influence the development of a workable, cost-effective and environmentally sound solution to this problem. The department shall examine the experience of other states in developing this analysis;

3-B. Household hazardous waste options. An assessment of disposal options and available recycling or waste minimization methods for household hazardous waste generators;

3-C. Pilot program. Implementation and evaluation of a pilot program for the collection and disposal of household hazardous waste;

3-D. Public education. An assessment of a public education program for generators of household hazardous waste;

4. Regional collection. The feasibility of establish-

ing a regional collection or transfer facility networks statewide for persons generating up to 1,000 kilograms of hazardous waste per in a calendar month and for persons generating household hazardous waste, with the facilities being owned, operated and serviced by the public sector or private industry; and

5. **Directory.** A directory of hazardous waste generators in the State compiled by geographic regions and Maine-licensed hazardous waste transporters who serve those regions.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1988-89

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Bureau of Oil and Hazardous Materials Control

Personal Services	\$18,824
All Other	29,000
Capital Expenditures	750

Total \$48,574

The purpose of this appropriation is to augment the allocation made pursuant to Public Law 1987, chapter 491, section 29. The additional funding is supplied to expand the study effort to cover household hazardous wastes. A project position is authorized. Funds are also provided in the All Other category for a pilot scale collection program for household hazardous waste.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 2, 1988.

CHAPTER 826

H.P. 1599 — L.D. 2188

AN ACT Relating to Shellfish Sanitation and Monitoring.

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

Sec. 1. 12 MRSA §6601, sub-§5, as amended by PL 1981, c. 480, §4, is further amended to read:

5. **Fee.** The fee for a shellfish license shall be ~~\$13~~ is \$38.

Sec. 2. 12 MRSA §6651, sub-§1, as amended by PL 1987, c. 328, §2, is further amended to read:

1. **Fees to be paid into fund.** ~~Fifty-three~~ Thirty-eight and one half percent of all fees from shellfish

licenses, mussel hand-raking and boat licenses, shellfish transportation licenses and wholesale seafood licenses shall be paid into the Shellfish Fund.

Sec. 3. 12 MRSA §6745, sub-§5, as enacted by PL 1987, c. 328, §3, is amended to read:

5. **Fee.** The fee for a hand-raking mussel license shall be ~~\$19~~ is \$38.

Sec. 4. 12 MRSA §6746, sub-§5, as enacted by PL 1987, c. 328, §3, is amended to read:

5. **Fee.** The fee for a mussel boat license is ~~\$53~~ \$78.

Sec. 5. 12 MRSA §6852, sub-§4, as amended by PL 1985, c. 379, §7, is further amended to read:

4. **Fee.** The fee for a retail seafood license shall be ~~\$26~~ is \$51.

Sec. 6. 12 MRSA §6855, sub-§6, as amended by PL 1985, c. 379, §9, is further amended to read:

6. **Fees.** The fee for a shellfish transportation license shall be ~~\$130~~ is \$155 and the fee for a supplemental license shall be ~~\$26~~ is \$51.

Sec. 7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1988-89

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Development

Positions	(1)
Personal Services	\$ 40,500
All Other	73,714
Capital Expenditures	43,000

Total \$157,214

These funds will be used in conjunction with other funds appropriated in the Part II budget bill to establish new laboratory facilities in Lamoine, to provide an increased level of monitoring of shellfish for paralytic shellfish poisoning and to meet national shellfish sanitation standards. It provides funds for one new Marine Resource Scientist II position.

Effective August 4, 1988.

CHAPTER 827

H.P. 1700 — L.D. 2333

AN ACT to Provide for the Education of Students Residing in Long-Term Drug Treatment Centers.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjourn-