

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

including infectious and pathogenic waste, to protect public health, safety and welfare and the environment.

A. The rules shall include, without limitation:

- (1) Registration of biomedical waste generators;
- (2) Handling of biomedical waste by generators;
- (3) Licensing of biomedical waste transporters and the conveyances used for the transportation of biomedical waste;
- (4) Implementation of a biomedical waste tracking or manifest system; and
- (5) Establishment of treatment and disposal standards.

B. The board shall adopt rules governing the siting, licensing, operational and record keeping requirements for biomedical waste treatment, storage and disposal facilities.

C. The board shall require evidence of financial capacity.

D. The board may assess licensing fees sufficient to pay for the department's administrative costs in regulating biomedical waste.

The board shall submit the rules to the joint standing committee of Legislature with jurisdiction over natural resources for review on or before January 1, 1990.

Sec. 4. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1989-90	1990-91
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Maine Hazardous Waste Fund		
Positions	(3)	(3)
Personal Services	\$74,614	\$78,345
All Other	13,538	14,102
Capital Expenditures	9,000	
Provides funds for an Environmental Specialist III, an Environmental Specialist II, a Clerk Typist III and general operating expenses to assist in the proposed control of biomedical wastes.		
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
TOTAL	<u>\$97,152</u>	<u>\$92,447</u>

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

except that sections 1 and 2 shall take effect on February 1, 1990.

Effective May 11, 1989, unless otherwise indicated.

CHAPTER 125

S.P. 69 - L.D. 57

An Act to Allow Graduates of the Department of Corrections Vocational-electrical Program to be Eligible to Apply for the Journeyman-in-training License

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

Sec. 1. 32 MRSA §1202, sub-§1, ¶A, as repealed and replaced by PL 1987, c. 769, Pt. A, §120, is amended to read:

A. For a journeyman electrician's license, a person must:

(1) Complete at least 8,000 hours of service as an apprentice or helper electrician or at least 8,000 hours of experience in electrical installations, as defined in section 1101, and satisfactorily complete a program of study comprising 576 hours as approved by the Electricians' Examining Board or from an accredited institution. The 576 hours shall consist of 225 hours of required study, including an approved course of not less than 45 hours in the current National Electrical Code; and 351 hours of elective study, comprised of all trade-related electives or 225 hours of trade-related courses and 135 hours of degree-related courses;

(2) Be a graduate of an accredited regional vocational high school 2-year electrical program, have worked for 8,000 hours in the field of electrical installations under the supervision of a master electrician or the equivalent and have completed a course of not less than 45 hours in the current National Electrical Code, the course to be approved by the board;

(3) Be a graduate of an accredited Maine vocational-technical institute or Department of Corrections vocational-electrical program, have worked for 4,000 hours in the field of electrical installations under the supervision of a master electrician or the equivalent and have completed a course of not less than 45 hours in the current National Electrical Code, the course to be approved by the board. Persons qualifying under this paragraph may write the journeyman's examination upon

graduation if application is made within one year of graduation; or

(4) Be an electrical apprentice registered with the Maine State Apprenticeship and Training Council and have completed 576 hours of related instruction, as defined in this paragraph, prescribed in their apprenticeship program, the 8,000-hour approved program and a course of not less than 45 hours in the current National Electrical Code, the course to be approved by the board. Persons qualifying under this paragraph may write the journeyman's examination after completion of the 576 hours of instruction, if application is made within one year of the completion of the instruction.

Sec. 2. 32 MRSA §1202, sub-§1, ¶D, as enacted by PL 1987, c. 395, Pt. B, §7, is amended to read:

D. For a journeyman-in-training electricians' license, a person must be a graduate of an accredited Maine vocational-technical institute or Department of Corrections vocational-electrical program, receive a passing grade on the journeyman examination and complete 2,000 hours of experience. This provision shall be reviewed by the joint standing committee of the Legislature having jurisdiction over business legislation by March 1, 1991, and, unless continued by law, shall terminate at this time.

See title page for effective date.

CHAPTER 126

H.P. 109 - L.D. 146

An Act to Provide Greater Power to the Maine District Court in Emancipation Proceedings

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

Sec. 1. 15 MRSA §3506-A, sub-§2-A is enacted to read:

2-A. Mediation. Upon the filing of a petition and prior to a hearing under this section, the court may refer the parties to mediation. Any agreement reached by the parties through mediation on any issues shall be stated in writing, signed by the parties and presented to the court for approval as a court order.

Sec. 2. 15 MRSA §3506-A, sub-§7 is enacted to read:

7. Public proceeding; exception. Notwithstanding section 3307, subsection 2, paragraph B, the court shall not exclude the public unless the minor or the minor's parent or parents, guardian or custodian, requests that the public be

excluded and the minor or the minor's parent or parents, guardian or custodian, does not object. If the public is excluded, only the parties, their attorneys, court officers and witnesses may be present.

See title page for effective date.

CHAPTER 127

S.P. 145 - L.D. 265

An Act to Clarify and Make Changes to the Statute Governing the Operation of the Department of Corrections

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

Sec. 1. 34-A MRSA §1210, sub-§4, ¶D, as enacted by PL 1985, c. 821, §18, is amended to read:

D. By ~~August 1st~~ and February 1st of each calendar year, the county shall provide, in a format provided by the Department of Corrections, a copy of actual expenditures for the support of prisoners for the previous ~~12 months~~ calendar year. The Department of Audit shall establish, in consultation with the counties and the Department of Corrections, a uniform system of accounting for the support of prisoners for the counties pursuant to its authority in Title 5, section 243 and consistent with the requirements of this section. No county may be reimbursed after July 1, 1987, until it has implemented the uniform accounting system for the expenditure for support of prisoners.

Sec. 2. 34-A MRSA §1210, sub-§5, as amended by PL 1987, c. 335, §§1, 2, is further amended to read:

5. Adjustment to the reimbursement. Beginning July 1, 1987, the Commissioner of Corrections shall, ~~semi-annually~~, set annually the reimbursement for each county to include all actual costs for the support of prisoners. The actual cost for the support of prisoners shall be calculated on the basis of the previous ~~12 months~~ calendar year, for each county, by dividing costs for prisoner support by the total number of days prisoners are detained in that county and prisoners committed to that county serve. Support of prisoners shall include the following line items:

A. Personal Services;

B. Contractual Services:

(1) Professional fees and services:

(a) Medical, dental and psychological;