

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 13, 1993

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
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

Upon written request from persons owning land contiguous to a solid waste ~~landfill approved under subchapter IV disposal facility~~, the ~~operator of the landfill~~ agency shall have quarterly sampling and analysis conducted of private water supplies used by the requestors for drinking water. The sampling and analysis must be conducted in a manner specified by and that meets criteria developed by the department.

~~Any person owning or operating a solid waste landfill that~~ If a facility adversely affects a public or private water supply by pollution, degradation, diminution or other means that result in a violation of the state drinking water standards as determined by the commissioner, the agency shall restore the affected supply at no cost to the ~~owner~~ consumer or replace the affected supply with an alternative source of water that is of like quantity and quality to the original supply at no cost to the ~~owner~~ consumer.

1. Extent of analysis. Water supplies must be analyzed for all parameters or chemical constituents determined by the commissioner to be indicative of typical contamination from solid waste ~~landfills~~ disposal facilities. The laboratory performing the sampling and analysis shall provide written copies of sample results to the ~~landfill owner~~ agency, the landowner and to the commissioner.

2. Additional sampling required. If the analysis indicates possible contamination from a solid waste ~~landfill~~ disposal facility, the commissioner shall conduct, or require the ~~landfill operator to have the laboratory~~ agency to conduct, additional sampling and analysis to determine more precisely the nature, extent and source of contamination. The commissioner shall, if necessary, require this sampling beyond the boundaries of the contiguous property.

3. Written notice of rights. On or before December 1, 1989, for permits issued under this chapter prior to October 1, 1989, and at or before the time of permit issuance for permits issued under this chapter after October 1, 1989, the ~~operator of each waste landfill~~ agency shall provide owners of contiguous land with written notice of their rights under this section on a form prepared by the commissioner.

PART C

Sec. C-1. 38 MRSA §1705, sub-§12, as enacted by PL 1983, c. 820, §2, is amended to read:

12. Revenues. "Revenues" means the proceeds of bonds, all revenues, rates, tolls, assessments, rents, tipping fees, transportation charges and other charges and receipts derived by the district from the operation of a waste facility and other properties, including, but not limited to, investment earnings and the proceeds of insurance, condemnation, sale or other disposition of prop-

erties, and ~~shall~~ **must** include proceeds from assessments where the power of assessment has been granted to the district under section ~~1754~~ 1755.

Sec. C-2. 38 MRSA §2202, sub-§3 is enacted to read:

3. Payment. A person who delivers solid waste to a solid waste disposal facility shall pay all fees established under this article to the operator of the solid waste disposal facility.

Sec. C-3. 38 MRSA §2204, sub-§3, as enacted by PL 1991, c. 517, Pt. B, §17, is amended to read:

3. Imported municipal solid waste. To support those regulatory and administrative costs associated with imported municipal solid wastes, an administrative fee of \$4 per ton is assessed on any municipal solid waste originating outside the State and delivered to a commercial solid waste disposal facility or solid waste disposal facility owned by the agency or a regional association for disposal.

See title page for effective date.

CHAPTER 311

H.P. 875 - L.D. 1189

An Act to Establish a State Trauma Care System

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

Sec. 1. 5 MRSA §12004-I, sub-§49-B is enacted to read:

49-B.	<u>State Trauma</u>	<u>Not</u>	<u>32 MRSA</u>
<u>Human</u>	<u>Prevention</u>	<u>Authorized</u>	<u>§87-A</u>
<u>Services</u>	<u>and Control</u>		
	<u>Advisory</u>		
	<u>Committee</u>		

Sec. 2. 32 MRSA §81-A, last ¶, as amended by PL 1989, c. 857, §60, is further amended to read:

It is the intent of the Legislature to designate that a central agency be responsible for the coordination and integration of all state activities concerning emergency medical services and the overall planning, evaluation, coordination, facilitation and regulation of emergency medical services systems. Further, the Legislature finds that the provision of prompt, efficient and effective emergency medical care, a well-coordinated trauma care system, effective communication between prehospital care providers and hospitals and the safe handling and transportation of the sick and injured are key elements of an emergency medical services system. This chapter is in-

tended to promote the public health, safety and welfare by providing for the creation of a statewide emergency medical services system with standards for all providers of emergency medical services.

Sec. 3. 32 MRSA §83, sub-§§23 and 24 are enacted to read:

23. Trauma. “Trauma” means a single or multi-system life-threatening or limb-threatening injury requiring immediate medical or surgical intervention or treatment to prevent death or permanent disability.

24. Trauma care system. “Trauma care system” means a subsystem within the emergency medical services system, consisting of an organized arrangement of personnel, equipment and facilities, designed to manage the treatment of the trauma patient.

Sec. 4. 32 MRSA §87-A is enacted to read:

§87-A. Trauma care system

1. Trauma care system development. Maine Emergency Medical Services shall develop a statewide trauma care system plan with the advice of the State Trauma Prevention and Control Advisory Committee and the regional emergency medical services councils.

2. State Trauma Prevention and Control Advisory Committee. The State Trauma Prevention and Control Advisory Committee, as established in Title 5, section 12004-I, subsection 49-B, is appointed by the board to advise the board on all matters related to trauma care system development. The committee’s members must be broadly representative of trauma prevention and care providers as a whole, must be as geographically diverse as possible and must include, without limitation:

- A. A representative of the board;
- B. Four surgeons representing trauma-related subspecialties;
- C. Two emergency physicians;
- D. The director;
- E. An emergency nurse;
- F. A critical care nurse;
- G. A trauma rehabilitation specialist;
- H. A regional emergency medical services coordinator;
- I. A representative of air ambulance services;
- J. Two representatives of prehospital care providers;

K. Three hospital administrators, one from a small hospital, one from a medium hospital and one from a large hospital;

L. A representative of the Maine Hospital Association; and

M. A representative of trauma care system users.

Sec. 5. Report. By January 1, 1994, Maine Emergency Medical Services shall submit to the Joint Standing Committee on Human Resources the plan developed in accordance with this Act, along with any legislation necessary to implement the trauma care system envisioned by the plan.

See title page for effective date.

CHAPTER 312

S.P. 264 - L.D. 802

An Act to Improve the Unemployment Collection Process for Employer Contributions

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

Sec. 1. 26 MRSA §1082, sub-§13, as amended by PL 1983, c. 351, §14, is further amended to read:

13. Filing payroll reports; penalty. The commission may prescribe regulations rules for the filing of payroll reports for the employing units in the State and the. The failure on the part of any employing unit to file the payroll reports within the time stated by the regulation rule of the commission shall render renders the employing unit liable to a penalty of \$10 \$25, unless the delay was occasioned by the illness or death of the person in charge of the records of the employing unit or by other unavoidable occurrence which shall excuse that excuses the employing unit from the penalty, except that an extension of time up to 30 days beyond the prescribed due date for a quarterly payroll report may be allowed for good cause upon written request made on or before the due date.

Provided that in the case of executive, administrative and professional employees, and outside salesmen sales representatives, as defined in Part 541 of the Rules and Regulations promulgated under the Fair Labor Standards Act of 1938, as amended as of June 30, 1971, the commissioner, upon the request of an employer of those individuals, may approve an alternative method for obtaining from that employer necessary wage information relative to those employees.

Sec. 2. 26 MRSA §1221, sub-§4, ¶F, as amended by PL 1983, c. 351, §22, is further amended to read: