

# MAINE STATE LEGISLATURE

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**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.

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J.S. McCarthy Company  
Augusta, Maine  
1993

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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estimated cost of closure and postclosure care and maintenance at the facility for a period of at least 30 years after closure. The board may adopt rules that increase or decrease that postclosure care period, as long as those rules are consistent with applicable federal rules.

**1. Acceptable forms of financial assurance.** Acceptable forms of financial assurance are:

A. A letter of credit;

B. A surety bond;

C. An escrow account;

D. A reserve account calculated in a manner consistent with the United States Internal Revenue Code;

E. An irrevocable trust account; or

F. In the case of a municipal solid waste disposal facility, any of the allowable financial assurance mechanisms set forth in applicable federal rules.

**2. Report.** An owner or operator of a solid waste disposal facility shall annually prepare a report containing a sworn statement providing the year-end balance of any escrow, trust or reserve account established under this section. That report must be submitted to the commissioner by March 31st of each year or such other date as the commissioner may designate.

### **§1310-Z. Laboratory analyses**

Laboratory analyses required in support of the licensing, operation, closure or postclosure care of a solid waste facility must be performed by a qualified laboratory. Six months after the adoption of laboratory certification rules required by Title 22, section 567, all laboratories must be certified or exempted from certification pursuant to those rules.

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

Effective June 16, 1993.

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## **CHAPTER 379**

**S.P. 425 - L.D. 1334**

### **An Act to Amend the Maine Civil Rights Act Regarding Violations of Constitutional Rights**

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

**Sec. 1. 5 MRSA §4684-A** is enacted to read:

#### **§4684-A. Civil rights**

For purposes of this chapter and Title 17, section 2931, a person has the right to engage in lawful activities without being subject to physical force or violence, damage or destruction of property, trespass on property or the threat of physical force or violence, damage or destruction of property or trespass on property motivated by reason of race, color, religion, sex, ancestry, national origin, physical or mental disability or sexual orientation.

See title page for effective date.

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## **CHAPTER 380**

**S.P. 157 - L.D. 488**

### **An Act Concerning the Operation of Agency Liquor Stores**

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

**Whereas,** the 115th Legislature adopted legislation to provide for the closure of state liquor stores; and

**Whereas,** the closure of some stores has been stalled pending clarification of the 10-mile rule; and

**Whereas,** the closure of these additional stores will result in immediate savings to the General Fund; and

**Whereas,** the legislative intent is to afford a smooth transition for existing agency liquor store licensees and to provide for a reasonable application procedure for future license applicants; 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:**

**Sec. 1. 28-A MRSA §453, sub-§1, ¶B,** as enacted by PL 1987, c. 45, Pt. A, §4, is repealed.

**Sec. 2. 28-A MRSA §453, sub-§1, ¶C,** as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

C. The proposed agency liquor store is not within ± 3.5 miles of an existing state liquor store or an