

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 7, 1998 to March 31, 1998**

**SECOND SPECIAL SESSION**  
**April 1, 1998 to April 9, 1998**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1998**

**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 9, 1998**

**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**  
**1997**

may have access to this information to control an outbreak of a disease preventable by immunization. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

The department may establish an immunization system. The department must pursue federal funding to support the cost of the information system. Any state match required to secure federal funding must be made available from existing budget resources.

See title page for effective date.

## CHAPTER 671

S.P. 796 - L.D. 2154

### An Act to Improve State House Utilization

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

**Sec. 1. 3 MRSA §162, sub-§12**, as amended by PL 1989, c. 410, §1, is further amended to read:

**12. Physical facilities for Legislature.** To ~~insure~~ ensure that adequate physical facilities are provided for the efficient operation of the Legislature and to provide for and determine the utilization of legislatively controlled facilities both within and without the State House and, notwithstanding Title 5, section 1742, subsection 18, to control and assign the use of all rooms in the State House, except the immediate offices occupied by the Governor and the Governor's staff ~~on January 1, 1982 in the west wing of the State House. This space shall be assigned for use by the Legislature as offices for chairs of joint standing committees and legislative staff and for public hearing rooms~~ The Legislative Council shall ensure that the Governor and the Governor's staff occupy sufficient and appropriate office space within the State House.

The Legislative Council ~~shall have~~ has the authority to authorize the Executive Director to enter into contracts for the purpose of maintaining or improving the physical facilities assigned to the Legislature, ~~provided that as long as~~ the work to be performed is consistent with the official plan for the preservation and development of the aesthetic and historical integrity of the State House as described in section 902, subsection 1;

See title page for effective date.

## CHAPTER 672

H.P. 1408 - L.D. 1972

### An Act to Implement the Recommendations of the Interagency Committee on Outdoor Trash Burning

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

**Sec. 1. 12 MRSA §9321, sub-§1, ¶H**, as amended by PL 1997, c. 512, §1, is further amended to read:

H. Experience and capability of the permittee in the safe use and control of the proposed burning; ~~and~~

**Sec. 2. 12 MRSA §9321, sub-§1, ¶I**, as enacted by PL 1997, c. 512, §2, is amended to read:

I. In issuing a permit under section 9325, subsection 1, paragraph E, any prior convictions for violating that paragraph or section 9324, subsection 7-; ~~and~~

**Sec. 3. 12 MRSA §9321, sub-§1, ¶J** is enacted to read:

J. In issuing a permit under section 9325, subsection 1, paragraph E, the public health risk from toxic chemicals in the smoke plume in accordance with guidelines issued by the Department of Environmental Protection and the practicality of locating the incinerator at least 300 feet from any abutting property boundary and at least 150 feet from any residential dwelling. These setback criteria may not be used to deny a permit.

**Sec. 4. 38 MRSA §2133, sub-§2-A**, as amended by PL 1995, c. 656, Pt. A, §36, is further amended to read:

**2-A. Technical and financial assistance program.** A program of technical and financial assistance for waste reduction and recycling is established in the office to assist municipalities with managing solid waste. The director shall administer the program in accordance with the waste management hierarchy in section 2101. Preference in allocating resources under this section must be given to municipalities that take advantage of regional economies of scale. Preference may also be given to municipalities that provide a municipal trash collection service as defined in Title 12, section 9324.