

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 21, 2001**

**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**  
**2001**

## CHAPTER 277

S.P. 479 - L.D. 1543

**An Act to Reduce the Release of  
Dioxin from Consumer Products into  
the Environment****Be it enacted by the People of the State of  
Maine as follows:****Sec. 1. 12 MRSA §9324, sub-§7**, as enacted by PL 1997, c. 512, §5, is amended to read:

**7. Trash.** Out-of-door burning of highly combustible trash is prohibited where municipal trash ~~collection~~ service is available and will accept those materials. Out-of-door burning of plastics, rubber, styrofoam, metals, food wastes or chemicals is prohibited in all areas of the State.

For purposes of this subsection, the following terms have the following meanings.

A. "Highly combustible trash" means wooden boxes or other wood material, paper and cardboard.

B. "Municipal trash ~~collection~~ service" means ~~any~~ a transfer station, curbside trash collection service or other service that is operated or contracted for by the municipality or that is required by municipal ordinance.

**Sec. 2. 12 MRSA §9324, sub-§8** is enacted to read:

**8. Construction and demolition debris.** The out-of-door burning of construction and demolition debris containing plastics, rubber, styrofoam, metals, food wastes or chemicals is prohibited.

**Sec. 3. 38 MRSA §2132, sub-§4** is enacted to read:

**4. Reduction in dioxin.** It is the policy of the State to reduce the total release of dioxin and mercury to the environment with the goal of its continued minimization and, where feasible, ultimate elimination.

**Sec. 4. One-time education program.** The Department of Environmental Protection, contingent upon available resources, shall implement a one-time education program relating to dioxin-forming products as set forth in this section.

**1. Educational information.** The program implemented under this section must provide information to the public about the environmental health hazards of dioxin-forming products, how to identify labeled dioxin-forming products, the requirements of the law

regarding burning of waste dioxin-forming products and collection programs or disposal options that are available to the public to facilitate land disposal of waste dioxin-forming products.

**2. Dissemination of information.** Priority for the dissemination of educational information developed under this program must be given to persons who live in:

A. Municipalities that do not provide municipal trash service as defined in the Maine Revised Statutes, Title 12, section 9324, subsection 7 and do not prohibit out-of-door burning of highly combustible trash; and

B. Municipalities that burn demolition debris at municipal solid waste disposal facilities.

**3. Grants.** The Department of Environmental Protection and the State Planning Office may, within available resources, award grants to eligible municipalities, regional associations, sanitary districts, sewer districts and nonprofit organizations to achieve the educational purposes of this section.

See title page for effective date.

## CHAPTER 278

S.P. 155 - L.D. 499

**An Act to Clarify the Qualifications  
for Health Care Providers  
Conducting Employer-requested  
Examinations****Be it enacted by the People of the State of  
Maine as follows:****Sec. 1. 39-A MRSA §207, first ¶**, as amended by PL 1999, c. 365, §1, is further amended to read:

An employee being treated by a health care provider of the employee's own choice shall, after an injury and at all reasonable times during the continuance of disability if so requested by the employer, submit to an examination by a physician, surgeon or chiropractor authorized to practice as such under the laws of this State, to be selected and paid by the employer. The physician, surgeon or chiropractor must have an active practice of treating patients ~~or have discontinued an active practice not more than 2 years before the date of the examination.~~ For purposes of this section, "active practice" may be demonstrated by having ~~treating~~ active clinical privileges at a hospital. A physician or surgeon must be certified in the field of practice that treats the type of injury complained of by the employee. Certification must be