

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

## CHAPTER 220

## S.P. 130 - L.D. 406

**An Act To Amend the Dates  
Associated with the State's Recycling  
and Waste Reduction Goals and To  
Amend the Law Regarding Contracts  
for the Provision of Solid Waste  
Hauling Services**

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

**Sec. 1. 38 MRSA §2112, sub-§2**, as enacted by PL 2003, c. 338, §1, is amended to read:

**2. Contracts.** Contracts for the provision of small containerized solid waste hauling service to customers located in this State are governed by the following provisions.

A. If a contract under this subsection contains an automatic renewal provision, the contractor shall notify the customer by mail between 60 and 90 days prior to the contract termination date that if the customer does not, within 60 days of receipt of the contractor's notification, notify the contractor of the customer's intention to terminate the contract, the contract will be automatically renewed. Notice of termination by the customer may be by any reasonable method, including mail, electronically transmitted facsimile and e-mail. A contract may not contain terms that require a customer to provide notice of termination prior to the time frames provided for in this paragraph.

B. The financial charge for early termination of a contract under this subsection may not exceed 3 times the current monthly charge.

C. A contract under this subsection may not require the customer to inform a contractor concerning prices or other terms offered by competitors or require the customer to afford the contractor an opportunity to match or respond to a competitor's offer.

~~This subsection does not apply to contracts in force on the effective date of this subsection.~~

**Sec. 2. 38 MRSA §2132, sub-§1**, as amended by PL 2001, c. 22, §2, is further amended to read:

**1. State recycling goal.** It is the goal of the State to recycle or compost, by January 1, ~~2003~~ 2009, 50% of the municipal solid waste tonnage generated each year within the State.

**Sec. 3. 38 MRSA §2132, sub-§1-A**, as enacted by PL 2001, c. 22, §3, is amended to read:

**1-A. State waste reduction goal.** It is the goal of the State to reduce the ~~annual~~ biennial generation of municipal solid waste tonnage by 5% by January 1, ~~2003~~ 2009 and by an additional 5% every subsequent 2 years. This reduction in solid waste tonnage, after January 1, ~~2003~~ 2009, is a biennial goal. The baseline for calculating this reduction is the ~~1999~~ 2003 solid waste generation data gathered by the office.

**Sec. 4. 38 MRSA §2132, sub-§2**, as amended by PL 1995, c. 465, Pt. A, §42 and affected by Pt. C, §2, is further amended to read:

**2. Goal revision.** The office shall recommend revisions, if appropriate, to the state recycling goal and waste reduction goal established in this section ~~and shall establish a waste reduction goal~~. The office shall submit its recommendations and any implementing legislation to the joint standing committee of the Legislature having jurisdiction over natural resource matters.

See title page for effective date.

## CHAPTER 221

## S.P. 234 - L.D. 697

**An Act To Clarify Reporting  
Responsibilities to Licensing Boards**

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

**Sec. 1. 24 MRSA §2506**, as amended by PL 1997, c. 697, §5, is further amended to read:

**§2506. Provider, entity and carrier reports**

A health care provider or health care entity shall, within 60 days, report in writing to the disciplined practitioner's board or authority the name of any licensed, certified or registered employee or person privileged by the provider or entity whose employment or privileges have been revoked, suspended, limited or terminated or who resigned while under investigation or to avoid investigation for reasons related to clinical competence or unprofessional conduct, together with pertinent information relating to that action. Pertinent information includes: a description of the adverse action; the name of the practitioner involved; the date, the location and a description of the event or events giving rise to the adverse action; and identification of the complainant involved in the adverse action. Upon written request, the following information must be released to the board or authority: within 20 days of receipt of the