

125th MAINE LEGISLATURE

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Legislative Document

No. 1320

H.P. 966

House of Representatives, March 28, 2011

An Act To Increase the Recycling Rate in Maine

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

Heath & Pruit

HEATHER J.R. PRIEST Clerk

Presented by Representative WELSH of Rockport. Cosponsored by Senator SAVIELLO of Franklin and Representatives: CAIN of Orono, CHAPMAN of Brooksville, DUCHESNE of Hudson, GRAHAM of North Yarmouth, KNAPP of Gorham. 1 Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §2133, sub-§2-B, as amended by PL 2003, c. 567, §1, is
 further amended to read:

4 2-B. Household hazardous waste disposal. From January 1, 2012 to December 31, 2017, a municipality shall semiannually receive and safely dispose of household 5 hazardous waste from residents of the municipality. The office shall provide assistance to 6 a municipality in establishing a household hazardous waste disposal program required 7 under this subsection. The office may, within available resources, award grants to 8 9 eligible municipalities, regional associations, sanitary districts and sewer districts for 10 household hazardous waste collection and disposal programs. In implementing this program, the office shall attempt to: 11

- A. Coordinate the household hazardous waste collection programs with overall
 recycling and waste management;
- 14 B. Encourage regional economies of scale;
- 15 C. Coordinate programs between private and public institutions;
- 16 D. Maximize opportunities for federal grants and pilot programs; and
- E. By January 1, 2002 and as necessary thereafter, fund capital improvements and operating expenses to facilitate the development of collection programs throughout the State for hazardous waste that is universal waste, as identified in board rules, generated by households, small-quantity generators, public schools and municipalities.
- Preference in allocating resources under this subsection must be given to municipalities
 that participate in a household hazardous waste collection region as defined in subsection
 2-D.
- At a minimum, the office shall award grants to public schools and municipalities for reasonable costs incurred as a result of managing waste mercury-added products generated by those public schools and municipalities, in compliance with the requirements in sections 1663 and 1664, that would not otherwise be incurred by complying with existing laws, rules or regulations as of July 15, 2002.
- 30 Sec. 2. 38 MRSA §2133, sub-§6-A is enacted to read:

6-A. Corrugated cardboard. A municipality with a population greater than 2,000 shall receive, recycle and, if possible, sell all corrugated cardboard disposed of in the municipality. Funds derived from the sale of cardboard under this subsection must accrue to the municipality to be applied to the expenses of the municipality in carrying out the municipality's duties under this section. The office shall provide assistance to a municipality in establishing a corrugated cardboard recycling program required under this subsection.

38 Sec. 3. 38 MRSA §2133, sub-§6-B is enacted to read:

1**6-B. Household yard waste.** A municipality with a population greater than 2,0002shall receive and compost household yard waste from residents of the municipality. The3office shall provide assistance to a municipality in establishing a household yard waste4composting program required under this subsection.

5 Sec. 4. 38 MRSA §2201, 3rd ¶, as amended by PL 2005, c. 618, §21, is further 6 amended to read:

7 Funds related to administration may be expended only in accordance with allocations 8 approved by the Legislature for administrative expenses directly related to the office's and the department's programs, including actions by the department necessary to abate threats 9 10 to public health, safety and welfare posed by the disposal of solid waste. Funds related to operations may be expended only for expenses in implementing a municipal hazardous 11 waste disposal program under section 2133, subsection 2-B, corrugated cardboard 12 recycling program under section 2133, subsection 6-A and household yard waste 13 composting program under section 2133, subsection 6-B or in accordance with 14 15 allocations approved by the Legislature and solely for the development and operation of publicly owned facilities owned or approved by the office and for the repayment of any 16 obligations of the office incurred under article 3. These allocations must be based on 17 18 estimates of the actual costs necessary for the office and the department to administer their programs, to provide financial assistance to regional associations and to provide 19 20 other financial assistance necessary to accomplish the purposes of this chapter. 21 Beginning in the fiscal year ending on June 30, 1991 and thereafter, the fund must annually transfer to the General Fund an amount necessary to reimburse the costs of the 22 23 Bureau of Revenue Services incurred in the administration of Title 36, chapter 719. Allowable expenditures include "Personal Services," "All Other" and "Capital 24 Expenditures" associated with all office activities other than those included in the 25 operations account. 26

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SUMMARY

This bill:

Requires municipalities, from January 1, 2012 to December 31, 2017, to
 semiannually receive household hazardous waste;

- 31 2. Requires a municipality with a population greater than 2,000 to receive, recycle
 32 and, if possible, sell all cardboard disposed of in the municipality;
- 33 3. Requires a municipality with a population greater than 2,000 to receive and
 34 compost household yard waste; and
- 4. Allows municipal expenses incurred in implementing the requirements of this bill
 to be paid by the Executive Department, State Planning Office from the Maine Solid
 Waste Management Fund.