



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1289

H.P. 958

House of Representatives, April 19, 1993

An Act to Prevent Diversion of Solid Waste.

Reference to the Committee on Legal Affairs suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative HOGLUND of Portland.

Cosponsored by Representatives: ADAMS of Portland, ANDERSON of Woodland, BAILEY of Farmington, CATHCART of Orono, COLES of Harpswell, COTE of Auburn, GOULD of Greenville, JACQUES of Waterville, KILKELLY of Wiscasset, KONTOS of Windham, LEMKE of Westbrook, LORD of Waterboro, NADEAU of Saco, RAND of Portland, SIMONDS of Cape Elizabeth, SPEAR of Nobleboro, ST. ONGE of Greene, STROUT of Corinth, SWAZEY of Bucksport, TOWNSEND of Portland, TREAT of Gardiner, WENTWORTH of Arundel, Senators: BUSTIN of Kennebec, CAREY of Kennebec, CIANCHETTE of Somerset, DUTREMBLE of York, ESTY of Cumberland, LAWRENCE of York, McCORMICK of Kennebec, SUMMERS of Cumberland. Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 38 MRSA §1304-B, sub-§8 is enacted to read:

8. Criminal penalty. A person commits solid waste
diversion if the person intentionally, knowingly or recklessly
diverts, transports or conveys solid waste to a disposal facility
that is not authorized to accept that solid waste pursuant to
state laws, municipal ordinance or other rule. Solid waste
diversion is a Class D crime.

STATEMENT OF FACT

The purpose of this bill is to prevent trash haulers in a particular region from going to unauthorized disposal facilities in order to profit by lower tipping fees. This bill creates the crime of "solid waste diversion." This bill authorizes enforcement of municipal ordinances mandating the disposal of solid waste at specific energy generating facilities.

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