

L.D. 967

DATE: 5/30/97

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(Filing No. S- 408)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE SENATE 118TH LEGISLATURE FIRST SPECIAL SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 16 703, L.D. 967, Bill, "An Act to Expand Recycling through Reduced Burning"

Amend the amendment by striking out all of sections 7 to 9 20 and inserting in their place the following:

Sec. 7. Department of Environmental Protection to Study Backyard Burning. The Department of Environmental Protection shall, within its existing budgeted resources, examine the following issues:

26 1. The extent of backyard burning in the State and a comparison of the extent of and issues involved with backyard
28 burning in urban, suburban and rural areas;

- 30 2. The impact of cultural influences and economic incentives on backyard burning;
- 3. The impact of backyard burning on local air quality and the level of human exposure to pollutants. Existing data may be used to examine these issues;
- 4. The state solid waste management and recycling 38 infrastructure and its impact on backyard burning, including existing disincentives to recycle or dispose of trash properly;

5. Alternative solid waste management strategies that may 42 reduce backyard burning;

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6. Where backyard burning should be prohibited or restricted; and

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SENATE AMENDMENT

SENATE AMENDMENT " \mathcal{B} " to COMMITTEE AMENDMENT "A" to H.P. 703, L.D. 967

7. The impact of prohibiting backyard burning on municipalities, including island communities, and on the costs of solid waste management.

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6 In examining these issues, the department may analyze the results of a survey distributed with new out-of-door burning 8 permits.

10 Sec. 8. Report and recommendations. The Department of Environmental Protection shall submit a report of its findings and recommendations with any implementing legislation to the 12 Joint Standing Committee on Natural Resources no later than 1998. 14 January 1. The report must include specific recommendations on whether to prohibit or further restrict backyard burning, with an explanation of the implications of such 16 action. 18

Sec. 9. Educational outreach. The Department of Environmental
Protection, in consultation with the Executive Department, State
Planning Office and the Department of Conservation, Bureau of
Forestry, shall undertake an educational outreach program to
inform the public about the health and environmental effects of
backyard burning. The Department of Environmental Protection
shall include in the report required in section 8 an update on
implementation of the educational outreach program.'

FISCAL NOTE

30 The amendment eliminates the General Fund cost to the Legislature, \$2,180 in fiscal year 1997-98, by removing those 32 parts of the bill that established the Task Force to Study Backyard Burning. The Legislature will also realize minor 34 savings related to providing staffing assistance to the task force.

The additional costs associated with studying backyard burning issues and providing a report to the Legislature must be absorbed by the Department of Environmental Protection utilizing existing budgeted resources.

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SENATE AMENDMENT

SENATE AMENDMENT " \mathcal{B} " to committee amendment "a" to H.P. 703, L.D. 967

SUMMARY

This amendment requires the Department of Environmental Protection, rather than the task force, to conduct the study and changes the reporting date to January 1, 1998.

<u>Michael H. Michaud</u> 10 SPONSORED BY: (Senator MICHAUD) 12

14 COUNTY: Penobscot

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SENATE AMENDMENT