

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 967

H.P. 703

House of Representatives, February 11, 1997

An Act to Expand Recycling through Reduced Burning.

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative VOLENIK of Brooklin.

Cosponsored by Representatives: BERRY of Livermore, GAGNE of Buckfield.

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

4 **Sec. 1. 12 MRSA §9324, sub-§6,** as enacted by PL 1983, c. 504,
§4, is repealed.

6 **Sec. 2. 12 MRSA §9325, sub-§1, ¶E,** as enacted by PL 1991, c.
8 36, §4, is repealed.

10 **Sec. 3. 38 MRSA §2143** is enacted to read:

12 **§2143. Burning of solid waste prohibited**

14 **1. Prohibition.** Except as provided in subsection 2, the
burning of solid waste is prohibited.

16 **2. Exemptions.** When not prohibited by other law, rule or
18 local ordinance and provided that any required permits have been
obtained, the following activities are exempt from the
20 prohibition in subsection 1:

22 **A. The burning of materials, not including chemically**
treated wood, that are customarily burned in fireplaces,
wood stoves, campfires and outdoor grills, provided that the
materials are not burned for purposes of disposal;

26 **B. The burning of yard wastes or natural wood;**

28 **C. The incineration of solid waste at a waste facility that**
is regulated by the department;

30 **D. The burning of structures and solid or liquid fuels for**
the purpose of bona fide instruction and training of
municipal, volunteer or industrial firefighters when
conducted under the direct control and supervision of
qualified instructors;

36 **E. The burning in forest areas of brush, tree cuttings and**
slash that are the result of logging or site-clearing
activities;

40 **F. Burning for the following purposes:**

42 **(1) Weed abatement;**

44 **(2) Disease prevention or control;**

46 **(3) Forest fire prevention or control; or**

48 **(4) Agricultural, forestry or wildlife habitat**
50 **management;**

