

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 767

H. P. 538

House of Representatives, February 8, 1967

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Jalbert of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to the Regulation of Solid Waste Disposal.

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

R. S., T. 22, c. 264, additional. Title 22 of the Revised Statutes is amended by adding a new chapter 264, to read as follows:

CHAPTER 264

SOLID WASTE DISPOSAL

§ 1580. Definitions

The following words and phrases when used in this chapter shall be construed as follows:

1. Person. "Person" shall mean an individual, group of individuals, partnership, firm, corporation, association, county, town, village or improvement district.

2. Refuse disposal area. "Refuse disposal area" shall mean land for the depositing of solid waste, except that it shall not include land used for the depositing of solid waste from a single family, a member of which is the owner, occupant or lessee of said land, or any part of a farm on which only animal wastes resulting from the operation of a farm are deposited.

3. Solid waste. "Solid waste" shall mean garbage, refuse and other discarded solid materials resulting from industrial, commercial and agricultural operations, and from community activities.

4. Solid waste disposal. "Solid waste disposal" shall mean the collection, storage, treatment, utilization, processing or final disposal of solid waste.

§ 1581. Rules and regulations

The Department of Health and Welfare is authorized and empowered to make rules and regulations to establish minimum standards for the disposal of solid waste.

§ 1582. Local regulations

Municipal officers and county commissioners may in their discretion prescribe regulations pertaining to solid waste disposal, which regulations shall provide not less than the minimum requirements established by the department under section 1581.

§ 1583. Refuse disposal area to be approved by department

No new refuse disposal area shall be established until the plans and description therefor shall first have been submitted to and approved by the Department of Health and Welfare.

§ 1584. Regional refuse disposal areas

Two or more persons may enter into an agreement whereby said persons may dispose of their solid waste in one regional refuse disposal area.

§ 1585. Violations

Whoever violates any provision of this chapter or the rules and regulations promulgated thereunder shall be guilty of a misdemeanor and may be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 90 days, or by both. It shall be the duty of the State Police, as well as local and county law officers, to enforce this chapter. Each day that a violation continues shall constitute a separate offense.

STATEMENT OF FACTS

We have many problems related to proper disposal of solid wastes. The present statutes relating to this problem are inadequate. Furthermore, there are federal funds becoming available for use in this problem area. To make most advantageous use of such funds, strengthening our statutes and providing the Department of Health and Welfare some specific authorities is necessary.