

MAINE STATE LEGISLATURE

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(EMERGENCY)
THIRD SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2663

H.P. 1966 House of Representatives, September 6, 1988

Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on September 1, 1988.
Referred to the Committee on Appropriations and Financial
Affairs and ordered printed pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk

Presented by Representative DORE of Auburn.

Cosponsored by Representatives LISNIK of Presque Isle,
Tardy of Palmyra and Senator ERWIN of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 **AN ACT to Provide Funds for Safe**
2 **Collection and Disposition of Hazardous**
3 **Household Pesticides.**
4

5 **Emergency preamble.** Whereas, Acts of the
6 Legislature do not become effective until 90 days
7 after adjournment unless enacted as emergencies; and

8 Whereas, the disposition of obsolete household
9 pesticides poses a serious and immediate threat to the

1 environment of this State; and

2 Whereas, the indiscriminate dumping of such wastes
3 must be stopped by providing emergency funding for
4 safe collection and disposal services on a statewide
5 basis; and

6 Whereas, in the judgment of the Legislature, these
7 facts create an emergency within the meaning of the
8 Constitution of Maine and require the following
9 legislation as immediately necessary for the
10 preservation of the public peace, health and safety;
11 now, therefore,

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

14 **Appropriation.** The following funds are
15 appropriated from the General Fund to carry out the
16 purposes of this Act.

17 1988-89

18 ENVIRONMENTAL PROTECTION,
19 DEPARTMENT OF

20 Board of Pesticides Control

21 All Other \$100,000

22 Provides emergency
23 funds to the Board
24 of Pesticides
25 Control for the
26 safe collection and
27 disposal, on a
28 statewide basis, of
29 hazardous
30 household,
31 agricultural and
32 commercial wastes
33 that have been
34 banned by federal
35 law. In

1 administering this
2 program, the board
3 shall make all
4 reasonable efforts
5 to assure that
6 those parts of the
7 State which were
8 not previously
9 served by this
10 program are given
11 priority.

12 Emergency clause. In view of the emergency
13 cited in the preamble, this Act shall take effect when
14 approved.

15 STATEMENT OF FACT

16 The purpose of this bill is to correct an
17 oversight in funding of a vital program of the Board
18 of Pesticides Control. This program funds a service
19 of the board involving the collection and disposal of
20 obsolete pesticides that have been taken off the
21 market by the Federal Government due to their extreme
22 toxicity to the environment from residential, farming
23 and commercial locations throughout the State. The
24 program and the trucks in the past have been staffed
25 by the board with no additional personnel. All of the
26 costs are for the legally required packaging and
27 transportation by a licensed transporter to a licensed
28 disposal facility out of state.

29 Additionally, during the prior 2 years that the
30 program ran, Aroostook County was never served.
31 Therefore, there are people or businesses on the
32 Pesticides Control Board waiting list from Aroostook
33 County that have been waiting for state relief for at
34 least 4 years.

35 Moreover, although there are licensed hazardous

1 waste transporters operating in the State who are
2 willing to pick up all types of wastes and deliver
3 them to an appropriate disposal facility, their fees
4 are not cheap and, for the average Maine citizen, they
5 are prohibitively expensive. Some factors
6 contributing to the cost include compliance with a
7 maze of state and federal regulations, special
8 packaging requirements, long distance shipping charges
9 and the final expense of disposal. In addition, the
10 fact that the transporters cannot temporarily store
11 small quantities of these products prevents economy of
12 scale. People are therefore more inclined to dump
13 illegally these hazardous materials because of the
14 great expense involved in the collection and disposal
15 of even a small amount of the material.

16 This is an emergency because there is a backlog of
17 requests for this service. The Board of Pesticides
18 Control believes that there is a substantial risk that
19 people not aware of this service or frustrated by the
20 program's lack of funding in the past 2 years will
21 illegally dump this highly toxic obsolete material.

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