

# MAINE STATE LEGISLATURE

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(Emergency)  
THIRD SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2682

S.P. 1026

In Senate, September 15, 1988

Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on September 9, 1988. Referred to the Committee on Appropriations and Financial Affairs and 1,650 ordered printed pursuant to Joint Rule 14.

JOY J. O'BRIEN, Secretary of the Senate

Presented by President PRAY of Penobscot.

Cosponsored by Speaker MARTIN of Eagle Lake, Senator PEARSON of Penobscot, Representative MICHAUD of East Millinocket.

STATE OF MAINE

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

1 AN ACT to Expedite the Allocation of Solid  
2 Waste Management Assistance.  
3

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

7 Whereas, the safe and efficient management of  
8 solid waste benefits all citizens of the State; and

1       Whereas, landfills across the State have been  
2 closed because of their adverse environmental impacts;  
3 and

4       Whereas, over 100 municipalities are changing from  
5 solid waste disposal systems which rely principally on  
6 landfills to disposal systems where the majority of  
7 solid waste is incinerated; and

8       Whereas, shipping wastes from municipalities to an  
9 incinerator requires the development of solid waste  
10 transfer stations; and

11       Whereas, portions of the municipal solid waste  
12 stream cannot be incinerated and must be landfilled or  
13 recycled; and

14       Whereas, the siting and development of transfer  
15 stations, stump and demolition debris landfills and  
16 conventional landfills requires extensive planning and  
17 technical expertise not readily available to many  
18 municipalities; and

19       Whereas, in the judgment of the Legislature, these  
20 facts create an emergency within the meaning of the  
21 Constitution of Maine and require the following  
22 legislation as immediately necessary for the  
23 preservation of the public peace, health and safety;  
24 now, therefore,

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

27       Sec. 1. 38 MRSA §1304, sub-§4, as amended by PL  
28 1979, c. 383, §5, is further amended to read:

29       4. Technical assistance. The department is  
30 authorized to establish guidelines for effective waste  
31 management, to provide technical assistance to persons  
32 planning, constructing or operating waste facilities,  
33 and to conduct applied research activities in the  
34 field of waste management, including methods of  
35 recycling hazardous or solid waste, sludge or  
36 septage. The department shall:

1 A. Assist municipalities to identify and design  
2 environmentally acceptable areas for solid waste  
3 transfer stations, stump and demolition debris  
4 landfills and conventional landfills by providing  
5 engineering and other technical assistance; and

6 B. Develop a pilot program to provide grants for  
7 the identification, design and development of  
8 transfer stations, stump and demolition debris  
9 landfills and conventional landfills by  
10 municipalities.

11 **Sec. 2. Reporting date** The Bureau of Solid  
12 Waste in the Department of Environmental Protection  
13 shall conclude their current revision of rules  
14 governing solid waste disposal and the Board of  
15 Environmental Protection shall adopt and disseminate  
16 revised rules on solid waste disposal by January 1,  
17 1989. Upon adoption, the department shall submit the  
18 solid waste rules to the Joint Standing Committee on  
19 Energy and Natural Resources.

20 **Sec. 3. Appropriation.** The following funds are  
21 appropriated from the General Fund to carry out the  
22 purposes of this Act.

23 1988-89

24 ENVIRONMENTAL PROTECTION,  
25 DEPARTMENT OF

26	Bureau of Solid Waste	
27	Positions	(3)
28	Personal Services	\$ 53,525
29	Capital Expenditures	1,500
30	All Other	153,500
31		
32	Total	<u>\$208,525</u>

1 Provides funding for 2  
2 Environmental Service  
3 Specialists II and one  
4 Environmental Service  
5 Specialist III to  
6 assist municipalities  
7 in identifying and  
8 designing acceptable  
9 solid waste disposal  
10 facilities. Funding  
11 covers the last 8  
12 months of the current  
13 fiscal year. Provides  
14 these positions with  
15 \$3,500 for all other  
16 expenses and  
17 appropriates \$150,000  
18 for a pilot program  
19 providing grants for  
20 municipal  
21 identification, design  
22 and development of  
23 solid waste facilities.

24 Emergency clause. In view of the emergency  
25 cited in the preamble, this Act shall take effect when  
26 approved.

27 STATEMENT OF FACT

28 This bill establishes a pilot program of grants to  
29 municipalities in the Department of Environmental  
30 Protection's Bureau of Solid Waste. Grants and  
31 technical assistance from 3 new positions will be used  
32 to assist municipalities in identifying, designing and  
33 developing new transfer stations, stump and demolition  
34 debris landfills and conventional landfills.

35 The bill also establishes a deadline for the  
36 adoption of solid waste disposal rules currently under  
37 revision.

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