

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1531

H.P. 1098

House of Representatives, May 8, 1989

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

*Ed Pert*

EDWIN H. PERT, Clerk

Presented by Representative DAGGETT of Augusta.

Cosponsored by Representative ANDERSON of Woodland, Representative AULT of Wayne and Senator LUDWIG of Aroostook.

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STATE OF MAINE

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

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An Act Concerning Emergency Disposal of Animal Carcasses at  
Commercial Landfills.

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

3 **Sec. 1. 7 MRSA §1818, 2nd ¶** is amended to read:

5 It shall be illegal to keep or deposit any dead poultry on  
7 any premises or places where wild birds or animals have access to  
9 them. Public or private dumps are not considered to be proper  
disposal areas, except as provided in section 1818-A.

11 **Sec. 2. 7 MRSA §1818-A** is enacted to read:

13 **§1818-A. Emergency disposition of carcasses**

15 1. Accidental death, disposal at landfill. In the event  
17 that the accidental death of livestock, including poultry,  
19 presents a potential public health problem because burial,  
21 rendering or other usual and acceptable methods of disposal are  
23 not possible and the Commissioner of Agriculture, Food and Rural  
25 Resources certifies that an emergency exists, the livestock  
carcasses may be disposed of at any landfill licensed for  
commercial operation in the State, which shall be required to  
accept the carcasses unless the Commissioner of Environmental  
Protection determines that such acceptance will be detrimental to  
the operation of the landfill.

27 2. Fees. The usual, customary and reasonable fees for  
disposal may be charged by the landfill operator.

29 3. Penalty. Failure to comply with this law shall result  
31 in the revocation of the operator's license.

33 4. Rulemaking. The Department of Agriculture, Food and  
35 Rural Resources and the Department of Environmental Protection  
shall, in consultation, make rules under Title 5, chapter 375 as  
may be necessary for the proper administration of this section.

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39 **STATEMENT OF FACT**

41 In the event of fire or other accident causing the death of  
43 large numbers of poultry or other livestock, normal disposal  
45 methods may be inadequate. Commercial landfills may offer the  
safest and most expeditious disposal alternative under proper  
regulation by the Department of Agriculture, Food and Rural  
Resources and the Department of Environmental Protection.