

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 377

S.P. 165

Received by the Secretary, February 5, 1991

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KANY of Kennebec

Cosponsored by Representative SIMPSON of Casco, Representative TREAT of Gardiner and
Senator TITCOMB of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act Relating to Solid Waste Management.



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

2
4 **Sec. 1. 30-A MRSA §2201**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

6 **§2201. Purpose**

8 It is the purpose of this chapter to permit municipalities to make the most efficient use of their powers by enabling them to cooperate with other municipalities, state or federal agencies and nonprofit organizations on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities.

16 **Sec. 2. 30-A MRSA §2202, sub-§2** is enacted to read:

18 **2. Nonprofit organization.** "Nonprofit organization" means any agency, institution or organization that is, or is owned and operated by, one or more corporations or associations whose net earnings inure, or may lawfully inure, to the benefit of any private shareholder or individual.

24 **Sec. 3. 30-A MRSA §2203, first ¶**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

26 Any power or powers, privileges or authority exercised or capable of exercise by a public agency of the State may be exercised and enjoyed jointly with any other public agency of this State, nonprofit organization, or of the Federal Government to the extent that federal laws permit the joint exercise. When acting jointly with any public agency, any agency of State Government may exercise all of the powers, privileges and authority conferred by this chapter upon a public agency.

36 **Sec. 4. 30-A MRSA §2203, sub-§1**, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

38 **1. Agreement.** Any ~~2--or--more~~ public agencies agency may enter into agreements with one another or more other public agencies or nonprofit organizations for joint or cooperative action under this chapter. The governing bodies of the participating public agencies must take appropriate action by ordinance, resolution or other action under law before any such agreement may become effective.

46 **Sec. 5. 38 MRSA §2103, sub-§2, ¶¶J and K**, as enacted by PL 1989, c. 585, Pt. A, §7, are amended to read:

48 J. Work with other state agencies, regional associations, municipalities, regional planning agencies and other

community, private sector and environmental organizations to manage the State's solid waste; and

K. Solicit public comment from all regions of the State.;

Sec. 6. 38 MRSA §2103, sub-§2, ¶¶L and M are enacted to read:

L. Develop a policy and implementation schedule designed to decrease the volume and toxicity of packaging of consumer goods; and

M. Develop a labeling system to identify consumer products that are recyclable and reusable. The agency must review systems currently in use and recommend to the Legislature by July 1, 1992, a system and program for use in this State.

Sec. 7. 38 MRSA §2137, sub-§§2 and 3, as enacted by PL 1989, c. 585, Pt. A, §7, are amended to read:

2. Capitol complex recycling program. The State House and the State Office Building shall constitute the Capitol complex recycling demonstration area. The House of Representatives, the Senate, the office of the Governor, and each department that occupies space in the State House or the State Office Building shall, by July 1, 1990, institute a recycling program for its respective offices in these buildings. The program shall must include, at a minimum, office paper, corrugated cardboard and containers subject to the returnable container law, Title 32, chapter 28, which are sold in the Capitol complex. ~~The program shall include procedures for collecting and storing recyclable materials, bins or containers for storing materials, and contractual and other arrangements with buyers.~~ By January 1, 1992, the Capitol Complex recycling program must also include, at a minimum:

A. Plastic;

B. Metal;

C. Wood;

D. Newspaper;

E. Glass; and

F. Motor oil and lubricants.

The program must include procedures for collecting and storing recyclable materials, bins or containers for storing materials, and contractual and other arrangements with buyers.

2 3. **Recycling.** By January 1, 1991, each state agency
outside the Capitol complex shall establish and implement a
4 source separation and collection program for recyclable materials
produced as a result of agency operations, including, at a
6 minimum, high grade paper and corrugated paper. ~~The source
separation and collection program shall include, at a minimum,
8 procedures for collecting and storing recyclable materials, bins
or containers for storing materials, and contractual and other
arrangements with buyers. Each agency shall appoint a recycling
10 coordinator for every 50 employees at a minimum and shall conduct
educational programs for its employees on the recycling program.~~
12 By January 1, 1992, the source separation and collection program
must include, at a minimum:

14 A. Plastic;

16 B. Metal;

18 C. Wood;

20 D. Newspaper;

22 E. Glass; and

24 F. Motor oil and lubricants.

26 The source separation and collection program must include, at a
28 minimum, procedures for collecting and storing recyclable
materials, bins or containers for storing materials, and
30 contractual and other arrangements with buyers. Each agency
shall appoint a recycling coordinator for every 50 employees at a
32 minimum and shall conduct educational programs for its employees
on the recycling program.

34 **Sec. 8. 38 MRSA §2137, sub-§5, ¶B,** as enacted by PL 1989, c.
36 585, Pt. A, §7, is amended to read:

38 B. By January 1, 1991, each campus of the University of
Maine System shall establish and implement a source
40 separation and collection program for recyclable materials,
including at a minimum, high grade paper, corrugated paper
42 and glass. ~~The source separation and collection program
shall include procedures for collecting and storing
44 recyclable materials, bins or containers for storing
materials and contractual and other arrangements with
46 buyers. Each campus shall appoint a recycling coordinator
and shall conduct educational programs for students and
48 employees on the recycling program. By January 1, 1992, the
source separation and collection program must include, at a
50 minimum:~~

52 (1) Plastic;

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- (2) Metal;
- (3) Wood;
- (4) Newspaper;
- (5) Glass; and
- (6) Motor oil and lubricants.

12 The source separation and collection program must include
14 procedures for collecting and storing recyclable materials, bins
16 or containers for storing materials and contractual and other
18 arrangements with buyers. Each campus shall appoint a recycling
20 coordinator and shall conduct educational programs for students
22 and employees on the recycling program.

24 **STATEMENT OF FACT**

26 This bill increases the scope of interlocal cooperation by
28 permitting nonprofit organizations that are not public agencies
30 to join interlocal agreements.

32 This bill also requires the Maine Waste Management Agency to
develop a policy and implementation schedule designed to decrease
the volume and toxicity of packaging of consumer goods. It also
requires the Maine Waste Management Agency to research and
develop a product labeling system for recyclable or reusable
consumer goods and expands the State government's recycling
program to include other materials in addition to paper and paper
products.