

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1435, L.D. 2047, Bill, "An Act to Extend the Deadline for Closure of Municipal Landfills by 18 Months"

Amend the bill by striking out the title and substituting the following:

'An Act to Clarify the Extension of the Municipal Landfill Closure Deadline and to Extend the Rule-making Deadline for Labeling of Recycled and Reused Products'

Further amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

'Sec. 1. 38 MRSA §1310-N, sub-§6, as amended by PL 1991, c. 622, Pt. X, §14, is further amended to read:

6. Terms and compliance schedules. Licenses are issued under the terms and conditions as the department may prescribe, and for a term not to exceed 5 years. The department may establish reasonable time schedules for compliance with this article and rules adopted by the board. Notwithstanding any rules adopted pursuant to this section, licensed or unlicensed ~~but operating pursuant to a consent agreement~~ municipal solid waste landfills ~~in existence prior to October 3, 1973~~ operating on December 31, 1991 may continue to operate ~~up to~~ until December 31, 1992, unless the commissioner finds that continued operation of a landfill poses an immediate hazard to the public health or the environment, including without limitation, a threat to a public or private water supply.

Sec. 2. 38 MRSA §2141, first ¶, as enacted by PL 1991, c. 463, is amended to read:

By February 1, 1992 1993, the agency shall adopt rules establishing a waste reduction and recycling labeling program.

2 The rules must include recycling emblems, standards for the use
of the recycling emblems and standards for the use of the terms
4 "reusable," "recyclable," "recycled" and "recycled content." To
the fullest extent possible, emblems and standards adopted by the
6 agency under this section must be consistent with emblems and
standards adopted by the Northeast Recycling Council of the
8 Council of State Governments and standards adopted by other
northeastern states.

10 **Sec. 3. 38 MRSA §2141**, as enacted by PL 1991, c. 463, is
amended by adding after the first paragraph a new paragraph to
12 read:

14 By January 1, 1993, the agency shall report to the joint
standing committee of the Legislature having jurisdiction over
16 energy and natural resources matters on rule-making activities
undertaken pursuant to this section.

18 **Sec. 4. 38 MRSA §2141, sub-§1**, as enacted by PL 1991, c. 463,
20 is amended to read:

22 **1. Applicability.** After July 1, 1992 1993, a person may
not use the recycling emblem or the terms "reusable,"
24 "recyclable," "recycled" and "recycled content" on a package or
product that is sold or offered for sale, or in the promotion or
26 advertisement of a package or product, unless that package or
product conforms to the standards in the labeling program adopted
28 by the agency under this section.'

30 Further amend the bill by inserting at the end after the
emergency clause and before the statement of fact the following:

32 **FISCAL NOTE**

34 Costs associated with reporting to the Joint Standing
36 Committee on Energy and Natural Resources will be absorbed by the
Maine Waste Management Agency utilizing existing budgeted
38 resources.'

40 **STATEMENT OF FACT**

42 This amendment replaces the bill and changes the title.

44 The amendment clarifies the applicability of the 12-month
46 extension of municipal solid waste landfill closure deadlines

COMMITTEE AMENDMENT "A" to H.P. 1435, L.D. 2047

2 enacted in Public Law 1991, chapter 622, by specifying that the
extension applies to licensed and unlicensed landfills operating
on December 31, 1991.

4
6 The amendment gives the Maine Waste Management Agency an
additional 12 months to adopt rules establishing a waste
reduction and recycling labeling program and requires that the
8 agency report to the joint standing committee of the legislature
having jurisdiction over energy and natural resources matters on
10 its rule-making activities by January 1, 1993.

Reported by the Committee on Energy and Natural Resources.
Reproduced and distributed under the direction of the Clerk of the House.

2/3/92

(Filing No. H-890)