



# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

Legislative Document

No. 348

H.P. 270

House of Representatives, February 8, 1993

An Act to Define Composting Operations as Agricultural Activities for Environmental Purposes.

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

JOSEPH W. MAYO, Clerk

Presented by Representative MARSHALL of Eliot. Cosponsored by Representatives: CAMERON of Rumford, CAMPBELL of Holden, COFFMAN of Old Town, FARNUM of South Berwick, LEMONT of Kittery, LORD of Waterboro, MURPHY of Berwick.

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

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### Sec. 1. 30-A MRSA §4301, sub-§2-A is enacted to read:

"Composting" means the biological Composting. <u>2-A.</u> decomposition and stabilization of organic matter under aerobic б conditions of high temperature, resulting in a humus-like product that can be used as a soil amendment.

Sec. 2. 30-A MRSA §4360 is enacted to read: 10

#### 12 §4360. Composting operations

14 It is the intent of the Legislature to encourage the location of a composting operation in or near an agricultural area that supplies the material for composting or an agricultural 16 area in which the composted material is used. To further that intent, a municipality shall classify composting activities as 18 agricultural activities for the purpose of applying land use and zoning ordinances. A municipality may not enact an ordinance 20 related to agricultural activities that applies to composting 22 activities only.

### STATEMENT OF FACT

This bill requires municipalities to classify composting activities as agricultural activities for the purpose of applying 28 land use and zoning ordinances. The purpose of the bill is to 30 prohibit municipalities from classifying composting operations as industrial operations or in any other manner that results in the prohibition of that activity in or near agricultural areas. 32