

# MAINE STATE LEGISLATURE

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R. of S.

L.D. 1658

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DATE: 3/13/96

(Filing No. H- 768 )

**NATURAL RESOURCES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1208, L.D. 1658, Bill, "An Act Regarding the Cleanup of Uncontrolled Tire Stockpiles"

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

**'An Act to Encourage Tire Stockpile Abatement'**

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place:

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

**Whereas,** citizens and businesses of this State discard waste tires each year; and

**Whereas,** stockpiles of waste tires have accumulated throughout the State; and

**Whereas,** these stockpiles pose a tremendous potential threat to human health, public safety and the environment; and

**Whereas,** this legislation directs the State to reduce the size and number of tire stockpiles and to encourage the processing of tires for beneficial reuse; and

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

**COMMITTEE AMENDMENT**

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

4 **Sec. 1. 38 MRSA §1316-G is enacted to read:**

6 **§1316-G. Tire stockpile abatement program**

8 The State shall undertake a program to eliminate tire  
10 stockpiles. The program is under the direction of the department  
12 with assistance from other agencies including the State Planning  
14 Office, the Department of the Attorney General, the Maine State  
16 Police, the Maine National Guard and the Department of  
18 Corrections.

20 **1. Tire stockpile abatement.** The department shall, as  
22 available resources allow:

24 A. Estimate the number of tires that are stockpiled and  
26 that pose a significant risk to the environment or public  
28 health;

30 B. Develop a tire stockpile reduction priority plan based  
32 on environmental and public health risks;

34 C. Seek the cooperation and assistance of private and  
36 governmental landowners or tire stockpile operators to  
38 reduce the size and number of tire stockpiles;

40 D. Assist tire stockpile owners and operators willing to  
42 cooperate within the law;

44 E. Utilize enforcement powers unilaterally or in  
46 conjunction with the Department of the Attorney General or  
48 the Maine State Police or other parties to abate health,  
50 safety and environmental risks posed by tire stockpiles when  
52 voluntary cooperation is not provided by landowners or  
54 operators;

56 F. Develop or cause to be developed site-specific tire  
58 stockpile abatement plans;

60 G. Give preference in implementing site-specific tire  
62 stockpile abatement activities to the processing of tires  
64 for removal and beneficial use while mitigating fire risk;

66 H. Educate the public and encourage use of tires based on  
68 consideration of environmental and public health impacts as  
70 well as market conditions;

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COMMITTEE AMENDMENT "A" to H.P. 1208, L.D. 1658

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I. Contract for services to reduce tire stockpiles and abate significant risk to the environment and public health at tire stockpile sites; and

J. Report to the Legislature regarding progress, adequacy of funding and any legislation needed to achieve reduction of tire stockpiles and beneficial reuse of tires.

2. Market development. The State Planning Office shall, as available resources allow, assist the department generally in implementation of subsection 1. The assistance may include, but is not limited to, encouraging the beneficial reuse of whole tires and processed tires inside or outside the State. The office may also make recommendations to the Legislature regarding legislation that would enhance the beneficial reuse of waste tires or processed tires.

3. Business retention and new technology. The Department of Economic and Community Development, as available resources allow, shall lead a cooperative effort involving the department, the State Planning Office and the Finance Authority of Maine to identify measures the State can take to provide a favorable environment for the retention of businesses assisting in the processing of waste tires. This cooperative effort must also provide for the introduction of viable new technologies to cost-effectively convert waste tires to commodities that can be utilized for beneficial reuse and for energy production.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.'

Further amend the bill by inserting at the end before the statement of fact the following:

**FISCAL NOTE**

The additional costs associated with the tire stockpile abatement program can be absorbed by the Department of Environmental Protection, the Department of Economic and Community Development, the Department of Corrections, the Department of the Attorney General, the Department of Public Safety and the State Planning Office utilizing existing budgeted resources.'

**STATEMENT OF FACT**

This amendment replaces the bill. It directs the Department of Environmental Protection to cooperate with tire-related

**COMMITTEE AMENDMENT**

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COMMITTEE AMENDMENT "A" to H.P. 1208, L.D. 1658

2 industries and with the State Planning Office, the Department of  
Economic and Community Development, the Department of the  
4 Attorney General, the Finance Authority of Maine, the Maine State  
Police, the Maine National Guard and the Department of  
6 Corrections to develop a program to reduce the size and number of  
used tire stockpiles in the State and to promote beneficial reuse  
8 of used tires by fostering a favorable business climate for  
businesses currently assisting in the processing of waste tires  
and viable new technology.

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The amendment also adds a fiscal note to the bill.

**COMMITTEE AMENDMENT**