

MAINE STATE LEGISLATURE

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R.S.

L.D. 1659

DATE: 3/5/96

(Filing No. H- 739)

M A J O R I T Y
N A T U R A L R E S O U R C E S

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

COMMITTEE AMENDMENT "A" to H.P. 1209, L.D. 1659, Bill, "An Act to Allow Municipalities and Regions to Include Beneficial Use of Waste Originated in Their Jurisdiction As Credit in Demonstrating Recycling Progress"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 38 MRSA §2132, sub-§3, as amended by PL 1995, c. 23, §1, is further amended to read:

3. Beneficial use of waste. The use of waste paper, waste plastics, waste wood, including wood from demolition debris, used motor vehicle tires or corrugated cardboard as a fuel in industrial boilers or waste-to-energy facilities for the generation of heat, steam or electricity constitutes recycling only for the sole-purpose purposes of determining whether the goals in subsection 1 are met and-if-the-wastes-would-otherwise be-placed-in-or-stockpiled-at-a-landfill and for determining municipal progress as provided in section 2133. In order for the use of waste under this subsection to constitute recycling, the office determines must determine that there is no reasonably available market in the State for recycling that waste and if the wastes are must be incinerated as a substitute for, or supplement to, fossil or biomass fuels that-constitute-the-primary-fuels incinerated in the industrial boiler or waste-to-energy facility.'

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

COMMITTEE AMENDMENT

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FISCAL NOTE

The State Planning Office within the Executive Department will incur some minor additional costs to revise certain forms and computer files. These costs can be absorbed within the office's existing budgeted resources.'

STATEMENT OF FACT

Current law provides that a municipality's beneficial use of waste paper, used motor vehicle tires and corrugated cardboard may be counted toward meeting the State's goal of recycling 50% of municipal solid waste generated each year. Beneficial use, as used in the Maine Revised Statutes, Title 38, section 2132, subsection 3, means incineration of the waste as a substitute fuel source for industrial boilers when there is no recycling market for the materials and when the waste would otherwise be placed in or stockpiled at a landfill. This amendment provides that municipalities may count beneficial use in determining whether the municipality is making reasonable progress toward the State's goal.

The amendment also adds incineration of waste plastics and waste wood and incineration at waste-to-energy plants to the list of activities counted as recycling. The amendment removes the provision giving credit for incineration of waste only if the waste would otherwise be placed in or stockpiled at a landfill and only if the waste replaces fossil or biomass fuels used as the primary fuel.

Finally, the amendment adds a fiscal note to the bill.