

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-2000

Legislative Document

No. 2565

S.P. 1000

In Senate, February 15, 2000

**An Act to Implement the Recommendations of the Task Force to Review
Solid Waste Management Policy.**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on 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 MITCHELL of Penobscot.
Cosponsored by Representative DAIGLE of Arundel and
Senator LIBBY of York, Representatives: BRAGDON of Bangor, CAMERON of Rumford,
CLARK of Millinocket, COWGER of Hallowell, DUPLESSIE of Westbrook, JOY of Crystal,
WILLIAMS of Orono.

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

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4 **Sec. 1. 38 MRSA §2156-A, sub-§2**, as enacted by PL 1995, c. 588, §6, is amended to read:

6 **2. Recommendation for development.** ~~If~~ When the office finds that ~~construction-and-operation-of-a-state-owned-solid waste-disposal-facility-is-needed-to-meet-needs-identified-in-the state-plan 4 years or less of licensed and available disposal capacity for municipal solid waste or special waste remains within the State or that this capacity will soon be available only at a single facility,~~ it shall submit a report recommending the construction and operation of a state-owned solid waste disposal facility to the joint standing committee of the Legislature having jurisdiction over natural resource matters. The report must recommend which state agency or department will own the facility and how it will be operated. It is the intent of the Legislature that the facility be operated by a private contractor. A state-owned solid waste disposal facility may not be constructed or operated unless authorized by legislation pursuant to subsection 3.

22 **Sec. 2. 38 MRSA §2162**, as enacted by PL 1989, c. 585, Pt. A, §7, is repealed and the following enacted in its place:

26 **§2162. Office assistance in regional association siting**

28 **1. Technical assistance.** Upon request by a regional association, the office may provide technical assistance to that regional association in the establishment of approved waste facilities, including assistance in planning, location, acquisition, development and operation of the site. The regional association shall describe fully the need and justification for the request. The office may request information from the regional association necessary to provide assistance.

36 **2. Submission of report recommending construction of state-owned facility.** When the office, in consultation with a regional association, finds that disposal capacity is projected to be needed for bulky wastes, construction or demolition waste or land-clearing debris and that the regional association is not able to pursue the siting, establishment and operation of a waste facility, the office may submit a report recommending the construction and operation of a state-owned solid waste disposal facility that will fulfill the disposal need to the joint standing committee of the Legislature having jurisdiction over natural resources matters. The joint standing committee of the Legislature having jurisdiction over natural resources matters may report out legislation authorizing the construction and operation of a state-owned solid waste disposal facility in response to a report submitted pursuant to this subsection.

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SUMMARY

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6 This bill implements the recommendations of the task force
8 to review solid waste management policy. It provides that when
10 the State Planning Office finds that 4 years or less of licensed
12 and available disposal capacity for municipal solid waste or
14 special waste remains within the State or that this capacity will
16 soon be available only at a single facility, the office shall
18 submit a report recommending the construction and operation of a
20 state-owned solid waste disposal facility to the joint standing
 committee of the Legislature having jurisdiction over natural
 resources matters. The bill requires the office to submit a
 similar report when, in consultation with a regional solid waste
 management association, it finds that disposal capacity is
 projected to be needed for certain types of wastes and the
 regional association is not able to pursue the siting,
 establishment and operation of a solid waste disposal facility.

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