

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 406

S.P. 130

In Senate, January 25, 2005

### **An Act To Amend the Dates Associated with the State's Recycling and Waste Reduction Goals**

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Submitted by the Executive Department, State Planning Office pursuant to Joint Rule 204.  
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 COWGER of Kennebec.

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

4 **Sec. 1. 38 MRSA §2112, sub-§2,** as enacted by PL 2003, c. 338,  
§1, is amended to read:

6 **2. Contracts.** Contracts for the provision of small  
8 containerized solid waste hauling service to customers located in  
this State are governed by the following provisions.

10 A. If a contract under this subsection contains an  
12 automatic renewal provision, the contractor shall notify the  
customer by mail between 60 and 90 days prior to the  
14 contract termination date that if the customer does not,  
within 60 days of receipt of the contractor's notification,  
16 notify the contractor of the customer's intention to  
terminate the contract, the contract will be automatically  
renewed. Notice of termination by the customer may be by  
18 any reasonable method, including mail, electronically  
transmitted facsimile and e-mail. A contract may not  
20 contain terms that require a customer to provide notice of  
termination prior to the time frames provided for in this  
22 paragraph.

24 B. The financial charge for early termination of a contract  
under this subsection may not exceed 3 times the current  
26 monthly charge.

28 C. A contract under this subsection may not require the  
customer to inform a contractor concerning prices or other  
30 terms offered by competitors or require the customer to  
afford the contractor an opportunity to match or respond to  
32 a competitor's offer.

34 ~~This subsection does not apply to contracts in force on the  
effective date of this subsection.~~

36 **Sec. 2. 38 MRSA §2132, sub-§1,** as amended by PL 2001, c. 22,  
38 §2, is further amended to read:

40 **1. State recycling goal.** It is the goal of the State to  
recycle or compost, by January 1, 2003 ~~2009~~, 50% of the municipal  
42 solid waste tonnage generated each year within the State.

44 **Sec. 3. 38 MRSA §2132, sub-§1-A,** as enacted by PL 2001, c. 22,  
§3, is amended to read:

46 **1-A. State waste reduction goal.** It is the goal of the  
48 State to reduce the annual biennial generation of municipal solid  
waste tonnage by 5% by January 1, 2003 ~~2009~~ and by an additional  
50 5% every subsequent 2 years. This reduction in solid waste

tonnage, after January 1, ~~2003~~ 2009, is a biennial goal. The  
baseline for calculating this reduction is the ~~1999~~ 2003 solid  
waste generation data gathered by the office.

**Sec. 4. 38 MRSA §2132, sub-§2**, as amended by PL 1995, c. 465,  
Pt. A, §42 and affected by Pt. C, §2, is further amended to read:

**2. Goal revision.** The office shall recommend revisions, if  
appropriate, to the state recycling goal and waste reduction goal  
established in this section ~~and shall establish a waste reduction~~  
goal. The office shall submit its recommendations and any  
implementing legislation to the joint standing committee of the  
Legislature having jurisdiction over natural resource matters.

## SUMMARY

This bill accomplishes the following.

1. It eliminates language that limited the application of  
contracts for the provision of small containerized solid waste  
hauling services.

2. It extends the date by which the State's recycling goal  
of 50% must be met.

3. It establishes the State's waste reduction goal of 5% as  
a biennial rather than an annual reduction and extends the date  
by which the goal must be met.