

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2005

Legislative Document

No. 1633

H.P. 1151

House of Representatives, May 3, 2005

An Act To Prohibit the Disposal of Dangerous and Unsafe Material in Solid Waste Facilities

(AFTER DEADLINE)

(EMERGENCY)

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.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DAIGLE of Arundel.
Cosponsored by Senator COWGER of Kennebec and
Representatives: ANNIS of Dover-Foxcroft, DUCHESNE of Hudson, JOY of Crystal, ROSEN
of Bucksport, SAVIELLO of Wilton, TWOMEY of Biddeford, Senator: MARTIN of
Aroostook.

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

4
6 **Whereas,** this legislation prohibits the deliberate improper
disposal of dangerous or unsafe materials in solid waste
facilities; and

8
10 **Whereas,** it is critical to enact this legislation
immediately in order to prevent injury resulting from such
improper disposal; and

12
14 **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
16 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

20 **Sec. 1. 38 MRSA c. 13, sub-c. 2-C is enacted to read:**

22 SUBCHAPTER 2-C

24 DANGEROUS OR UNSAFE MATERIAL CONTROL

26 §1316-O. Definitions

28 As used in this subchapter, unless the context otherwise
30 indicates, the following terms have the following meanings.

32 1. Dangerous or unsafe material. "Dangerous or unsafe
34 material" means any substance or material that might present a
dangerous or unsafe situation, including, but not limited to:

36 A. Pressure tanks such as propane tanks;

38 B. Flammable liquids or solids; and

40 C. Explosive materials such as dynamite or fireworks.

42 §1316-P. Prohibition; penalties

44 A person commits a Class E crime if, with respect to any
46 dangerous or unsafe material that the person knows has been so
identified or knows may be dangerous or unsafe, that person
48 knowingly:

50 1. Conceals. Conceals that material by placing it inside
other waste material or covering it with other waste material; and

