

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 1983

S.P. 777

December 18, 2007

An Act To Protect Public Safety, Provide for the Prudent Use of Landfill Capacity and Save Taxpayers Money

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 18, 2007. Referred to the Committee on Natural Resources pursuant to Joint Rule 308.2 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 SCHNEIDER of Penobscot.

Cosponsored by Representative DUCHESNE of Hudson and Senator: BARTLETT of Cumberland, Representatives: BABBIDGE of Kennebunk, BLANCHARD of Old Town, EBERLE of South Portland, KOFFMAN of Bar Harbor, MAKAS of Lewiston, MIRAMANT of Camden, WAGNER of Lewiston.

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

2 **Sec. 1. 38 MRSA §1306, sub-§7** is enacted to read:

3 **7. Weight of trucks.** A person may not deliver waste of any kind in a vehicle with a
4 gross vehicle weight, as defined in Title 29-A, section 101, subsection 26-A, of more than
5 50,000 pounds to a solid waste disposal facility, solid waste facility, solid waste landfill
6 or waste facility if that facility or landfill is owned by the State and has been expanded or
7 built out on or after the effective date of this subsection. The operator of a solid waste
8 disposal facility, solid waste facility, solid waste landfill or waste facility that has been
9 expanded or built out on or after the effective date of this subsection and is owned by the
10 State may not accept for delivery at that facility or landfill waste of any kind that has
11 been hauled in a vehicle with a gross vehicle weight of more than 50,000 pounds.

12 **Sec. 2. Determination of solid waste disposal capacity needs.** The Executive
13 Department, State Planning Office and the Department of Environmental Protection shall
14 determine the solid waste disposal capacity needs of the State as of January 1, 2008 for 3,
15 5 and 10 years and report their findings to the joint standing committee of the Legislature
16 having jurisdiction over natural resources matters no later than November 5, 2008. Based
17 on the capacity needs as of January 1, 2008, using the data from the report issued
18 pursuant to this section the State Planning Office and the Department of Environmental
19 Protection shall determine the capacity of state-owned landfills. The State Planning
20 Office and the Department of Environmental Protection shall determine the State
21 Planning Office's and the Department of Environmental Protection's ability to control the
22 different and various waste streams flowing into state-owned landfills, broken down by
23 waste stream and by the sources of these waste streams whether in state or out of state.
24 The Department of Environmental Protection shall determine how best to control the flow
25 of waste coming into the State in order to ensure the longevity of state-owned landfills
26 and save taxpayers money. The Department of Environmental Protection shall adopt
27 major substantive rules, as described in the Maine Revised Statutes, Title 5, chapter 375,
28 subchapter 2-A, to extend the life of state-owned landfills.

29 **SUMMARY**

30 This bill provides that a person may not deliver waste of any kind in a vehicle with a
31 gross vehicle weight of more than 50,000 pounds to a solid waste disposal facility, solid
32 waste facility, solid waste landfill or waste facility if that facility or landfill is owned by
33 the State and has been expanded or built out on or after the effective date of this
34 legislation. It also provides that the operator of a solid waste disposal facility, solid waste
35 facility, solid waste landfill or waste facility that has been expanded or built out on or
36 after the effective date of this legislation and is owned by the State may not accept for
37 delivery at that facility or landfill waste of any kind that has been hauled in a vehicle with
38 a gross vehicle weight of more than 50,000 pounds. The bill requires the Executive
39 Department, State Planning Office and the Department of Environmental Protection to
40 determine the solid waste disposal capacity needs of the State as of January 1, 2008 for 3,
41 5 and 10 years and report their findings to the joint standing committee of the Legislature
42 having jurisdiction over natural resources matters no later than November 5, 2008. Based

1 on the capacity needs as of January 1, 2008, using the data from the report issued
2 pursuant to this legislation the State Planning Office and the Department of
3 Environmental Protection shall determine the capacity of state-owned landfills. The State
4 Planning Office and the Department of Environmental Protection shall determine the
5 State Planning Office's and the Department of Environmental Protection's ability to
6 control the different and various waste streams flowing into state-owned landfills, broken
7 down by waste stream and by the sources of these waste streams whether in state or out
8 of state. The Department of Environmental Protection shall determine how best to control
9 the flow of waste coming into the State in order to ensure the longevity of state-owned
10 landfills and save taxpayers money. The Department of Environmental Protection shall
11 adopt major substantive rules to extend the life of state-owned landfills.