

MAINE STATE LEGISLATURE

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L.D. 57

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Date: 6-7-21

(Filing No. H-442)

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MAJORITY

ENVIRONMENT AND NATURAL RESOURCES

4

Reproduced and distributed under the direction of the Clerk of the House.

5

STATE OF MAINE

6

HOUSE OF REPRESENTATIVES

7

130TH LEGISLATURE

8

FIRST SPECIAL SESSION

9

COMMITTEE AMENDMENT "A" to H.P. 23, L.D. 57, "An Act To Reduce the Landfilling of Municipal Solid Waste"

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11

Amend the bill by inserting after section 1 the following:

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'Sec. 2. 38 MRSA §2203-A, sub-§3, as enacted by PL 2015, c. 461, §9, is amended to read:

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3. Rules. The department may adopt rules imposing per ton or per cubic yard fees on any of the types of waste listed in subsection 1 disposed of at a commercial, municipal, regional association or state-owned solid waste landfill. The department may adopt rules imposing per ton fees on any municipal solid waste disposed of or received for processing at a commercial, municipal, regional association or state-owned solid waste disposal facility, solid waste processing facility, incineration facility or solid waste landfill. Fees imposed pursuant to this subsection must be consistent with the solid waste management hierarchy established under section 2101 and the food recovery hierarchy established under section 2101-B. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.'

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Amend the bill by inserting after section 2 the following:

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'Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

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ENVIRONMENTAL PROTECTION, DEPARTMENT OF

28

Remediation and Waste Management 0247

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Initiative: Provides allocation to allow for the expenditure of additional revenue for administrative expense and actions necessary to abate threats to public health, safety and welfare posed by the disposal of solid waste and to pay municipalities under the closure and remediation cost-sharing program for solid waste landfills.

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OTHER SPECIAL REVENUE FUNDS

2021-22

2022-23

34

All Other

\$120,750

\$161,000

35

COMMITTEE AMENDMENT

1 OTHER SPECIAL REVENUE FUNDS TOTAL \$120,750 \$161,000

2
3 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
4 number to read consecutively.

5 **SUMMARY**

6 This amendment, which is the majority report of the committee, amends the bill to
7 incorporate into the State's waste handling fee statute language currently included in the
8 \$2 per ton municipal solid waste surcharge statute, which is repealed in the bill and which
9 authorizes the Department of Environmental Protection to adopt major substantive rules
10 imposing per ton fees on municipal solid waste disposed of or received for processing at a
11 number of different categories of solid waste facilities. The amendment also adds an
12 appropriations and allocations section.

13 **FISCAL NOTE REQUIRED**

14 (See attached)



Approved: 06/05/21 *mac*

130th MAINE LEGISLATURE

LD 57

LR 279(02)

An Act To Reduce the Landfilling of Municipal Solid Waste

Fiscal Note for Bill as Amended by Committee Amendment *AH-442*

Committee: Environment and Natural Resources

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Appropriations/Allocations				
Other Special Revenue Funds	\$120,750	\$161,000	\$161,000	\$161,000
Revenue				
Other Special Revenue Funds	\$120,750	\$161,000	\$161,000	\$161,000

Fiscal Detail and Notes

This bill repeals current statute that includes a \$2 per ton municipal solid waste surcharge and certain exemptions to that surcharge. The bill changes the current \$1 per ton solid waste disposal fee to include all municipal solid waste or municipal solid waste ash. The loss of revenue from the removal of the surcharge will be offset by an increase in the number of tons subject to the fee. The net impact of these changes is estimated to be a revenue increase of \$120,750 in fiscal year 2021-22 and \$161,000 in fiscal year 2022-23 to the Maine Solid Waste Management Fund (MSWMF) within the Department of Environmental Protection. The bill includes an accompanying increase in the allocation to the MSWMF for expenditure of the additional revenue.