

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Increase the Recycling Rate in Maine

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

Sec. 1. 38 MRSA §2133, sub-§2-B, as amended by PL 2003, c. 567, §1, is further amended to read:

2-B. Household hazardous waste disposal. From January 1, 2012 to December 31, 2017, a municipality shall semiannually receive and safely dispose of household hazardous waste from residents of the municipality. The office shall provide assistance to a municipality in establishing a household hazardous waste disposal program required under this subsection. The office may, within available resources, award grants to eligible municipalities, regional associations, sanitary districts and sewer districts for household hazardous waste collection and disposal programs. In implementing this program, the office shall attempt to:

- A. Coordinate the household hazardous waste collection programs with overall recycling and waste management;
- B. Encourage regional economies of scale;
- C. Coordinate programs between private and public institutions;
- D. Maximize opportunities for federal grants and pilot programs; and
- E. By January 1, 2002 and as necessary thereafter, fund capital improvements and operating expenses to facilitate the development of collection programs throughout the State for hazardous waste that is universal waste, as identified in board rules, generated by households, small-quantity generators, public schools and municipalities.

Preference in allocating resources under this subsection must be given to municipalities that participate in a household hazardous waste collection region as defined in subsection 2-D.

At a minimum, the office shall award grants to public schools and municipalities for reasonable costs incurred as a result of managing waste mercury-added products generated by those public schools and municipalities, in compliance with the requirements in sections 1663 and 1664, that would not otherwise be incurred by complying with existing laws, rules or regulations as of July 15, 2002.

Sec. 2. 38 MRSA §2133, sub-§6-A is enacted to read:

6-A. Corrugated cardboard. A municipality with a population greater than 2,000 shall receive, recycle and, if possible, sell all corrugated cardboard disposed of in the municipality. Funds derived from the sale of cardboard under this subsection must accrue to the municipality to be applied

to the expenses of the municipality in carrying out the municipality's duties under this section. The office shall provide assistance to a municipality in establishing a corrugated cardboard recycling program required under this subsection.

Sec. 3. 38 MRSA §2133, sub-§6-B is enacted to read:

6-B. Household yard waste. A municipality with a population greater than 2,000 shall receive and compost household yard waste from residents of the municipality. The office shall provide assistance to a municipality in establishing a household yard waste composting program required under this subsection.

Sec. 4. 38 MRSA §2201, 3rd ¶, as amended by PL 2005, c. 618, §21, is further amended to read:

Funds related to administration may be expended only in accordance with allocations approved by the Legislature for administrative expenses directly related to the office's and the department's programs, including actions by the department necessary to abate threats to public health, safety and welfare posed by the disposal of solid waste. Funds related to operations may be expended only for expenses in implementing a municipal hazardous waste disposal program under section 2133, subsection 2-B, corrugated cardboard recycling program under section 2133, subsection 6-A and household yard waste composting program under section 2133, subsection 6-B or in accordance with allocations approved by the Legislature ~~and solely~~ for the development and operation of publicly owned facilities owned or approved by the office and for the repayment of any obligations of the office incurred under article 3. These allocations must be based on estimates of the actual costs necessary for the office and the department to administer their programs, to provide financial assistance to regional associations and to provide other financial assistance necessary to accomplish the purposes of this chapter. Beginning in the fiscal year ending on June 30, 1991 and thereafter, the fund must annually transfer to the General Fund an amount necessary to reimburse the costs of the Bureau of Revenue Services incurred in the administration of Title 36, chapter 719. Allowable expenditures include "Personal Services," "All Other" and "Capital Expenditures" associated with all office activities other than those included in the operations account.

SUMMARY

This bill:

1. Requires municipalities, from January 1, 2012 to December 31, 2017, to semiannually receive household hazardous waste;
2. Requires a municipality with a population greater than 2,000 to receive, recycle and, if possible, sell all cardboard disposed of in the municipality;
3. Requires a municipality with a population greater than 2,000 to receive and compost household yard waste; and
4. Allows municipal expenses incurred in implementing the requirements of this bill to be paid by the Executive Department, State Planning Office from the Maine Solid Waste Management Fund.