

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 Organic Waste Recycling in the State**

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

**Sec. 1. 38 MRSA §1303-C, sub-§19-D** is enacted to read:

**19-D. Organic waste.** "Organic waste" means solid waste that is of biological origin and is biodegradable, including, but not limited to, agricultural waste, animal and human waste and food waste. "Organic waste" does not include hazardous waste, biomedical waste or septage.

**Sec. 2. 38 MRSA §2133-A** is enacted to read:

### **§ 2133-A. Organic waste recycling**

The department shall track state, regional, municipal and local organic waste recycling efforts and, as resources allow, may develop, implement and administer programs to encourage or support organic waste recycling in the State. The department shall, by January 15, 2017, and annually thereafter, submit a report to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters detailing its findings and any recommendations related to organic waste recycling, including any proposed legislation to implement its recommendations. After receiving the report, the committee may report out a bill relating to organic waste recycling.

**Sec. 3. Department of Environmental Protection; organic waste recycling pilot program.** The Department of Environmental Protection shall develop, implement and administer an organic waste recycling pilot program as described in this section.

1. The department shall invite municipalities to participate in the pilot program and shall select as participants at least one municipality from each of the 3 following groups of counties:

- A. Androscoggin, Cumberland, Lincoln, Sagadahoc and York;
- B. Franklin, Kennebec, Knox, Oxford and Waldo; and
- C. Aroostook, Hancock, Penobscot, Piscataquis, Somerset and Washington.

2. The department shall invite the Legislative Council to participate in the pilot program with respect to the State House facilities. The department shall invite the Department of Administrative and Financial Services, Bureau of General Services to participate in the pilot program with respect to the Cross State Office Building facilities.

3. The department shall provide technical assistance, and may provide financial assistance, to each participating entity to develop and implement an organic waste recycling program. Each participating entity shall collect data on and document the amount of organic waste diverted from the waste stream by the program, the related cost savings realized by the participating entity and any problems encountered in implementing the program. Each participating entity shall compile this information into a report and transmit the report to the department on or before a date determined by the department.

4. The department shall analyze the reports submitted by the participating entities and, by January 15, 2017, shall submit a report to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters detailing the data collected by each participating entity and any additional findings and shall include any recommendations for legislation to implement permanent organic waste recycling programs at the state, regional, municipal or local level or to otherwise increase the rate of organic waste recycling in the State.

## **SUMMARY**

This bill enacts a statutory provision directing the Department of Environmental Protection to track state, regional, municipal and local organic waste recycling efforts and, as resources allow, to develop, implement and administer programs to encourage or support organic waste recycling in the State. The department is directed to submit by January 15, 2017, and annually thereafter, a report to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters detailing its findings and any recommendations related to organic waste recycling, including any proposed legislation to implement its recommendations. After receiving the report, the committee may report out a bill relating to organic waste recycling. The bill also directs the department to develop, implement and administer an organic waste recycling pilot program. For the pilot program, the department is required to invite as participants at least 3 municipalities and the Legislative Council and the Department of Administrative and Financial Services, Bureau of General Services. The department is directed to provide technical assistance and may provide financial assistance to each participating entity in developing and implementing an organic waste recycling program. Each participating entity must collect data on and document the amount of organic waste diverted from the waste stream by the program, the related cost savings realized by the participating entity and any problems encountered in implementing the program, and must compile this information into a report for the department. The department is directed to analyze the reports submitted by the participating entities and, by January 15, 2017, submit a report to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters detailing the findings of the program and including any recommendations for legislation. This bill also adopts a definition for the term "organic waste."