



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 659

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H.P. 440

House of Representatives, March 3, 2015

**Resolve, To Increase Recycling in Maine through Increased  
Composting and Energy Recovery from Organic Wastes**

(EMERGENCY)

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Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative WELSH of Rockport.  
Cosponsored by Senator SAVIELLO of Franklin and  
Representatives: CAMPBELL of Orrington, DUCHESNE of Hudson, HARLOW of Portland.

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

3           **Whereas,** the State has achieved significant improvements in recycling over the past  
4 30 years but did not achieve the goal of 50% recycling by 2014, as called for in Maine  
5 law; and

6           **Whereas,** studies have shown that organic waste is one of the largest remaining  
7 segments of the waste stream that could be diverted toward recycling and energy  
8 recovery systems in order to assist the State in achieving higher overall rates of recycling,  
9 perhaps meeting or exceeding the 50% goal; and

10           **Whereas,** development of a comprehensive plan for increased composting and  
11 energy recovery must be initiated before the 90-day period expires in order that the  
12 comprehensive strategy established in this resolve and related recommendations may be  
13 developed and submitted in time to be considered in the next legislative session; and

14           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
15 the meaning of the Constitution of Maine and require the following legislation as  
16 immediately necessary for the preservation of the public peace, health and safety; now,  
17 therefore, be it

18           **Sec. 1. Development of comprehensive strategy. Resolved:** That the  
19 Department of Environmental Protection shall develop a comprehensive strategy to  
20 encourage composting and energy recovery from food waste and other organic wastes.  
21 The strategy must seek to encourage organic waste diversion by large generators of food  
22 waste, composting at the municipal level through bans on the disposal of leaves and yard  
23 waste and expansion of facilities to compost and convert compostable materials into  
24 energy resources. As part of the development of a comprehensive strategy, the  
25 department shall evaluate options for establishing a commercial food waste ban for large  
26 generators of food waste that are located within 40 miles of a food waste composting or  
27 processing facility that has been approved by the department for receiving commercial  
28 food waste. For purposes of this section, "large generators" means entities that generate  
29 more than one ton of food waste per week and includes hospitals, colleges and  
30 universities, large secondary schools, restaurants, nursing homes, retail food stores and  
31 resort facilities. The department shall also explore strategies for keeping food waste out  
32 of the solid waste stream through collaborative initiatives with large generators to divert  
33 food products that are at or beyond their manufacturer's expiration dates toward hunger  
34 relief programs and toward farm animal consumption. The department shall also evaluate  
35 impediments to and opportunities for increasing the number of facilities in the State that  
36 provide anaerobic digestion of organic waste; and be it further

37           **Sec. 2. Stakeholder input. Resolved:** That, in developing a comprehensive  
38 strategy under section 1, the Department of Environmental Protection shall actively seek  
39 input from a broad range of interested parties, including waste management facility  
40 operators, large institutions that generate significant amounts of food waste, experts in the  
41 composting of organic materials, agricultural representatives, environmental

1 organizations, municipalities and operators of anaerobic digestion facilities; and be it  
2 further

3 **Sec. 3. Recommendations and report. Resolved:** That the Department of  
4 Environmental Protection shall submit the comprehensive strategy developed pursuant to  
5 section 1, including recommendations to the Joint Standing Committee on Environment  
6 and Natural Resources by January 15, 2016. The joint standing committee is authorized  
7 to report out legislation related to the comprehensive strategy.

8 **Emergency clause.** In view of the emergency cited in the preamble, this  
9 legislation takes effect when approved.

10 **SUMMARY**

11 This resolve requires the Department of Environmental Protection, with input from  
12 stakeholders, to develop a comprehensive strategy to encourage composting and energy  
13 recovery from food waste and other organic wastes. It requires the department to submit  
14 the strategy and related recommendations to the Joint Standing Committee on  
15 Environment and Natural Resources by January 15, 2016.