

MAINE STATE LEGISLATURE

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S
L. J. R.

1

L.D. 2452

2

(Filing No. S- 406)

3

STATE OF MAINE

4

SENATE

5

111TH LEGISLATURE

6

SECOND REGULAR SESSION

7

SENATE AMENDMENT " B" to S.P. 913, L.D. 2452,
8 Bill, "AN ACT to Replace the Regional Refuse Disposal
9 District Enabling Act."

10

Amend the Bill in section 2 in that part design-
11 nated "§1705." by inserting after subsection 13 the
12 following:

13

'14. Solid waste facility. "Solid waste facili-
14 ty" means an incinerator facility, a landfill facili-
15 ty or a transfer facility.'

16

Further amend the bill in section 2 in that part
17 designated "§1705" by renumbering the subsections to
18 read consecutively.

19

Further amend the Bill in section 2 by striking
20 out all of that part designated "§1732." and insert-
21 ing in its place the following:

22

'§1732. Real and personal property; right of eminent
23 domain; procedure for denial of site loca-
24 tion

25

1. Acquisition of property. Each disposal dis-
26 trict formed under this chapter may acquire and hold
27 real and personal property which it deems necessary
28 for its purposes, and is granted the right of eminent
29 domain; and for those purposes may take and hold, ei-
30 ther by exercising its right of eminent domain or by
31 purchase, lease or otherwise, as for public uses any
32 land, real estate, easements or interest therein,
33 necessary for constructing, establishing, maintaining
34 and operating refuse disposal, resource disposal, re-
35 source recovery and resource conservation facilities
36 and may provide for the conversion of waste to energy
37 and the transmission thereof.

SENATE AMENDMENT " B " to S.P. 913, L.D. 2452

1 No property may be so taken, except as may be neces-
2 sary for the construction of steam and electric
3 transmission lines, roads and communication equip-
4 ment, unless the property is located within the dis-
5 posal district.

6 2. Denial of site location at a district refuse
7 incinerator. A municipality which is a candidate as
8 a host municipality for a solid waste incinerator fa-
9 cility may deny the siting of the facility. The
10 method for denial shall be as follows:

11 A. Within 30 days of notification by the dis-
12 trict that the municipality has been selected for
13 siting for the district refuse incinerator, the
14 municipality must collect signatures equal to 15%
15 of the registered voters within that municipali-
16 ty; and

17 B. Within 14 days of collection of those
18 signatures, the municipality must conduct a ref-
19 erendum on denial of the siting. If 60% of the
20 voters voting in the referendum vote to deny the
21 siting, then no facility may be installed.'

D. OF R.

SENATE AMENDMENT " B" to S.P. 913, L.D. 2452

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STATEMENT OF FACT

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The purpose of this amendment is to include a definition of "solid waste facility." This amendment also provides a mechanism for a municipality to deny the siting of a waste facility for the district in that municipality.

7

6685040584

8

(Sen. Hayes)

9

NAME:

Kenneth P. Hayes

10

COUNTY: Penobscot

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