

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1814

6
7 H.P. 1298

House of Representatives, January 13, 1986

8 Approved for introduction by a majority of the Legislative Council
9 pursuant to Joint Rule 26.

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

EDWIN H. PERT, Clerk

Presented by Representative Murphy of Berwick.

11 Cosponsored by Representative Farnum of South Berwick, Senator Tuttle
of York and Representative Handy of Lewiston.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SIX
16

17 AN ACT to Give Municipalities Greater
18 Decision-making Powers Relating to
19 Solid Waste Management.
20

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

23 38 MRSA §1305-A, sub-§5 is enacted to read:

24 5. Referendum. If any waste disposal facility
25 for solid or hazardous waste required to be licensed
26 under this chapter and located within a municipality
27 intends to accept waste or begins to accept waste
28 that is generated from a site located outside of the
29 municipality, that facility shall immediately notify
30 the municipal officers of that action or intent.
31 Within 90 days of receipt of the notice, the municipi-
32 ality shall submit the question under paragraph A to
33 its voters at a regular election or a special elec-
34 tion called for that purpose.

1 A. The question to be submitted to the voters of
2 the municipality shall be substantially as fol-
3 lows.

4 "Do you approve of the waste facility located at
5 (location of facility) accepting waste that is
6 generated at sites located outside of (name of
7 municipality)?"

8 Yes No"

9 B. The election shall be held as provided in Ti-
10 tle 30, sections 2061 to 2066, whether or not the
11 municipality has accepted those provisions. The
12 municipal clerk shall send the result of this
13 election to the board as an indication of the
14 municipality's opinion on the waste facility's
15 actions.

16 STATEMENT OF FACT

17 More knowledge is being gained daily about the
18 dangers to the community associated with the disposal
19 of hazardous waste but many local citizens feel that
20 their wishes are being ignored in the regulation of
21 the waste. This bill allows towns the opportunity to
22 inform the Board of Environmental Protection about
23 their opinions on bringing solid or hazardous waste
24 generated outside of town into the community for dis-
25 posal. The bill requires solid or hazardous waste
26 disposal facilities to notify the municipal officers
27 of the town in which the facility is located if that
28 facility is to accept waste which is generated at
29 sites located outside of the municipality. The mu-
30 nicipality will then hold a referendum on whether
31 they approve of the facility accepting waste gener-
32 ated outside of town. The result of this referendum
33 will be sent to the Board of Environmental Protection
34 as an indication of public sentiment on the issue.
35 The result of the election is not binding on the
36 board.

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