

MAINE STATE LEGISLATURE

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1 section 302, this Act is effective on October 22, 1987
2 and any action taken by the county commissioners
3 intended to apply within the unincorporated townships
4 and plantations within their jurisdiction pursuant to
5 Title 38, section 1310-W, is invalid.

6 STATEMENT OF FACT

7 This bill repeals the Maine Revised Statutes,
8 Title 38, section 1310-W which was passed in the First
9 Special Session of the 113th Legislature and which
10 granted county commissioners the authority to pass
11 ordinances regulating solid waste disposal in the
12 unorganized territories. Such ordinance authority
13 overlays and duplicates existing authority held by the
14 Maine Land Use Regulation Commission, LURC. Any solid
15 waste disposal facility proposed to be sited in the
16 unorganized territories is already subject to the
17 jurisdiction, not only of the Department of
18 Environmental Protection, but also the Maine Land Use
19 Regulation Commission. The State is facing an
20 impending solid waste disposal crisis due to the
21 shortage of available landfill capacity for disposal
22 of ash and other residue from waste from energy
23 facilities that serve Maine towns. The proper
24 management and disposal of solid waste within the
25 State are required in order to safeguard the public
26 health, welfare and the environment. Sites suitable
27 for environmentally sound waste disposal are in
28 limited supply and it is imperative that
29 environmentally sound landfill proposals proceed
30 expeditiously through the lengthy Department of
31 Environmental Protection and Maine Land Use Regulation
32 Commission licensing proceedings required by state
33 law. This bill will not diminish the State's control
34 over the licensing of solid waste disposal facilities
35 nor will it limit the Maine Land Use Regulation
36 Commission's ability to oversee the unorganized
37 territories in addition to the department's
38 regulation. This bill will prevent county
39 commissioners from seeking to make the unorganized
40 territories within their jurisdictions off limits to
41 the development of needed solid waste disposal



1 facilities if environmentally suitable sites exist
2 within those territories.

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