

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 946

S.P. 346

Received by the Secretary, March 5, 1991

Referred to the Committee on Energy and Natural Resources and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator PEARSON of Penobscot

Cosponsored by Representative HICHBORN of Howland, Representative CAHILL of Mattawamkeag and Representative O'DEA of Orono.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

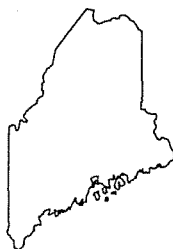
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**An Act to Amend the Voter Ratification Provisions of the Low-level  
Radioactive Waste Laws.**

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(EMERGENCY)

Printed on recycled paper



Emergency preamble. Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

Whereas, the selection of possible low-level radioactive  
waste disposal facility sites is of vital concern to  
municipalities and unorganized townships; and

Whereas, the participation of residents of the potentially  
affected municipalities and unorganized townships must be  
encouraged in the earliest possible stage of selecting a site; and

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

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

38 MRSA §1527, sub-§3, as enacted by PL 1987, c. 530, §4, is  
repealed and the following enacted in its place:

3. Local participation in siting decision. Within 60 days  
of the preliminary selection by the authority of a possible  
low-level waste disposal facility site, the governing body of a  
municipality where the facility may be located, or the Secretary  
of State in the case of an unorganized township, may hold an  
election to withdraw the site from possible selection by the  
authority. If a majority of voters casting ballots in the  
election vote to remove the site from possible selection, the  
authority may not consider locating the facility within the  
municipality or territory.

Within 60 days of the final selection by the authority of the  
low-level waste disposal facility site, the governing body of the  
municipality where the facility is to be located, or the  
Secretary of State in the case of an unorganized township, shall  
hold an election for the purpose of approving the site. Unless  
60% of the voters casting ballots in the election approve of the  
authority's site location decision, the authority may not locate  
the facility within the municipality or territory.

Emergency clause. In view of the emergency cited in the  
preamble, this Act takes effect when approved.

#### STATEMENT OF FACT

This bill allows a municipality or an unorganized township  
that has been selected as a possible site for a low-level waste

2 disposal facility to vote to withdraw the municipality or unorganized township from selection.