

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 973, L.D. 1414, Bill, "An Act to Provide Certain Municipalities with an Exception to the Waste Facility Siting Laws"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'38 MRSA §1310-N, sub-§2-D, ¶B, as enacted by PL 1991, c. 43, §2, is repealed and the following enacted in its place:

B. For all other transfer stations, the handling site may not be within 250 feet of any abutting property boundary, unless:

(1) The department finds the abutting property to be a conforming use. If the department finds an abutting property to be a conforming use, the handling site may be within 250 feet of the boundary but not within 250 feet of any permanent structure on that abutting property; or

(2) The municipality obtains the written permission of all property owners within 250 feet of the proposed handling site.

FISCAL NOTE

This bill provides an exception to the waste facility siting laws. The additional applications as a result of this exception could increase dedicated revenue to the Maine Environmental Protection Fund of the Department of Environmental Protection in an amount that can not be determined at this time.'

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STATEMENT OF FACT

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This amendment allows a transfer station that is not on an island to be located within 250 feet of an abutting property boundary if the municipality obtains the written permission of all owners of property within 250 feet of the proposed handling site. Current law allows a transfer station that is not on an island to be within 250 feet of an abutting property boundary only if the department determines the abutting property to be a conforming use.

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Reported by the Committee on Energy and Natural Resources  
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(Filing No. H-213)