

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1170

S.P. 391

In Senate, February 9, 1999

An Act Concerning the Review of State Solid Waste Management Policies.

(EMERGENCY)

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

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MITCHELL of Penobscot.
Cosponsored by Representative MARTIN of Eagle Lake and
Senators: KIEFFER of Aroostook, KILKELLY of Lincoln, MURRAY of Penobscot,
NUTTING of Androscoggin, Representatives: BERRY of Belmont, TRUE of Fryeburg.

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

4 **Whereas,** the task force established by the State Planning
6 Office needs to deal with the solid waste management issues as
soon as possible; and

8 **Whereas,** if the task force does not meet soon, the State's
10 solid waste capacity limit will be reached; and

12 **Whereas,** it is necessary for the task force to be able to
report by January 1, 2000; and

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

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

22 **Sec. 1. 38 MRSA §2123-B,** as enacted by PL 1995, c. 588, §3,
24 is amended to read:

26 **§ 2123-B. Review of policy**

28 In conjunction with revisions of the plan ~~every-5-years or~~
as determined appropriate by the office, the office shall
30 establish a broad-based task force, including Legislators from
the joint standing committee of the Legislature having
32 jurisdiction over natural resource matters and representatives of
groups interested in ~~commercial-landfill~~ solid waste management
34 policy. The task force shall review state solid waste management
policy ~~regarding--the--development--of--commercial--solid--waste~~
36 ~~disposal--facilities, including the timeline and establishment~~
process for the development of a state-owned solid waste disposal
38 facility; host community benefits; the development of commercial
solid waste facilities and the economic competitiveness of
40 commercial facilities; the appropriateness of developing regional
disposal facilities to better serve municipalities and
42 businesses; and the proper role of municipal zoning and other
local control in regard to siting, expansion and operation of
44 solid waste disposal facilities and shall report its findings and
recommendations to the Governor, the department and the joint
46 standing committee of the Legislature having jurisdiction over
natural resource matters.

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

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SUMMARY

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This bill expands the scope of the review policy that the State Planning Office must conduct when a state solid waste management and recycling plan is submitted for review.

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