

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

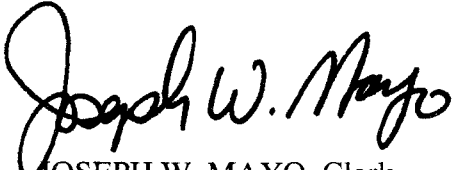
No. 1209

H.P. 852

House of Representatives, February 11, 1999

**An Act Regarding Property Owners Whose Land Abuts a Solid or
Special Waste Landfill.**

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


JOSEPH W. MAYO, Clerk

Presented by Representative TRACY of Rome.
Cosponsored by Representatives: BULL of Freeport, DUPLESSIE of Westbrook, McKEE of
Wayne, SHIAH of Bowdoinham.

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

4 Sec. 1. 38 MRSA §1310-CC is enacted to read:

6 §1310-CC. Property abutting a solid or special waste landfill

8 1. Compensation for interference with use and enjoyment. A
10 person who owns property abutting a solid or special waste
12 landfill and who owned the property prior to the establishment of
14 the landfill is entitled to receive 5% of the tipping fees or
16 other revenue received by the landfill licensee or the State as
18 compensation for the landfill's interference with use and
20 enjoyment of the abutter's property.

22 2. Water testing. A person who owns property abutting a
24 solid or special waste landfill is entitled to have a semiannual
26 independent water test paid for by the licensee or the State.

28 3. Payments. Payments required in this section must be
30 made from tipping fees and other revenues of the facility.

22 SUMMARY

24 This bill provides that persons who owned property abutting
26 a landfill prior to the development of the landfill are entitled
28 to receive 5% of the tipping fees as compensation for
30 interference with the use and enjoyment of the property. They
are also entitled to have the licensee of the landfill or the
State pay for semiannual water testing.