

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2000

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Legislative Document

No. 2350

S.P. 900

In Senate, January 5, 2000

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### **An Act to Clarify the Laws Governing Solid Waste Disposal Districts.**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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 MICHAUD of Penobscot.  
Cosponsored by Representative KNEELAND of Easton and  
Representative: SHERMAN of Hodgdon.

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

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4       **Sec. 1. 38 MRSA §1724, sub-§1**, as amended by PL 1993, c. 597, §1, is further amended to read:

6       **1. Authorization.** All of the affairs of a disposal  
8 district must be managed by an appointed board of directors that  
10 consists of not less than 3 directors. The exact number of  
12 directors must be determined in accordance with section 1721.  
14 Each director is entitled to the number of votes that  
16 corresponds to the level of population in that director's  
18 municipality as set forth in the following table, unless an  
20 alternative method of apportioning votes is approved by a  
22 majority vote of the municipal officers representing each member  
24 of the disposal district prior to or at the time of formation.

Population	No. of Votes
0 - 1,000	1
1,001 - 2,500	2
2,501 - 5,000	3
5,001 - 10,000	4
10,001 - 15,000	5
15,001 - 25,000	6
25,001 - 35,000	7
35,001 - 50,000	8
50,001 - 65,000	9
65,001 and over	10

30 A director may not split votes. In the event a municipality has  
32 more than one director, directors from that municipality shall  
34 share equally the number of votes for that municipality but may  
36 vote independently of each other. A determination of population  
38 must be made based upon the latest official Decennial Census of  
40 the United States by the United States Bureau of Census. A  
42 disposal district may alter the number of its directors by  
44 submitting the proposed alteration to the voters in the same  
46 manner as provided in section 1721, subsection 7. No  
municipality within any disposal district may have less than one  
director. A quorum of the directors may conduct the affairs of  
the district even if there is a vacancy on the board of  
directors. A quorum is defined as a simple majority of eligible  
and appointed directors, provided that a majority of the member  
municipalities are represented. A simple majority of directors  
voting, either in person or by written consent, may conduct the  
affairs of the district.

## SUMMARY

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4       Current law requires the management of a refuse disposal  
6       district by a board of directors; each municipality in the  
8       district may appoint one or more directors and the number of  
10       votes allotted to each director is determined by the population  
12       of the municipality the director represents. A director may not  
14       split the votes allotted to that director. If, however, a  
      municipality is represented by more than one director, the law is  
      silent on whether the directors of that municipality must vote  
      together or may vote separately.

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14       This bill specifies that directors from the same refuse  
      disposal district do not have to vote together but may vote  
      independently of each other.