

MAINE STATE LEGISLATURE

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M
R.S.

L.D. 1626

DATE: 6-13-03

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STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1205, L.D. 1626, "Resolve, To Authorize the State To Purchase a Landfill in the City of Old Town"

Amend the amendment in section 1 in subsection 5 in the 3rd line (page 2, line 29 in amendment) by striking out the following: ", expansion"

Further amend the amendment in section 1 in subsection 5 in the 6th line (page 2, line 32 in amendment) by inserting after the following: "permits" the following: ', except that the municipality may enact ordinances with respect to the operation of any expansion of the disposal facility, including any expansion of the type of waste the facility is licensed to accept, that contain standards the municipality finds reasonable, including, without limitation, standards concerning conformance with federal and state solid waste rules; fire safety; traffic safety; levels of noise heard outside the facility; the distance from existing residential, commercial or institutional uses; groundwater protection; surface water protection; erosion and sedimentation control; and compatibility of the disposal facility with local zoning and land use controls, as long as the standards are not more strict than those contained in Title 38, chapter 3, subchapter 1, articles 5-A and 6 and Title 38, chapter 13 and the rules adopted under those chapters. The municipality is prohibited from enacting stricter standards than those contained in Title 38, chapter 13 governing the hydrogeological criteria for siting or designing the expansion of or the governing of the engineering criteria related to waste handling and disposal areas of the expanded disposal facility. Such municipal ordinances must use definitions consistent with those adopted by the Department of Environmental Protection, Board of Environmental Protection'

SENATE AMENDMENT

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L.D. 1626

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SUMMARY

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This amendment allows a municipality to enact an ordinance that regulates the expansion of a disposal facility as long as the ordinance does not contain stricter standards than certain standards contained in the Maine Revised Statutes, Title 38, chapters 3 and 13.

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SPONSORED BY:

(Senator MARTIN)

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COUNTY: Arroostook

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