

MAINE STATE LEGISLATURE

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L.D. 1567

Date: 6/15/11

(Filing No. H-635)

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 500,
L.D. 1567, "Resolve, To Authorize the State To Purchase a Landfill in the Town of East
Millinocket"

Amend the amendment by inserting after the title the following:

'Amend the resolve by striking out the title and substituting the following:

**'Resolve, To Authorize the State To Acquire a Landfill in the Town of East
Millinocket'**

Amend the resolve by inserting after the title and before section 1 the following:

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

Whereas, the owner of pulp and paper mills in the Town of Millinocket and the
Town of East Millinocket has announced the closure of the mills after failing to find
buyers for them; and

Whereas, this closure would have an immediate negative effect on the economy in
the Town of Millinocket, the Town of East Millinocket and the surrounding area,
including the loss of approximately 400 jobs; and

Whereas, the ability of the State to enter into negotiations for acquiring the existing
solid waste disposal facility on the East Millinocket mill property will help the effort to
sell and reopen the mills, retain the jobs and reverse the potential negative economic
effect of the mills' closure; and

Whereas, the acquisition of real estate associated with the solid waste disposal
facility by donation will not involve the purchase or sale of real estate within the meaning
of the Constitution of Maine; and

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

HOUSE AMENDMENT

A. of S.

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 500, L.D. 1567

1 Amend the amendment by striking out all of the 2nd indented paragraph after the title
2 (page 1, lines 13 to 15 in amendment) and inserting the following:

3 'Amend the resolve in section 1 in subsection 1 by striking out all of the last
4 paragraph (page 1, lines 13 to 18 in L.D.) and inserting the following:

5 'The office may only acquire real estate associated with the disposal facility by donation
6 and may establish the terms and conditions of acquisition by donation and execute and
7 deliver, in the name of and on behalf of the State, all contracts the office determines are
8 necessary or appropriate to effect the acquisition and operation of the disposal facility.
9 Such a donation is conditioned upon the execution of an agreement by a buyer for the
10 acquisition of the pulp and paper mills in the Town of Millinocket and the Town of East
11 Millinocket; the office's endeavoring to identify and implement measures to mitigate the
12 State's closure costs, including the consideration of cost caps on the closure costs,
13 including the consideration of cost caps on the closure of the Dolby Landfill; and the
14 office's having received from the buyer an acceptable business plan, including
15 employment projections. The office shall undertake all actions the office determines
16 necessary or appropriate to fully perform all obligations established under the contracts.'

17 Amend the amendment by adding before the summary the following:

18 'Amend the resolve by adding after section 2 the following:

19 '**Emergency clause.** In view of the emergency cited in the preamble, this
20 legislation takes effect when approved.'

21 **SUMMARY**

22 This amendment incorporates all of the substance of Senate Amendment "A" to
23 Committee Amendment "A" and further provides that the donation of real estate
24 associated with the disposal facility is conditioned on the execution of an agreement by a
25 buyer for the acquisition of the pulp and paper mills in the Town of Millinocket and the
26 Town of East Millinocket; the office's endeavoring to identify and implement measures to
27 mitigate the State's closure costs, including the consideration of cost caps on the closure
28 costs, including the consideration of cost caps on the closure of the Dolby Landfill; and
29 the office's having received from the buyer an acceptable business plan, including
30 employment projections.

31 **SPONSORED BY:** 
32 (Representative HAMPER)

33 **TOWN:** Oxford

HOUSE AMENDMENT