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this section, the minimum size shall be as follows: Beginning on January first, nineteen hundred and eighty-eight, three and seven-thirty-seconds inches; beginning on January first, nineteen hundred and eighty-nine, three and eight-thirty-seconds inches. Beginning January first, nineteen hundred and ninety and continuing until January first, nineteen hundred and ninety-two, there shall be no further minimum size increases. Beginning January first, nineteen hundred and ninety-two, the director may, by regulation approved by the marine fisheries advisory commission, increase the minimum size if he determines that such increase would not cause the minimum size to exceed the minimum size in effect in Connecticut, Maine, New Hampshire or Rhode Island.

Approved December 31, 1990.

**Chapter 508. AN ACT PROVIDING FOR RECALL ELECTIONS IN THE TOWN OF HOLLAND.**

*Be it enacted, etc., as follows:*

**SECTION 1.** Any holder of an elected office in the town of Holland may be recalled therefrom by the registered voters of the town as herein provided.

**SECTION 2.** Any twenty-five registered voters of the town may initiate a recall petition by filing with the town clerk an affidavit containing the name of the officer sought to be recalled and a statement of the ground for recall. The town clerk shall thereupon deliver to said voters making the affidavit copies of petitions blanks demanding such recall, copies of which printed forms he shall keep available. Such blanks shall be issued by the town clerk, with his signature and official seal attached thereto. They shall be dated, addressed to the selectmen and contain the names of the persons to whom they are issued, the name of the person whose recall is sought, the grounds of recall as stated in the affidavit, and shall demand the election of a successor in the said office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk. Such recall petition shall be returned and filed with the town clerk within thirty days after the filing of the affidavit, and shall have been signed by at least fifteen percent of the registered voters of the town, who shall add to their signatures the street and number, if any, of their residences.

The town clerk shall within twenty-four hours of receipt submit the petition to the registrars of voters in the town, and the registrars shall within five working days certify thereon the number of signatures which are names of registered voters of the town.

**SECTION 3.** If the petition shall be found and certified by the town clerk to be sufficient he shall submit the same with his certificate to the selectmen within

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5 working days, and the selectmen shall within five working days give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not resign within five days thereafter, order an election to be held on a date fixed by them not less than sixty and not more than ninety days after the date of the town clerk's certificate that a sufficient petition has been filed; provided, however that if any other town election is to occur within one hundred days after the date of the certificate the selectmen shall postpone the holding of the recall election to the date of such other election. No person shall be subject to recall if his term of office expires within ninety days of the certificate. If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section.

**SECTION 4.** Any officer sought to be removed may be a candidate to succeed himself. The nomination of all candidates, the publication of the warrant for the removal election, and the conduct of the same, shall all be in accordance with the provisions of law relating to elections, unless otherwise provided in this act.

**SECTION 5.** The incumbent shall continue to perform the duties of his office until the recall election. If then re-elected, he shall continue in office for the remainder of his unexpired term subject to recall as before, except as provided in this act. If not re-elected in the recall election, he shall be deemed removed upon the qualification of his successor, who shall hold office during the unexpired term. If the successor fails to qualify within five days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.

**SECTION 6.** Ballots used in a recall election shall submit the following propositions in the order indicated:

For the recall of (name of officer).

Against the recall of (name of officer).

Immediately to the right of each proposition there shall be a square in which the voter, by making a mark (X) may vote for either of the said propositions. Under the propositions shall appear the word "Candidates", the directions to the voters required by section forty-two of chapter fifty-four of the General Laws, and beneath this the names of candidates nominated in accordance with the provision of law relating to election. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If fifty percent or more of the votes on the question are in the negative, the ballots for candidates need not be counted.

**SECTION 7.** No recall petition shall be filed against an officer within thirty days after he takes office, nor, in the case of an officer subjected to a recall election and not recalled thereby, until at least ninety days after the election at which his recall was submitted to the voters of the town.

**SECTION 8.** No person who has been recalled from an office or who has resigned from office while recall proceedings were pending against him shall be

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appointed to any town office within two years after such recall or such resignation.

Approved December 31, 1990.

**Chapter 509. AN ACT TO IMPROVE THE MASSACHUSETTS SOLID WASTE POLICY ACT.**

*Be it enacted, etc., as follows:*

**SECTION 1.** The fourth paragraph of section 150A of chapter 111 of the General Laws, as appearing in the 1988 Official Edition, is hereby amended by inserting after the first sentence the following two sentences:- A copy of the application for site assignment shall be filed with the board of health of any municipality within one-half mile of the proposed site. Any municipality within such one-half mile shall be afforded all the procedural rights of an abutter for the purpose of administrative review by the department or public hearing by the board of health where the proposed site is located.

**SECTION 2.** Said section 150A of said chapter 111, as so appearing, is hereby amended by striking out the tenth paragraph and inserting in place thereof the following paragraph:-

No facility shall be established, constructed, expanded, maintained, operated, or devoted to any past closure as defined by regulation, unless detailed operating plans, specifications, a public health report, if any, and necessary environmental reports have been submitted to the department and the department has granted a permit for the facility, and notice of such permit is recorded in the registry of deeds, or if the land affected thereby is registered land in the registry section of the land court for the district wherein the land lies. Within one hundred and twenty days after the department is satisfied that said operating plans, specifications, and reports are complete, the department shall make a decision granting or refusing to grant such permit. Said permit may limit or prohibit the disposal of particular types of solid waste at a facility in order to extend the useful life of the facility or reduce its environmental impact.

**SECTION 3.** Section 150A 1/2 of said chapter 111 is hereby amended by adding the following clause:-

(17) the potential adverse impacts on communities within one-half mile of the proposed site including the potential adverse impacts on the considerations stated within this section for which site suitability standards and criteria are established.

**SECTION 4.** With respect to any site assignment appeal pending before the department of environmental protection as of August thirtieth, nineteen hundred and ninety, the department of environmental protection shall impose on the assignment such conditions with respect to the extent, character and nature of the