

MAINE STATE LEGISLATURE

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April 5, 1976

Honorable Lena C. Durgin
House of Representatives
State House
Augusta, Maine

Dear Representative Durgin:

This letter responds to your request of this morning for an opinion regarding the matter presented in the attached letter. Generally this office does not comment on entirely local matters. We are particularly reluctant to give advice on local matters when we do not have all the facts. However, this case seems to present a simple and clear matter of law, that is, whether a local disposal district created pursuant to 38 M.R.S.A. §§ 1551, et seq. is automatically dissolved by failure to develop a refuse disposal plan within one year. We believe that a district is not automatically dissolved by such failure. The provisions for dissolution of such districts are set out in 38 M.R.S.A. § 1566. This would be the exclusive method for dissolving such districts. It does not include failure to develop a disposal plan as a trigger to dissolution.

We hope this information is helpful.

Sincerely,

DONALD G. ALEXANDER
Deputy Attorney General

DGA/ec