

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1983

H. P. 1922

Office of the Clerk of the House

The Committee on Local and County Government suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24.

EDWIN H. PERT, Clerk

Presented by Mr. Gillis of Calais

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

AN ACT Relating to Assessment for Public Services Tax on Unorganized Townships.

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

Whereas, federal and state statutes have recently required the closings of many dumps in unorganized townships in order to protect Maine's environment; and

Whereas, these townships are currently having serious difficulty disposing of their solid waste; and

Whereas, improper solid waste disposal may cause grave sanitation and environmental problems in these townships; and

Whereas, additional county powers are needed during 1978 to enable the counties to provide proper solid waste disposal and avoid these problems; and

Whereas, if counties are to use these powers during 1978, they must be able to take account of them while establishing recommended 1978 county budgets; and

Whereas, counties must complete these recommended budgets by March 1978, and therefore this Act must be effective before March, 1978; 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 enacted by the People of the State of Maine, as follows:

Sec. 1. 30 MRSA § 1202, 1st sentence, is amended to read:

The county commissioners of Washington County are authorized, on behalf of the inhabitants of ~~Prescott, Marion and Edmunds Townships~~, all unorganized townships within the county to enter into contracts on such terms as they deem fit with one or more persons, associates or municipalities, or to take such other steps as they deem advisable, to provide fire protection, other than forest fire protection, and public dumps for said townships.

Sec. 2. 30 MRSA § 1202, 2nd sentence, as amended by PL 1965, c. 169, is repealed as follows:

~~Said commissioners are authorized on behalf of the inhabitants of Lambert Lake, Forest City, Indian Township and Brookton Townships to enter into similar contracts or to take similar steps to provide public dumps for said townships.~~

Sec. 3. 30 MRSA § 1202, 5th sentence, is amended to read:

The county commissioners shall annually assess upon said townships an amount sufficient to provide for such services, said tax not to exceed ~~½ of 1%~~ 1% of the valuation of said townships, and said assessment shall be certified and transmitted by the county treasurer to the State Tax Assessor not later than April 1st each year.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

Enforcement of state and federal environmental laws has forced the closing of public dumps in unorganized townships and the conclusion of arrangements with neighboring municipalities for the deposit of rubbish and garbage in municipal sanitary landfill sites.

The additional costs of contracting for this service and the expense of operating rural pickup service in the unorganized townships currently exceed the revenue available to those townships as a result of the ½ of 1% assessment which is currently authorized by statute.

With the maintenance by the municipalities of strict control over access to their sanitary landfill sites and the denial of these facilities to other than municipal residents, the disposal of rubbish and garbage is becoming a serious problem in even the most remote townships. This problem is especially acute in townships of Washington County where the population of the townships consist of people living in lumber camps, recreational and seasonal dwellings.

Thus, the assessment authority for the services account should be authorized for all townships within Washington County and the allowable public service assessments for all counties increased from ½ of 1% to 1%.