

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1181

H. P. 948

House of Representatives, March 13, 1979

Referred to the Committee on Energy and Natural Resources. Sent up for concurrence and ordered printed

EDWIN H. PERT, Clerk

Presented by Mr. Blodgett of Waldoboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Establish a Solid Waste Management Subsidy for Municipalities.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 38 MRSA § 1309 is enacted to read:

§ 1309. Solid waste management subsidy

The board shall establish and administer a state aid program for municipalities known as the Solid Waste Management Subsidy. Municipalities, which in any quarter of a fiscal year finance the operation of solid waste management systems that are in compliance with sections 1304 and 1305, shall receive subsidy payments in the subsequent fiscal quarter. Quarterly subsidy payments to each eligible municipality shall be in an amount equal to $\frac{1}{8}$ the tonnage of solid waste disposed by or under the authority of that municipality in the previous quarter times the cost of solid waste management for all eligible municipalities in the previous quarter divided by the tonnage of solid waste disposed by all eligible municipalities in the previous quarter. For the purposes of this section the tonnage of solid waste disposed shall include both solid waste and recoverable resources.

The computation of solid waste management costs shall exclude collection costs and shall be based on data developed by the department. The board shall require, as a condition of receiving subsidy payments, that each eligible municipality file

quarterly reports with the department on a date and in a format prescribed by the board. The reports shall request financial information to ascertain the municipality's solid waste management cost for the fiscal quarter for which it was eligible.

During the first year of this program, the tonnage of solid waste disposed by each eligible municipality equals 1/2 the population of that municipality. After the first year of this program, the tonnage of solid waste disposed by each eligible municipality shall be calculated based on the department's analysis of the weight of solid waste disposed by or under the authority of that municipality. Prior to making a final determination of tonnage, the department shall notify each municipality of its preliminary determination and provide an opportunity of 30 days for comment.

A subsidy payment for any fiscal quarter may not exceed a municipality's cost for financing the operation of a solid waste management system in that quarter. Total subsidy payments shall be limited to appropriations made by the Legislature. In the event that the appropriation is insufficient to finance all subsidy payments authorized, the board shall provide each municipality a percentage share of the available appropriation that would be equal to the municipality's percentage share of all subsidy payments if the appropriation were sufficient.

Sec. 2. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

	1979-80	1980-81
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
All other	\$750,000	\$2,000,000

STATEMENT OF FACT

This bill recommends the creation of 50-50 partnership between the State and the municipalities in meeting the costs of federal mandates regarding solid waste. An operating subsidy would be established that would reimburse municipalities on the basis of a statewide average cost per ton for disposal multiplied by a municipality's tonnage of waste disposed or recycled. Only municipalities with solid waste systems that are in compliance with the Department of Environmental Protection's regulations would be eligible. Eventually all municipalities shall come under compliance.

Efficiency is encouraged since municipalities below the state average will receive higher percentages of aid in relation to their overall costs. Costs incurred through recycling or recovery efforts will be included in the total costs of a solid waste management system. Savings realized by recycling or recovery will not reduce state aid. These savings in combination with state aid could result in no expense to the property taxpayer.