

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 715

S.P. 257

Received by the Secretary, February 19, 1991

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KANY of Kennebec

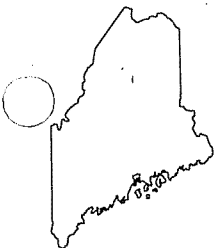
Cosponsored by Representative JACQUES of Waterville, Representative MITCHELL of Freeport and Representative LORD of Waterboro.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Dedicate Fines Collected from Political Subdivisions to a
Technical Assistance Program.**

Printed on recycled paper



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

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38 MRSA §349, sub-§9 is enacted to read:

6 9. Civil penalties collected from political subdivisions.

8 The Political Subdivision Assistance Fund is established by the
10 Treasurer of State as a dedicated revenue fund and, for the
12 purposes of this section, may be known and referred to as the
14 "fund." The Treasurer of State shall credit all civil penalties
imposed under this section and collected from political
subdivisions of the state to the fund. The department shall use
the fund to provide technical assistance, loans and grants to
political subdivisions to assist in complying with federal and
state environmental laws, regulations and rules.

16 The department shall adopt rules establishing criteria for
18 application for and receipt of money from the fund. In
20 establishing criteria, the department shall give priority to
former violators who are now in compliance with the laws,
regulations and rules.

22 The department shall report annually to the joint standing
24 committee of the Legislature having jurisdiction over natural
resources on the use of the fund.

26 For purposes of this section, "political subdivision" means a
28 city, town, plantation, county, administrative entity or
30 instrumentality created under Title 30-A, chapter 115 or 119,
32 quasi-municipal corporation or special purpose district,
including, but not limited to, any water district, sanitary
district, hospital district, refuse disposal district and school
district of any type.

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STATEMENT OF FACT

The burden of paying fines collected from public entities, such as municipalities, falls directly on taxpayers who in most cases have little or no knowledge of the violation or the ability to prevent or remedy this violation. This bill provides a vehicle for returning the fines to public entities to help correct and prevent violations.