

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 977

H.P. 678

House of Representatives, March 8, 1991

Received by the Clerk of the House on March 6, 1991. Referred to the Committee on Energy and Natural Resources and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

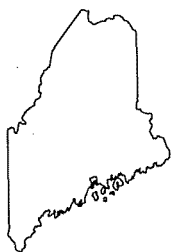
Presented by Representative STEVENSON of Unity.
Cosponsored by Senator MATTHEWS of Kennebec.

STATE OF MAINE

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

An Act to Reimburse Towns for Landfill Closings.

(EMERGENCY)



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

Whereas, municipalities have been required to close
landfills that are environmentally unsound; and

Whereas, municipalities that do not have title to these
landfills can not be reimbursed for closure costs; and

Whereas, this constitutes a hardship on many municipalities
in this State; 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:

38 MRSA §1310-F, sub-§2, as affected by PL 1989, c. 890, Pt.
A, §40 and amended by Pt. B, §238, is further amended to read:

2. Eligibility. Any municipality owning a solid waste
landfill for which a remediation or closure plan has been adopted
is eligible for grants. A municipality, which has acted to close
its a solid waste landfill used by that municipality or to remedy
environmental and public health hazards posed by the such a
landfill prior to the award of a grant under this section, but
after January 1, 1983, is also eligible for reimbursement of past
and future costs consistent with the plan adopted under this
subchapter. Any interest paid by a municipality on a municipal
bond issued to raise funds for remediation and closure activities
during this period is a cost eligible for reimbursement under
this section. The commissioner shall use at least 1/3 of the
available funds for municipalities eligible for reimbursement of
closure and remediation costs under this subsection until all
those municipalities have been reimbursed.

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

STATEMENT OF FACT

This bill allows the Department of Environmental Protection
to reimburse municipalities for closure costs for landfills that
they have used but do not own.