

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

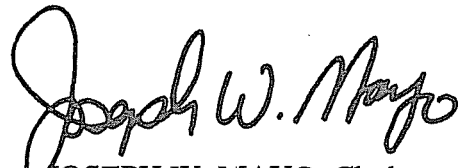
No. 206

H.P. 154

House of Representatives, January 28, 1993

**An Act to Require Reimbursement of Fines or Penalties Imposed on
Municipalities by the Department of Environmental Protection.**

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


JOSEPH W. MAYO, Clerk

Presented by Representative CARON of Biddeford.
Cosponsored by Representatives: AHEARNE of Madawaska, DiPIETRO of South Portland,
DONNELLY of Presque Isle, DUTREMBLE of Biddeford, FARNUM of South Berwick,
HATCH of Skowhegan, MURPHY of Berwick, PLOURDE of Biddeford, REED of Dexter,
VIGUE of Winslow, Senator: CONLEY of Cumberland.

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

2
4 Sec. 1. 38 MRSA §349, sub-§10 is enacted to read:

6 10. Municipal Fines and Penalties Fund; reimbursement.
8 There is established a nonlapsing Municipal Fines and Penalties
10 Fund. Any fine or penalty imposed on a municipality under this
12 section and section 1319-T must be deposited in the fund. The
14 commissioner shall reimburse a municipality for any civil or
16 criminal fine or penalty imposed under this section or section
18 1319-T if the commissioner determines that the municipality,
20 within 2 years of the imposition of the fine or penalty, has
22 corrected or taken corrective action to alleviate the condition
24 that caused the fine or penalty. A fine or penalty remaining in
26 the fund after 2 years of being imposed must be deposited in the
28 General Fund.

30 Sec. 2. 38 MRSA §1319-T, sub-§3 is enacted to read:

32 3. Municipal Fines and Penalties Fund; reimbursement. Any
34 fine or penalty imposed on a municipality pursuant to this
36 section must be administered in accordance with section 349,
38 subsection 10.

STATEMENT OF FACT

40 This bill requires the Commissioner of Environmental
42 Protection to reimburse a municipality for a civil or criminal
44 fine or penalty imposed pursuant to Maine's environmental laws if
46 the commissioner determines the municipality, within 2 years of
48 the imposition of the fine or penalty, has corrected or taken
50 corrective action to alleviate the condition that caused the fine
52 or penalty to be imposed. It also creates the Municipal Fines
54 and Penalties Fund.