§2201. Maine Solid Waste Management Fund established

The Maine Solid Waste Management Fund, referred to in this section as "the fund," is established as a nonlapsing fund to support programs administered by the bureau and the Department of Environmental Protection. The fund must be segregated into 2 subsidiary accounts. The first subsidiary account, called operations, receives all fees established and received under article 1. Except as provided in section 2203-A, subsection 2-A, the 2nd subsidiary account, called administration, receives all fees established under this article and under Title 36, chapter 719 and all funds recovered by the department as reimbursement for departmental expenses incurred to abate imminent threats to public health, safety and welfare posed by the illegal disposal of solid waste. [PL 2021, c. 664, §4 (AMD).]

Money in the fund not currently needed to meet the obligations of the department or bureau must be deposited with the Treasurer of State to the credit of the fund and may be invested as provided by law. Interest on these investments must be credited to the fund. [PL 2011, c. 655, Pt. GG, §64 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

Funds deposited in the fund related to administration may be expended only in accordance with allocations approved by the Legislature for administrative expenses directly related to the bureau's and the department's programs, including actions by the department necessary to abate threats to public health, safety and welfare posed by the disposal of solid waste. Funds deposited in the fund related to fees imposed on the disposal of construction and demolition debris and residue from the processing of construction and demolition debris may be expended only for the state cost share to municipalities under the closure and remediation cost-sharing program for solid waste landfills established in section 1310-F. Funds deposited in the fund related to fees imposed under this article may be expended to provide grant funding in accordance with the Maine Solid Waste Diversion Grant Program established in section 2201-B. The department shall, on an annual basis, conduct a review of the revenues presently in the fund and the revenues projected to be added to or disbursed from the fund in upcoming calendar years and determine what amount of revenues, if any, are available to provide grant funding under section 2201-B. If the department determines that there are revenues in the fund available in the upcoming calendar year to provide grant funding under section 2201-B, the department must ensure that such revenues are designated for use in accordance with section 2201-B by the end of that calendar year. Funds deposited in the fund related to operations may be expended only in accordance with allocations approved by the Legislature and solely for the development and operation of publicly owned facilities owned or approved by the bureau and for the repayment of any obligations of the bureau incurred under article 3. These allocations must be based on estimates of the actual costs necessary for the bureau and the department to administer their programs, to provide financial assistance to regional associations and to provide other financial assistance necessary to accomplish the purposes of this chapter. Beginning in the fiscal year ending on June 30, 1991 and thereafter, the fund must annually transfer to the General Fund an amount necessary to reimburse the costs of the Bureau of Revenue Services incurred in the administration of Title 36, chapter 719. Allowable expenditures include "Personal Services," "All Other" and "Capital Expenditures" associated with all bureau activities other than those included in the operations account. [PL 2021, c. 664, §4 (AMD).]

SECTION HISTORY

PL 1989, c. 585, §A7 (NEW). PL 1989, c. 596, §H (AMD). PL 1989, c. 927, §7 (AMD). PL 1991, c. 517, §B15 (AMD). PL 1991, c. 528, §§R12,13 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 591, §§R12,13 (AMD). PL 1991, c. 824, §A88 (RPR). PL 1993, c. 410, §C8 (AMD). PL 1995, c. 395, §P8 (AMD). PL 1995, c. 395, §P11 (AFF). PL 1995, c. 465, §A72 (AMD). PL 1995, c. 465, §C2 (AFF). PL 1995, c. 656, §§A62,63 (AMD). PL 1997, c. 1, §E2 (AMD). PL 1997, c. 24, §C15 (AMD). PL 1997, c. 526, §14 (AMD). PL 2001, c. 315, §5 (AMD). PL 2005, c. 618, §21 (AMD). PL 2011, c. 429, §7 (AMD). PL 2011, c. 544, §1 (AMD). PL 2011, c. 655,

Pt. GG, §64 (AMD). PL 2011, c. 655, Pt. GG, §70 (AFF). PL 2015, c. 461, §6 (AMD). PL 2021, c. 664, §4 (AMD).

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