

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE CONCURRENT
RESOLUTION NO. 1114

By: Kinnamon of the House

and

Fisher of the Senate

AS INTRODUCED

A Concurrent Resolution ratifying the sale of the municipal landfill by the City of Prague to a commercial landfill company; and directing distribution.

WHEREAS, the city of Prague, Oklahoma operated the Prague municipal solid waste landfill; and

WHEREAS, the United States Environmental Protection Agency promulgated new minimum federal criteria for municipal solid waste landfills including location restrictions, operating requirements, design criteria, ground and surface water monitoring requirements, closure, and post-closure care and financial assurance criteria; and

WHEREAS, based upon a study, the city determined that it did not or would not have the financial resources necessary to operate the landfill in compliance with the federal regulations; and

WHEREAS, the city of Prague on November 23, 1993, passed Resolution 93-11 which declared the landfill unsuitable or inadequate for which it was dedicated and determined the public use of the landfill to be abandoned; and

WHEREAS, to continue solid waste disposal services, the city of Prague, by competitive bid, sold the landfill to a commercial landfill company; and

WHEREAS, the federal mandates and the time required for conversion of the landfill to comply with the federal criteria caused the sale to occur while the Legislature was not in Session; and

WHEREAS, any sale of municipal property held in a governmental capacity and dedicated for public use requires legislative authorization; and

WHEREAS, to provide an opportunity for the public to comment on the sale of the landfill, notice of legislative authorization confirming the sale of the landfill was published in the Prague Times-Herald for four consecutive weeks, from April 14, 1994 through May 5, 1994; and

WHEREAS, no objections to the sale were received pursuant to the published notice.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 44TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT in order to continue solid waste services to the citizens of Prague and other landfill service users, the Oklahoma Legislature hereby ratifies the sale of the municipal solid waste landfill by the city of Prague to a commercial landfill company due to the inability of the City to obtain financial resources necessary to comply with state and federal regulations relating to municipal solid waste landfills.

THAT copies of this resolution be distributed to the Governor, and the City of Prague, Oklahoma.

44-2-L9849 KSM