

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 928

S. P. 344

In Senate, February 15, 1967

Referred to Committee on Natural Resources. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Duquette of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to a Study of Air Pollution.

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

Sec. 1. R. S., T. 22, c. 565, additional. Title 22 of the Revised Statutes is amended by adding a new chapter 565, to read as follows:

CHAPTER 565

AIR POLLUTION

§ 2551. Definitions

The following terms as used in this chapter shall, unless the context otherwise requires, have the following meanings:

1. Air contaminants. "Air contaminants" include but are not limited to dust, fumes, gas, mist, particulate matter, smoke or vapor or any combination thereof.

2. Air pollution. "Air pollution" is presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be potentially injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life and property.

3. Person. "Person" is any individual, partnership, firm, company, public or private corporation, association, joint stock company, trust, estate, municipality or any other legal entity, or their legal representative, agent or assigns.

§ 2552. Powers and duties of the Department of Health and Welfare

The Department of Health and Welfare shall be authorized and empowered to:

1. **Studies.** Conduct studies, investigations and research relating to air pollution, its causes and effects and its possible prevention, control and abatement;

2. **Information.** Collect and disseminate information relating to air pollution, its prevention and control;

3. **Voluntary cooperation.** Encourage voluntary cooperation by persons, towns, cities and counties or other affected groups in restoring and preserving a reasonable degree of purity of air within this State;

4. **Encouragement.** Encourage authorized local air pollution agencies with the State to handle air pollution problems with their respective jurisdictions to the greatest extent possible;

5. **Technical assistance.** Provide technical assistance to political subdivisions requesting same for the furtherance of a study of air pollution; and provide reasonable technical assistance to industries which are endeavoring to reduce or eliminate air pollution;

6. **Grants.** Accept and administer grants or other funds or gifts for the purpose of carrying out any of the provisions of this chapter;

7. **Cooperation from others.** Persons engaged in operations which may result in or contribute to air pollution shall supply information when available about pollution, including but not limited to composition of effluents, sources of emission and rates of discharge, however, no person shall be required to disclose any secret formulae, processes or methods used by any manufacturing operation carried on by him or under his direction;

8. **Moneys.** Budget and receive duly appropriated moneys for expenditures to carry out this chapter.

§ 2553. Penalty

Any person who violates any of the provisions of this chapter, or who fails to perform any duty imposed by this chapter shall be guilty of a misdemeanor, and in addition thereto may be enjoined in a civil action by a court of competent jurisdiction from continuing such violation.

§ 2554. Ordinances

Nothing in this chapter shall prevent towns, cities or counties from enacting ordinances with respect to air pollution which will not conflict with this chapter and which are designed to effectuate the general intent and purpose expressed in this chapter.

Sec. 2. Study. The Department of Health and Welfare is authorized and empowered to conduct a study of air pollution and make a report of its findings, including recommendations for future action, to the 104th Legislature in regular session.

Sec. 3. Appropriation. There is appropriated from the General Fund to the Department of Health and Welfare the sum of \$25,000 for the fiscal year ending June 30, 1968 and the sum of \$25,000 for the fiscal year ending June 30, 1969. The breakdown shall be as follows:

	1967-68	1968-69
HEALTH AND WELFARE, DEPARTMENT OF		
Personal Services	(3) \$16,000	(3) \$17,000
All Other	9,000	8,000
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Total	\$25,000	\$25,000