

MAINE STATE LEGISLATURE

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SECOND SPECIAL SESSION

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1846

S. P. 774

In Senate, January 9, 1968

Referred to Committee on Appropriations and Financial Affairs. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Reny of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-EIGHT

AN ACT Providing for State Advances to Municipalities for Pollution Control.

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

R. S., T. 38, § § 411-A — 411-C, additional. Title 38 of the Revised Statutes is amended by adding 3 new sections to be numbered 411-A to 411-C, to read as follows:

§ 411-A. Advances by State for facility

If federal funds are not available to the municipality at the time of its scheduled construction of a pollution abatement facility, the commission shall advance to such municipality, in addition to the state contribution provided for in section 411, that sum of money which would equal the amount of the federal grant, provided the municipality shall agree that any federal contribution thereafter made for the project shall be forwarded to the State as reimbursement for the funds expended under this section. Prior to advancing the federal share, the commission shall require the municipality to agree in its project contract with the commission to do all that is necessary to qualify for the federal grant. The municipality shall also agree to pay over to the commission any installment of a grant received from the Federal Water Pollution Control Administration on which the State has made an advance under this section. Said moneys received from the municipality shall be deposited in a sinking fund which is established for payment of the debt service costs of bonds issued.

§ 411-B. Advances for plans and specifications

If federal funds for contract plans and specifications for the construction of a pollution abatement facility are not available to the municipality at the time of its

scheduled planning, the commission shall advance to such municipality a sum equal to 7% of the estimated construction cost, said amount to be used by the municipality for the purpose of preparing contract plans and specifications; provided any remaining balance of the 7% advanced under this section shall be applied to the cost of construction of the facility. The funds advanced to the municipality under this section shall be considered a part of the total amount of the state grant provided for in section 411. Such facility shall be constructed in accordance with a schedule of the commission and shall be in conformance with an engineering report approved by the commission. Before approving the engineering report required in this section, the commission shall, among other factors, give due regard to whether such report is in conformance with its applicable guidelines, whether such report makes adequate recommendations concerning all existing and anticipated discharges, whether such report conforms with existing planning studies and whether satisfactory considerations have been given to all regional problems outlined to the engineer in a prereport conference with the commission.

§ 411-C. Advances for engineering reports

If federal funds for an engineering report are not available, and the schedule of the commission requires that a municipality prepare such a report before July 1, 1969, and the commission finds that the charter of such municipality does not authorize a reasonable method for providing the required funds to proceed on such a report in time to accomplish its completion as scheduled, the commission may advance funds to such municipality in the amount necessary to provide such report, said funds to be used by the municipality for the purpose of preparing such report. Any funds advanced to the municipality under this section shall be considered a part of the total amount of the state grant provided for in section 411.