

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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ONE HUNDRED AND FOURTH LEGISLATURE

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Legislative Document

No. 1711

S. P. 584

In Senate, January 6, 1970

Committee on Natural Resources suggested.

HARRY N. STARBRANCH, Secretary

Presented by Senator Berry of Cumberland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
AND SEVENTY

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**AN ACT** Relating to Grants and Interest-free Loans for  
Preliminary Planning of Pollution Abatement Facilities.

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

Sec. 1. R. S., T. 38, § 412, repealed and replaced. Section 412 of Title 38 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 412. Grants and loans for preliminary planning

The commission is authorized to make grants to municipalities, quasi-municipal corporations, regional planning commissions and councils of governments, according to the following schedule, for their expenses incurred in preliminary planning of pollution abatement facilities and pollution abatement construction programs.

Where the population, according to the last decennial census of the United States, of the total area embraced by the preliminary planning is:

1. 10,000 or less, the grant may not exceed \$5,000;
2. Between 10,000 and 25,000, the grant may not exceed \$15,000;
3. Between 25,000 and 50,000, the grant may not exceed \$50,000;
4. Between 50,000 and 100,000, the grant may not exceed \$100,000;
5. Over 100,000, the grant may not exceed \$150,000.

For the purposes of this section, "preliminary planning" means engineering studies which include analyses of existing pollution problems; estimates of the cost of alternative methods of waste treatment; studies of areas to be

served by the proposed facilities and estimates of the cost of serving such areas; preliminary sketches of existing and proposed sewer and treatment plant layouts; and estimates of alternative methods of financing including user charges, and other studies and estimates designed to aid the municipality, quasi-municipal corporation, regional planning commission or council of governments in deciding whether and how best to proceed with a pollution abatement construction program; but does not include costs incurred after the governing body of such municipality, quasi-municipal corporation, regional planning commission or council of governments has duly voted to proceed with such a program.

No grant shall be made under this section where the total area embraced by the preliminary planning for which the grant is sought has been the subject of preliminary planning within the 5 years previous to the date application for such grant is received by the commission; nor shall any such grant be made to any municipality or quasi-municipal corporation where, within the 5 years previous to the date application for such grant is received by the commission, such municipality, quasi-municipal corporation, or any portion thereof, has been included in regional preliminary planning, if such planning was aided by a grant made under this section. For the purposes of this section, "regional preliminary planning" means preliminary planning involving more than one municipality, quasi-municipal corporation, or portion thereof, or any combination thereof.

The commission is further authorized to make non-interest bearing loans to municipalities, quasi-municipal corporations, regional planning commissions and councils of governments for their expenses incurred in preliminary planning of pollution abatement facilities and pollution abatement construction programs. The aggregate amount of outstanding loans made by virtue of this section shall not exceed \$1,000,000. Loans under this section shall be on such terms and conditions as may be imposed by the commission.

**Sec. 2. Applicability; transitional provisions.** No grants or loans shall be made by the commission under section 1 of this Act for preliminary planning which has been contracted for prior to January 1, 1970. The commission is authorized to pay, in accordance with and subject to the limitations of the law in effect prior to the effective date of this Act, the expenses of sewage surveys of municipalities, quasi-municipal corporations and regional planning commissions which had submitted requests for such payment prior to the effective date of this Act.

**Sec. 3. Source of grant moneys.** Grants and loans made by the commission under section 1 of this Act shall be disbursed from the proceeds of the sale of bonds authorized by chapter 181 of the private and special laws of 1969.