

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1223

S. P. 407

In Senate, March 4, 1971

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Bernard of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT Empowering the Environmental Improvement Commission to
Conduct Studies Relating to Noise Pollution.**

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

Sec. 1. R. S., T. 38, c. 3, sub-c. I, Article 5, additional. Subchapter I of chapter 3 of Title 38 of the Revised Statutes, as amended, is further amended by adding a new Article 5 to read as follows:

ARTICLE 5. NOISE POLLUTION

§ 471. Studies and report

In addition to the powers and duties specified in this Title with respect to the prevention, control and abatement of water and air pollution, the Environmental Improvement Commission is authorized, empowered and directed to conduct a study or studies, including such research and investigation as may be necessary, relative to noise, its causes and effects, its prevention, control and abatement, and shall make a report of its findings, including recommendations for legislation, to the 106th Legislature in regular session.

In the conduct of the aforesaid study or studies, the commission shall collect and disseminate information relating to noise; provide technical assistance to political subdivisions and industries which are endeavoring to reduce, control or eliminate noise; accept and administer grants or other funds or gifts for the purpose of carrying out any of the provisions of this article and budget and receive duly appropriated monies for expenditures hereunder.

§ 472. Cooperation with commission

Any person, firm, corporation, municipality, state agency or other legal entity engaged in operations causing noise shall supply the commission with such information concerning such operations as the commission may request, except that no secret processes, formulas or methods used in any manufacturing operation need be disclosed.

Sec. 2. R. S., T. 38, §§ 460 to 463, repealed. Sections 460 to 463 of Title 38 of the Revised Statutes, as amended, are repealed.

Sec. 3. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund to the Environmental Improvement Commission for noise pollution control the sum of \$30,000. The breakdown shall be as follows:

1971-72

ENVIRONMENTAL IMPROVEMENT COMMISSION

Noise Pollution Control

All Other

\$30,000

Any unexpended balance will be carried forward to the 1972-73 fiscal year.

STATEMENT OF FACT

The present Title 38, subchapter I, Article 4 empowers the Environmental Improvement Commission to study and report to the 104th Legislature on air pollution and enables municipalities to enact air pollution ordinances. The study and report were submitted to the Legislature 2 years ago and an air pollution control law was enacted. The law retained the enabling legislation for municipal air pollution control. Accordingly, Article 4 is superfluous and no longer necessary.

This bill repeals the now outdated Article 4 and in place thereof empowers the Environmental Improvement Commission to conduct studies relating to noise pollution; directs the filing of a report with the 106th Legislature; directs that municipalities, industries and others cooperate with the Environmental Improvement Commission in its study; and provides an appropriation.