

# MAINE STATE LEGISLATURE

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NEW DRAFT OF: H. P. 1488, L. D. 1931  
FIRST SPECIAL SESSION

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 2020**

H. P. 1560

House of Representatives, January 28, 1972

Reported by Mr. Emery from Committee on Legal Affairs. Printed under  
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BERTHA W. JOHNSON, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-TWO

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**AN ACT** Relating to Property Tax Exemption of Certain  
Pollution Control Facilities.

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

**Sec. 1. R. S., T. 36, § 656, sub-§ 1, ¶ E, amended.** Paragraph E of sub-section 1 of section 656 of Title 36 of the Revised Statutes, as repealed and replaced by section 2 of chapter 524 of the public laws of 1971, is amended to read as follows:

**E. Pollution control facilities.**

(1) Water pollution control facilities **having a capacity to handle at least 4,000 gallons of waste per day**, certified as such by the Environmental Improvement Commission, and all parts and accessories thereof.

As used in this paragraph:

(a) "Facility" means any disposal system or any treatment works, appliance, equipment, machinery, installation or structures installed, acquired or placed in operation primarily for the purpose of reducing, controlling or eliminating water pollution caused by industrial, commercial or domestic waste.

(b) "Disposal system" means any system used primarily for disposing of or isolating industrial, commercial or domestic waste and includes thickeners, incinerators, pipelines or conduits, pumping stations, force mains and all other constructions, devices, appurtenances and facilities used for collecting or conducting water borne industrial, commercial or domestic waste to a point of disposal, treatment or isolation,

except that which is necessary to the manufacture of products.

(c) "Industrial waste" means any liquid, gaseous or solid waste substance capable of polluting the waters of the State and resulting from any process, or the development of any process, of industry or manufacture.

(d) "Treatment works" means any plant, pumping station, reservoir or other works used primarily for the purpose of treating, stabilizing, isolating or holding industrial, commercial or domestic waste.

(e) "Commercial waste" means any liquid, gaseous or solid waste substance capable of polluting the waters of the State and resulting from any activity which is primarily commercial in nature.

(f) "Domestic waste" means any liquid, gaseous or solid waste substance capable of polluting the waters of the State and resulting from any activity which is primarily domestic in nature.

(2) Air pollution control facilities, certified as such by the Environmental Improvement Commission, and all parts and accessories thereof.

As used in this paragraph :

(a) "Facility" means any appliance, equipment, machinery, installation or structures installed, acquired or placed in operation primarily for the purpose of reducing, controlling, eliminating or disposing of industrial air pollutants.

Facilities such as air conditioners, dust collectors, fans and similar facilities designed, constructed or installed solely for the benefit of the person for whom installed or the personnel of such person shall not be deemed air pollution control facilities.

#### STATEMENT OF FACT

The purpose of this bill is to broaden the availability of tax exemption for water pollution control facilities in order to motivate commercial operations and groups of individuals to install and operate water pollution control facilities in areas where governmental facilities are not available and such facilities are not legally required.