

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 845

H. P. 631

House of Representatives, February 13, 1973

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

E. LOUISE LINCOLN, Clerk

Presented by Mr. Huber of Falmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

**AN ACT Authorizing the Department of Environmental Protection to Make
Planning Grants to Municipalities for Solid Waste Disposal.**

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

Sec. 1. R. S., T. 38, § 1309, additional. Title 38 of the Revised Statutes is amended by adding a new section 1309 to read as follows:

§ 1309. Preliminary planning grants

The Board of Environmental Protection is authorized to make grants and noninterest-bearing loans to any municipality or its agent as designated by such municipality, including quasi-municipal corporations, regional planning commissions and councils of governments, for their expenses incurred in the planning of solid waste disposal facilities and solid waste management. For purposes of this section, "planning" means engineering and feasibility studies of existing and future solid waste disposal problems; estimates of the costs of alternative methods of solid waste disposal; studies of areas to be served by proposed solid waste disposal facilities and estimates of costs of serving such areas; preliminary plans of existing and proposed solid waste disposal facilities and solid waste management programs; estimates of alternate methods of financing such facilities; final detailed engineering plans, studies and specifications; and other studies and estimates designed to aid the municipality in the construction and operation of a solid waste disposal facility or a program of solid waste management; but does not include any costs incurred in the acquisition of any interest in real property, the acquisition or construction of any appliance, equipment, machinery, structure, installation or system to be used in the implementation or operation of any solid waste facility or

solid waste management program, or the operation of any such facility or program.

In making such grants, the board shall allocate available funds on the basis of a priority schedule established by the board. In establishing such priority schedule, the board shall consider the extent of existing solid waste disposal problems in the municipality, present and anticipated future population of the municipality, the financial burden and economic impact imposed on the municipality, whether the municipality is participating in a regional investigation of solid waste disposal problems, and such other considerations as the board deems relevant.

Grants shall be made in accordance with the following methods:

1. Fifteen cents per capita as measured by the last Decennial Census, but in no event less than \$500;

2. If the municipality is participating in a solid waste management program with one or more additional municipalities, the grant shall be 25¢ per capita as measured by the last Decennial Census, but in no event less than \$500. No grant shall be made under this section unless the municipality matches such grant in an amount not less than 25% of the size of such grant. Grants from any other state or federal source shall not be computed in determining the amount of such municipal matching funds;

3. In the event that available funds are not expended prior to the end of the fiscal year 1974 according to the limitations of subsections 1 and 2, the board may support solid waste disposal projects which are innovative and have regional or state-wide application, or both.

Sec. 2. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund to the Department of Environmental Protection the sum of \$375,000 to carry out the purposes of this Act. The breakdown shall be as follows:

	1973-74
ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
Planning for Solid Waste Programs	\$375,000
Any unexpended balance will be carried forward to the 1974-75 fiscal year.	

STATEMENT OF FACT

The intent of this legislation is to supplement other legislation designed to authorize the Department of Environmental Protection to regulate municipal disposal of solid wastes. This bill authorizes the Board of Environmental Protection to make planning grants to municipalities for solid waste disposal facilities and is similar in form and structure to existing legislation which the board administers relating to planning grants for water pollution abate-

ment facilities. The grant program is structured to encourage regionalization but does not make it mandatory by providing a bonus to municipalities which are participants in a multi-community approach to solid waste management.