

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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**Legislative Document**

**No. 2320**

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S. P. 818 In Senate, January 9, 1974  
Referred to Committee on Appropriations and Financial Affairs. Sent down  
for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary  
Presented by Mr. Morrell of Cumberland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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**AN ACT to Establish a Small Grants Program for Municipal Conservation  
Commissions in the Department of Conservation.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the Ford Foundation Small Grants Program, which funded projects proposed and developed by Municipal Conservation Commissions, has terminated; and

Whereas, 51 applications from Conservation Commissions have been received and rejected for lack of funds; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. R. S., T. 12, c. 428, sub-c. 2, additional.** Chapter 428 of Title 12 of the Revised Statutes, as enacted by section 16 of chapter 460 of the public laws of 1973, is amended by adding a new subchapter 2, to read as follows:

SUBCHAPTER 2  
SMALL GRANTS PROGRAM

§ 5051. Definitions

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings.

1. Commissioner. "Commissioner" shall mean the Commissioner of the Department of Conservation.
2. Conservation commission. "Conservation commission" shall mean any local environmental agency established pursuant to Title 30, section 3851.
3. Department. "Department" shall mean the Department of Conservation.

§ 5052. Small Grants Program for municipal conservation commissions

1. Program. To aid municipalities and local governments in matters pertaining to conservation, there is created, within the Department of Conservation, the Small Grants Program for municipal conservation commissions. This Small Grants Program shall be utilized and administered by the department as follows:

A. State aid. The Small Grants Program shall be used as a source of state aid which may be granted by the department to a conservation commission for any purpose that the conservation commission is authorized to perform by law. The purposes may include, but are not limited to, compiling a natural resource inventory, aiding in shore land zoning, studying and implementing solid waste programs, researching and recommending property for town acquisition, and coordinating local conservation efforts. The Small Grants Program may not be used for the acquisition of property or easements.

B. Applications. Conservation commissions may submit applications for state aid to the department. The application shall include such information as the department may require.

C. Commissioner and advisory board. The Commissioner of the Department shall determine to whom and in what amounts state aid shall be granted. In making these decisions, he shall be counselled by a 4-member advisory board. The 4 members shall be appointed by the commissioner and shall serve staggered 4-year terms. One of the 4 members shall be an employee of the department, another shall represent conservation interests, another shall represent the Maine Association of Conservation Commissions, and the last shall represent the public. Of the initial appointees to the advisory board, the member representing the public shall serve a one-year term, the member representing conservation interests shall serve a 2-year term, the member representing the Maine Association of Conservation Commissions shall serve a 3-year term and the member employed by the Department shall serve a 4-year term.

D. Grants. The commissioner, after being counselled by the advisory board, may grant up to \$5,000 in state aid from the Small Grants Program per year to any conservation commission. The first \$750 of the grant may be free of any matching requirements. The contribution from the Small Grants Program, above \$750, shall not exceed 50% of the approved project cost and shall be matched by the conservation commission.

§ 5053. Funds

The Department of Conservation is the public agency of the State authorized to accept funds, public and private, for the purposes of this subchapter.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Department of Conservation the sum of \$59,200 to carry out the purposes of this Act. The breakdown shall be as follows:

	1973-74
CONSERVATION, DEPARTMENT OF	
Personal Services	\$ 5,200
Moneys for the Maine Municipal Conservation Fund	54,000
	\$59,200

Any unexpended balance shall not lapse but remain a continuing carrying account.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

For 2 years, the formation of municipal conservation commissions has been encouraged and their projects financed by the Ford Foundation. The Foundation's Small Grants Program has been most successful, and the benefits to communities have been many. The Ford Foundation gave financial aid to generate interest. The money was seed money only, and now the Foundation's funding has terminated. Last year a large number of applications was rejected because money from the Foundation was no longer available. State aid is urgently needed to continue and to expand the numerous worthwhile programs begun by many communities of this State.