

MAINE STATE LEGISLATURE

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1 (New Draft of S.P. 188, L.D. 506)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1578

8 S.P. 602

In Senate, May 23, 1985

9 Reported by Senator Twitchell of Oxford from the Committee on
10 Taxation and printed under Joint Rule 2. Original bill sponsored by Senator
11 Usher of Cumberland. Cosponsored by Representative O'Gara of Westbrook,
Representative Cashman of Old Town and Representative Michaud of
Medway.

JOY J. O'BRIEN, Secretary of the Senate

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT Concerning Tax Exemptions for Certain
19 Pollution Control Facilities.
20

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

23 36 MRSA §656, sub-§1, ¶E, as amended by PL 1971,
24 c. 618, §12, is further amended to read:

25 E. Pollution control facilities.

26 (1) Water pollution control facilities hav-
27 ing a capacity to handle at least 4,000 gal-
28 lons of waste per day, certified as such by
29 the Board of Environmental Protection, and
30 all parts and accessories thereof.

31 As used in this paragraph:

32 (a) "Facility" means any disposal sys-
33 tem or any treatment works, appliance,

1 equipment, machinery, installation or
2 structures installed, acquired or
3 placed in operation primarily for the
4 purpose of reducing, controlling or
5 eliminating water pollution caused by
6 industrial, commercial or domestic
7 waste.

8 (b) "Disposal system" means any system
9 used primarily for disposing of or iso-
10 lating industrial, commercial or domes-
11 tic waste and includes thickeners, in-
12 cinerators, pipelines or conduits,
13 pumping stations, force mains and all
14 other constructions, devices, appurte-
15 nances and facilities used for collect-
16 ing or conducting water borne industri-
17 al, commercial or domestic waste to a
18 point of disposal, treatment or isola-
19 tion, except that which is necessary to
20 the manufacture of products.

21 (c) "Industrial waste" means any liq-
22 uid, gaseous or solid waste substance
23 capable of polluting the waters of the
24 State and resulting from any process,
25 or the development of any process, of
26 industry or manufacture.

27 (d) "Treatment works" means any plant,
28 pumping station, reservoir or other
29 works used primarily for the purpose of
30 treating, stabilizing, isolating or
31 holding industrial, commercial or do-
32 mestic waste.

33 (e) "Commercial waste" means any liq-
34 uid, gaseous or solid waste substance
35 capable of polluting the waters of the
36 State and resulting from any activity
37 which is primarily commercial in na-
38 ture.

39 (f) "Domestic waste" means any liquid,
40 gaseous or solid waste substance capa-
41 ble of polluting the waters of the
42 State and resulting from any activity

1 which is primarily domestic in nature.

2 (2) Air pollution control facilities, cer-
3 tified as such by the Board of Environmental
4 Protection, and all parts and accessories
5 thereof.

6 As used in this paragraph:

7 (a) "Facility" means any appliance,
8 equipment, machinery, installation or
9 structures installed, acquired or
10 placed in operation primarily for the
11 purpose of reducing, controlling, elim-
12 inating or disposing of industrial air
13 pollutants.

14 Facilities such as air conditioners, dust
15 collectors, fans and similar facilities de-
16 signed, constructed or installed solely for
17 the benefit of the person for whom installed
18 or the personnel of such person shall not be
19 deemed air pollution control facilities.

20 (3) The Department of Environmental Protec-
21 tion shall issue a determination regarding
22 certification by April 1st for any air or
23 water pollution control facility for which
24 it has received a complete application by
25 December 15th of the preceding year.

26 STATEMENT OF FACT

27 This new draft requires the Department of Envi-
28 ronmental Protection to certify air and water pollu-
29 tion control facilities for purposes of property tax
30 exemption by April 1st if the department receives a
31 complete application by December 15th of the preced-
32 ing year.

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