

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1484

H.P. 1093 House of Representatives, May 8, 1987
Submitted by the Department of Environmental Protection
pursuant to Joint Rule 24.

Reference to the Committee on Energy and Natural
Resources suggested and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative MURPHY of Berwick.

Cosponsored by Senator USHER of Cumberland,
Representatives RIDLEY of Shapleigh and ANDERSON of Woodland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

**AN ACT to Amend the State Funding of
Pollution Abatement Projects.**

1
2
3

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

6 **Sec. 1. 38 MRSA §411, first ¶, as amended by PL**
7 **1985, c. 689, §§1 and 3, is further amended to read:**

8 The department may pay an amount ~~at--least--15%~~
9 ~~but~~ not to exceed 45%, of the expense of a municipal
10 or quasi-municipal pollution abatement construction
11 program or a pollution abatement construction program
12 in an unorganized township or plantation authorized
13 by the county commissioners. The department may pay
14 up to 90% of the expense of a municipal or quasi-mu-
15 nicipal pollution abatement construction program or a
16 pollution abatement construction program in an unor-

1 ganized township or plantation authorized by the
2 county commissioners in which the construction cost
3 of the project does not exceed \$100,000 so long as
4 total expenditures for the small projects do not ex-
5 ceed \$1,000,000 in any fiscal year and not more than
6 one grant is made to any applicant each year, except
7 that the department may pay up to 50% of the expense
8 of individual projects serving seasonal dwellings or
9 commercial establishments. ~~The application for a~~
10 ~~grant under this paragraph for a project serving a~~
11 ~~single family dwelling, including outbuildings, or a~~
12 ~~single commercial establishment, shall include a~~
13 ~~signed statement of the financial condition of the~~
14 ~~owner of the single family dwelling or commercial es-~~
15 ~~tablishment describing the need for the grant. That~~
16 ~~statement will become part of the application record~~
17 ~~and no further evidence of need will be required.~~

18 Sec. 2. 38 MRSA §411, 2nd ¶, as amended by PL
19 1985, c. 689, §§2 and 3, is further amended to read:

20 ~~The department, consistent with funding provided~~
21 ~~for the purpose of abating pollution from salt and~~
22 ~~sand salt storage areas, may pay up to 50% of the ex-~~
23 ~~penditure of a municipal or quasi-municipal salt or~~
24 ~~sand salt storage pollution abatement construction~~
25 ~~program or a salt or sand salt storage pollution~~
26 ~~abatement construction program authorized by the~~
27 ~~county commissioners as long as total expenditures~~
28 ~~for salt or sand salt storage buildings do not exceed~~
29 ~~\$2,500,000 per fiscal year and no municipal or quasi-~~
30 ~~municipal or county entity receives more than \$50,000~~
31 ~~for salt or sand salt storage buildings. Municipalities~~
32 ~~or counties may be reimbursed for salt or~~
33 ~~sand salt storage buildings constructed after July 1,~~
34 ~~1985 in accordance with rules promulgated by the de-~~
35 ~~partment. State grant-in-aid participation under this~~
36 ~~section shall be limited to grants for waste treat-~~
37 ~~ment facilities, interceptor systems, and outfalls~~
38 ~~and salt or sand salt storage buildings. The word~~
39 ~~"expense" shall not include costs relating to land~~
40 ~~acquisition or debt service, unless allowed under~~
41 ~~federal statutes and regulations.~~

1

STATEMENT OF FACT

2 The purpose of this bill is to make changes in
3 the law governing the Department of Environmental
4 Protection's water pollution control facilities pro-
5 gram. Section 1 of the bill eliminates the 15% mini-
6 mum for state matching funds to allow for lower state
7 cost share rates for projects where the final user
8 fee is projected to be less than 2% of the median
9 household income. The change still allows the de-
10 partment to offer up to 45% of the eligible project
11 costs in order to keep the user fee within the median
12 household income. Section 1 also deletes language
13 which requires individual applicants to the Small
14 Community Facilities Program to submit a financial
15 need statement to the applying town. The requirement
16 is being deleted because it is unnecessary and incon-
17 sistent with the State-Federal Municipal Construction
18 Grants Program.

19 Section 2 removes language related to the
20 sand-salt storage effort from the Maine Revised
21 Statutes, Title 38, section 411, that will no longer
22 be needed after the sand-salt facilities cost-share
23 program is transferred to the Department of Transpor-
24 tation.

25

2152030687