

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 99, L.D. 140, Bill, "An Act to Establish Standards of Financial Need for Grants under the Small Community Grants Program"

Amend the bill in the emergency preamble in the 4th paragraph in the first and 2nd lines (page 1, lines 14 and 15 in L.D.) by striking out the following: "is currently in the process of adopting" and inserting in its place the following: 'has adopted'

Further amend the bill by striking out all of the last underlined sentence and the period before the emergency clause (page 2, lines 5 to 10 in L.D.) and inserting in their place the following:

'An applicant who is the owner of a single-family dwelling or commercial establishment served by a pollution abatement construction program under this paragraph is not eligible for a grant if: for a single-family dwelling, the sum of the adjusted gross income of all persons listed on the deed of record exceeded \$30,000 in the previous taxable year; or for a commercial establishment, the gross profit earnings exceeded \$30,000 in the previous taxable year. To determine eligibility, the commissioner may require an applicant to submit a copy of the deed of record and a copy of the relevant federal income tax return of the owner or owners. In addition to any penalty adjudged under section 349, a person who knowingly makes any false statement, representation or certification in the application for a grant under this paragraph and who receives such a grant shall, upon conviction, make restitution to the department in an amount equal to the amount of the grant plus interest and reasonable recovery cost incurred by the department.'

FISCAL NOTE

This legislation could increase dedicated revenue to the Department of Environmental Protection from the collection of

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2 restitution payments by an amount that can not be determined at  
3 this time. These funds would be returned to the department's  
4 General Fund Bond account for the Small Community Grants Program.

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STATEMENT OF FACT

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10 This amendment changes the emergency preamble to reflect the  
11 fact that the Department of Environmental Protection has adopted  
12 rules contrary to the Legislature's intent with regards to income  
13 eligibility for pollution abatement grants. The amendment also  
14 clarifies the language in the original bill by specifying that  
15 the \$30,000 limitation on eligibility applies to the total  
16 federal adjusted gross income of all persons listed as owners of  
17 the single-family dwelling, and to total gross profits earned  
18 during the previous taxable year for commercial establishments.  
19 The amendment also requires that any person convicted under the  
20 Maine Revised Statutes, Title 38, section 349 of knowingly  
21 providing false information to the department in the application  
22 for a pollution abatement grant provide restitution to the  
23 department for the amount of the grant, plus interest and  
24 recovery costs.

Reported by the Committee on Energy and Natural Resources  
Reproduced and distributed under the direction of the Clerk of the  
House  
4/1/91 (Filing No. H-61)