

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)



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 140

H.P. 99

House of Representatives, January 16, 1991

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative ANDERSON of Woodland.

Cosponsored by President PRAY of Penobscot, Representative GOULD of Greenville and Representative JACQUES of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Establish Standards of Financial Need for Grants under the
Small Community Grants Program.**

(EMERGENCY)

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

4
Whereas, the Legislature has authorized the State to
6 contribute to certain pollution abatement construction programs;
and

8
Whereas, the Legislature intended to restrict state
10 contributions for projects serving single-family dwellings or
single commercial establishments to owners that are in financial
12 need of such contributions; and

14
Whereas, the Department of Environmental Protection is
currently in the process of adopting rules contrary to the
16 Legislature's original intent; and

18
Whereas, it is necessary to clarify this intent immediately
before state funds are granted in contravention of the
20 Legislature's original purpose; and

22
Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
24 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
26 safety; now, therefore,

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

30 **38 MRSA §411, first ¶, as affected by PL 1989, c. 890, Pt. A,**
§40 and amended by Pt. B, §24, is further amended to read:

32
The commissioner may pay an amount not to exceed 80% of the
34 expense of a municipal or quasi-municipal pollution abatement
construction program or a pollution abatement construction
36 program in an unorganized township or plantation authorized by
the county commissioners. The commissioner may make payments to
38 the Maine Municipal Bond Bank to supply the State's share of the
revolving loan fund established by Title 30-A, section 6006-A.
40 The commissioner may pay up to 90% of the expense of a municipal
or quasi-municipal pollution abatement construction program or a
42 pollution abatement construction program in an unorganized
township or plantation authorized by the county commissioners in
44 which the construction cost of the project does not exceed
\$100,000 as long as total expenditures for the small projects do
46 not exceed \$1,000,000 in any fiscal year and not more than one
grant is made to any applicant each year, except that the
48 commissioner may pay up to 50% of the expense of individual
projects serving seasonal dwellings or commercial establishments.
50 ~~The application for a grant under this paragraph for a project
serving a single-family dwelling, including outbuildings, or a~~

2 ~~single-commercial-establishment, must include a signed statement~~
3 ~~of the financial condition of the owner of the single-family~~
4 ~~dwelling or commercial establishment describing the need for the~~
5 ~~grant. That statement becomes part of the application record and~~
6 ~~no further evidence of need is required~~ Eligibility for grants
7 for projects serving a single-family dwelling, including
8 outbuildings, or a single commercial establishment is limited to
9 owners of single-family dwellings or commercial establishments
10 whose Maine adjusted gross income under Title 36, section 5102,
11 does not exceed \$30,000.

12 **Emergency clause.** In view of the emergency cited in the
13 preamble, this Act takes effect when approved.
14

15
16 **STATEMENT OF FACT**

17 Under current law, applicants for state grants for certain
18 pollution abatement construction programs must include a signed
19 statement of financial condition describing the need for the
20 grant. This bill changes that provision to limit eligibility for
21 grants for certain projects to owners whose adjusted gross income
22 does not exceed \$30,000.
23
24