

# 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)

DATE: May 12, 1999

(Filing No. S- 286 )

**NATURAL RESOURCES**

Reported by:

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 641, L.D. 1823, Bill, "An Act to Increase Accessibility to the Department of Environmental Protection Clean-up Funds for Businesses"

Amend the bill by inserting after the title and before the enacting clause the following:

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

**Whereas, the construction season in Maine is very short; and**

**Whereas, wastewater discharges from commercial establishments that are not in compliance with environmental protection laws create a public health concern; and**

**Whereas, grant money from the State has not been expended to support commercial establishments' efforts to come into compliance with the environmental protection laws because eligibility requirements for this grant money are too stringent; 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,'**

Further amend the bill in section 1 by striking out the last 6 lines (page 1, lines 35 to 40 in L.D.) and inserting in their place the following:

**COMMITTEE AMENDMENT**

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 641, L.D. 1823

	<u>'GROSS PROFIT</u>	<u>COMMERCIAL ESTABLISHMENT</u>
2		
4	<u>\$0 to \$50,000</u>	<u>50%</u>
	<u>\$50,001 to \$100,000</u>	<u>25%</u>
6	<u>\$100,001 or more</u>	<u>0%</u>

8 Further amend the bill by striking out all of section 2 and inserting in its place the following:

10 'Sec. 2. 38 MRSA §411, 2nd ¶, as enacted by PL 1995, c. 186, §2, is amended to read:

14 For the purposes of this section, "annual income" means the sum of all the property owner's federal taxable income for the previous year for single-family or seasonal dwellings and ~~gross profit-for-commercial-establishments~~ "gross profit" means the sum of all the commercial establishment owner's gross profits for the previous year as listed on the relevant federal income tax returns.

22 **Sec. 3. Grants for commercial establishments.** A municipality may apply in 1999 for a grant for a pollution abatement construction project undertaken in 1999 and serving a commercial establishment. If the project is eligible under the Maine Revised Statutes, Title 38, section 411, the Commissioner of Environmental Protection may reimburse the applicant when funds become available for the construction of water pollution control facilities through the sale of bonds.'

30 Further amend the bill by inserting at the end before the summary the following:

34 '**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.'

38 **SUMMARY**

40 This amendment eases eligibility requirements for commercial establishments to receive assistance under the Small Community Grant Program. The amendment authorizes the Commissioner of Environmental Protection to reimburse applicants for eligible projects serving commercial establishments and undertaken in 1999 when funds become available through the sale of bonds. The amendment also adds an emergency preamble and an emergency clause to the bill.

**COMMITTEE AMENDMENT**