

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 882

S.P. 275

February 27, 2007

An Act To Create a 5-year Statute of Limitations for Environmental Violations

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SNOWE-MELLO of Androscoggin.

Cosponsored by Senator: SMITH of Piscataquis, Representative: SAVAGE of Falmouth.

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

2 **Sec. 1. 38 MRSA §347-A, sub-§8** is enacted to read:

3 **8. Limitations on enforcement actions.** Notwithstanding Title 14, section 752, any
4 enforcement action for civil or administrative penalties brought by the department or the
5 Attorney General for a violation of this Title, of rules adopted under this Title or of the
6 terms or conditions of a license, permit or order issued by the department must be
7 initiated within 5 years of the date of the knowledge by the department or the Attorney
8 General of the violation.

9 **SUMMARY**

10 This bill requires enforcement actions for violations of environmental laws to be
11 brought by the Department of Environmental Protection or the Attorney General within 5
12 years of the date of knowledge by the department or the Attorney General of the
13 violation.