

# MAINE STATE LEGISLATURE

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NEW DRAFT OF: H. P. 479, L. D. 633

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ONE HUNDRED AND FOURTH LEGISLATURE

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Legislative Document

No. 1587

H. P. 1255

House of Representatives, June 9, 1969

Reported by Mr. Curran from Committee on Natural Resources. Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-NINE

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**AN ACT Creating Civil Liability to the State for Pollution of Waters.**

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

**R. S., T. 38, § 453, amended.** Section 453 of Title 38 of the Revised Statutes is amended by adding at the end, a new paragraph, as follows:

Any person, corporation or other legal entity who unlawfully discharges or causes to be discharged pollutants into the waters of this State is liable to the State for the reasonable costs and expenses of the State actually incurred by it in tracing the source of such discharge and eliminating or alleviating the impact of the unlawful discharge, to be recovered by the Attorney General in a civil action brought in the name of the State. A discharge which violates the water classification but for which there may not be prosecution, due to a time schedule for compliance under this chapter, shall not be an unlawful discharge within the meaning of this paragraph.