

MAINE STATE LEGISLATURE

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NEW DRAFT OF: H. P. 1421, L. D. 1789
FIRST SPECIAL SESSION

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1821

H. P. 1445

House of Representatives, January 28, 1970

Reported by a majority of the Committee on Natural Resources and printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
AND SEVENTY

AN ACT Requiring Bonds to Insure Performance of Waste
Discharge License Provisions.

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

R. S., T. 38, § 414, sub-§ 3, amended. Subsection 3 of section 414 of Title 38 of the Revised Statutes, as repealed and replaced by section 10 of chapter 499 of the public laws of 1969, is amended to read as follows:

3. General. Any license to so discharge granted by the commission may contain such reasonable terms and conditions with respect to the discharge as in the commission's determination will best achieve the standards set forth in sections 363 and 364.

Whenever the commission shall determine from the record of any hearing held under this section, that an applicant has not constructed facilities adequate to insure that his discharge, either of itself or in combination with existing discharges to the waterway, will not violate the classification of the receiving body of water, the commission may, when issuing any license, specify therein interim and final dates for the construction and commencement of operation of such facilities, and may require commission approval of plans for such facilities; and may in addition, prior to the issuance of any license, require that such applicant execute a bond, in favor of the commission, in such sum as the commission shall determine sufficient to construct such facilities conditioned upon the faithful performance by the applicant of all the terms and conditions of such license. Such bond shall be issued by some surety company licensed to do business in the State and approved by the commission.

A full and complete record shall be kept of all hearings held under this section by the commission and all testimony shall be taken by a stenographer. The commission may make reasonable rules and regulations relating to the conduct of hearings held under this section.