

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
SECOND REGULAR SESSION

(Filing No. H-1070)

COMMITTEE AMENDMENT "A" to H.P. 1959, L.D. 2041, Bill,
"AN ACT to Clarify the Investigation Powers of the Department
of Environmental Protection under the Oil Conveyance Program."

Amend the Bill by striking out all of the title and inserting
in its place the following: 'AN ACT to Authorize the Department
of Environmental Protection to Recover the Costs of Pollution
Investigations.'

Further amend the Bill by striking out everything after the
enacting clause and before the Statement of Fact and inserting in
its place the following:

'38 MRSA §349, sub-§5, is enacted to read:

5. Recovery of costs. Any person who is found to be in
violation of any provision of law administered by the Department
of Environmental Protection or of any order, rule, regulation,
license, permit, approval or decision of the Board of Environmental
Protection or decree of the court as the case may be, is liable
to the State for the reasonable costs and expenses of the State
actually incurred by it in investigating and establishing the
violation, to be recovered by the Attorney General for the account
from which the moneys were expended, in an action brought in the
name of the State.'

Statement of Fact

This amendment provides that the State may recover actual costs of investigating and establishing that a violation of state law has occurred.

Reported by the Committee on Natural Resources.

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