

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 330

S. P. 155

In Senate, February 6, 1979

Referred to the Committee on Judiciary. Sent down for concurrence and ordered printed.

Presented by Senator O'Leary of Oxford.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Amend the Safe Drinking Water Act.

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

22 MRSA § 2617, sub-§ 1, as enacted by PL 1975, c. 751, § 4, is amended by inserting at the end the following new sentence:

The District Court or the Superior Court shall have jurisdiction over violations of section 2616.

STATEMENT OF FACT

A District Court Judge has recently ruled that the District Court has no jurisdiction over violations of Title 22, section 2616. Title 22, section 2617, subsection 2, relates to injunctive relief which may be granted by the Superior Court. It is believed that the District Court Judge thought that the injunctive relief section which gave jurisdiction to the Superior Court also applied to the general violations provision of Title 22, section 2617, subsection 1. This is a mistaken interpretation and the law should be amended to grant to the District Court the jurisdiction to hear actions arising under Title 22, section 2616.