

MAINE STATE LEGISLATURE

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5
D. OF R.

1

L.D. 2418

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(Filing No. S- 394)

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STATE OF MAINE

4

SENATE

5

111TH LEGISLATURE

6

SECOND REGULAR SESSION

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8

9

SENATE AMENDMENT " A" to S.P. 900, L.D. 2418,
Bill, "AN ACT Relating to Enforcement of Land Use
Laws."

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Amend the bill by striking out all of section 19
and inserting in its place the following:

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'Sec. 19. 38 MRSA §349, sub-§§5 and 6 are en-
acted to read:

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5. Considerations. In setting a penalty, the
court shall consider, but shall not be limited to,
the following:

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A. Prior violations by the same party;

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B. The degree of environmental damage that can-
not be abated or corrected;

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C. The extent to which the violation continued
following an order of the department or board to
correct it; and

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D. The importance of setting a civil penalty
substantial enough to deter others from similar
violations.

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6. Maximum civil penalty. The maximum civil
penalty may exceed \$10,000 for each day of that vio-
lation, but shall not exceed \$25,000 for each day of
the violation, when it can be shown that there has
been a previous violation of the same law by the same
party within the 5 preceding years.'

SENATE AMENDMENT "A" to S.P. 900, L.D. 2418

1 STATEMENT OF FACT

2 This amendment deletes certain provisions of sec-
3 tion 19 of the bill that are already contained else-
4 where in the bill; the amendment retains those por-
5 tions of section 19 which had not previously appeared
6 in the bill.

7 6772041084

8 (Sen. Trafton)

9 NAME:

10 COUNTY: Androsco 

Reproduced and Distributed pursuant to Senate Rule 11-A.

April 10, 1984

(S-394)