

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 1851

H.P. 1334

House of Representatives, December 8, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on December 8, 1989. Referred to the Committee on Energy and Natural Resources and 1600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MURPHY of Berwick.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Amend the Berwick Sewer District Charter.



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

P&SL 1963, c. 154, §5 is amended to read:

Sec. 5. Offenses and penalties. Any person who shall place, discharge or leave any offensive or injurious matter or material on or in the conduits, catch basins or receptacles of said district contrary to its rules or regulations, or shall willfully injure any conduit, pipe, reservoir, flush tank, catch basin, manhole, outlet, engine, pump or other property held, owned or used by said district for the purposes of this act shall be liable to pay twice the amount of the damages to said district, to be recovered in any proper action; and such any person on conviction of either of the acts of willful injury aforesaid shall be punished by a fine not exceeding \$200 \$1,000 per day for each day in violation of the standards and requirements and by imprisonment not exceeding one year, or by both.

Any industrial user who violates the pretreatment standards and requirements of the district shall be subject to a fine of \$1,000 per day for each day the industrial user is in violation of such standards and requirements. The district may seek injunctive relief to ensure compliance with the terms of its pretreatment standards and requirements and may seek an award of reasonable attorney's fees in actions brought under this section.

STATEMENT OF FACT

Regulatory changes promulgated by the United States Environmental Protection Agency now require that the Berwick Sewer District have the authority to impose a minimum civil penalty of \$1,000 and to obtain injunctive relief when an industrial user violates the pretreatment standards and requirements of the district. This bill amends the charter of the Berwick Sewer District in order to comply with these regulations.