

# MAINE STATE LEGISLATURE

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R of S.

L.D. 877

(Filing No. S-51 )

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STATE OF MAINE  
SENATE  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 321, L.D. 877, Bill, "An Act to Amend the Augusta Sanitary District Charter to Comply with Federal Sewerage Pretreatment Requirements"

Amend the bill in section 1 in section 13 in the first paragraph in the 3rd line (page 1, line 25 in L.D.) by striking out the following: "or" and inserting in its place the following: 'L'

Further amend the bill in section 1 in section 13 in the first paragraph in the 3rd line (page 1, line 25 in L.D.) by inserting after the following: "order" the following: 'or permit'

Further amend the bill in section 1 in section 13 by striking out all of the last paragraph (page 1, lines 40 to 50 in L.D.) and inserting in its place the following:

'An industrial user who produces industrial waste and who violates any local, state or federal law, order, rule, permit or regulation pertaining to the pretreatment of industrial waste may be enjoined from continuing in any such violation and may be assessed, in addition to any other penalties provided by law, a penalty of \$2,000 a day for each violation. The district is authorized to seek the injunctive relief and to recover this penalty in a civil action in District Court or Superior Court.'

Further amend the bill in section 2 in the first paragraph in the 8th line from the end (page 2, line 41 in L.D.) by inserting after the following: "penalties" the following: 'as provided in section 13'

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COMMITTEE AMENDMENT "A" to S.P. 321, L.D. 877

2 Further amend the bill by inserting at the end before the  
statement of fact the following:

4 FISCAL NOTE

6 The additional work load and administrative costs associated  
with a minimal number of new cases filed in Superior Court and  
8 District Court as a result of civil actions will be absorbed  
within the budgeted resources of the Judicial Department.'

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STATEMENT OF FACT

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16 This amendment clarifies the penalty provisions of the bill  
and eliminates the criminal penalty provision relating to  
18 industrial users who violate pretreatment standards. Under the  
amendment, an industrial user who violates any federal, state or  
local pretreatment law, order, rule, permit or regulation may be  
20 assessed a penalty of \$2,000 a day for each violation and may be  
enjoined from continuing in such violation. The district is  
22 authorized to bring a civil action to seek the injunction and  
recover the penalty.

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The amendment also adds a fiscal note to the bill.

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Reported by Senator Cleveland for the Committee on Utilities.  
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(4/9/91) (Filing No. S-51)