

# MAINE STATE LEGISLATURE

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R. of S.

L.D. 1358

(Filing No. S-129 )

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STATE OF MAINE  
SENATE  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 509, L.D. 1358, Bill, "An Act to Grant Enforcement Powers to Sewer Districts"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 38 MRSA §1151-A is enacted to read:

§1151-A. Enforcement power

A sanitary district may seek in a civil action injunctive relief from an industrial user that violates any pretreatment standard or requirement administered by the district. The district may seek a civil penalty of up to \$1,000 a day for each violation by an industrial user of a pretreatment standard or requirement.

Sec. 2. 38 MRSA §1252, first ¶, as enacted by PL 1981, c. 466, §13, is amended to read:

The following provisions shall-be are incorporated into the private and special laws governing all sewer districts. Any part of a sewer district charter not in compliance conformity with this chapter shall-be-considered is repealed.

Sec. 3. 38 MRSA §1252, sub-§8 is enacted to read:

8. Enforcement power. A sewer district may seek in a civil action injunctive relief from an industrial user that violates any pretreatment standard or requirement administered by the district. The district may seek a civil penalty of up to \$1,000

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COMMITTEE AMENDMENT " A" to S.P. 509, L.D. 1358

2 a day for each violation by an industrial user of a pretreatment  
3 standard or requirement.

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FISCAL NOTE

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8 The additional work load and administrative costs associated  
9 with a minimal number of additional cases filed in District Court  
10 for injunctive relief will be absorbed within the budgeted  
11 resources of the Judicial Department.'

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STATEMENT OF FACT

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16 This amendment strikes the language of the bill that granted  
17 to sewer districts the same powers of enforcement as are given to  
18 municipalities with regard to a broad range of land use laws and  
19 ordinances. This amendment grants to sewer districts and  
20 sanitary districts the authority to enforce pretreatment  
21 standards as required by the federal Water Pollution Control Act,  
22 33 United States Code, Section 1251 et seq., and implementing  
23 regulations. Under this amendment, sanitary and sewer districts  
24 are authorized to seek injunctive relief from, and a \$1,000 a day  
25 penalty against, industrial users who violate pretreatment  
26 standards administered by the district.

The amendment also adds a fiscal note to the bill.

Reported by Senator Cleveland for the Committee on Utilities.  
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