

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1200

S.P. 388

March 7, 2007

**An Act To Require the Department of Environmental Protection To
Exclude Repeat Violators of Environmental Laws from Receiving
State Contracts**

Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MITCHELL of Kennebec.
Cosponsored by Representative CROCKETT of Augusta.

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

2 **Sec. 1. 38 MRSA §349-B** is enacted to read:

3 **§349-B. Debarment from state contracts**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Repeat violation" means a violation of a legal requirement after having been
7 previously adjudicated of having violated the same requirement.

8 **2. Debarment.** The commissioner shall, after hearing, debar from participation in
9 state contracts for 2 years any person found to have committed a repeat violation of this
10 Title, of rules adopted under this Title or of the terms or conditions of a license, permit or
11 order issued by the board or the commissioner when either the time for filing an appeal of
12 the determination of that violation has expired or the appeals process has been exhausted.

13 **SUMMARY**

14 This bill requires the Commissioner of Environmental Protection to debar from state
15 contracts for 2 years any person that commits a repeat violation of environmental laws.