

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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**Legislative Document**

**No. 281**

S.P. 87

In Senate, February 3, 2011

### **An Act To Create a 5-year Statute of Limitations for Environmental Violations**

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

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator SNOWE-MELLO of Androscoggin.  
Cosponsored by Senators: COLLINS of York, HASTINGS of Oxford, MASON of Androscoggin, McCORMICK of Kennebec, SAVIELLO of Franklin, Representatives: FITTS of Pittsfield, WINSOR of Norway.

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

**Sec. 1. 38 MRSA §347-A, sub-§8**, as enacted by PL 2007, c. 337, §1, is repealed and the following enacted in its place:

**8. Limitations on enforcement actions.** Notwithstanding Title 14, section 752, any enforcement action for civil or administrative penalties brought by the department or the Attorney General for a violation of this Title, of rules adopted under this Title or of the terms or conditions of a license, permit or order issued by the department must be initiated within 5 years of the date of the violation.

## SUMMARY

This bill requires enforcement actions for violations of environmental laws to be brought by the Department of Environmental Protection or the Attorney General within 5 years of the date of the violation.