

MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D L E G I S L A T U R E

Legislative Document

No. 854

H. P. 1230

House of Representatives, February 14, 1945.

Referred to the Committee on Judiciary, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Downs of Rome.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Relating to the Sanitary Water Board.

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

Sec. 1. R. S., c. 72, § 1-A - 1-D, additional. Chapter 72 of the revised statutes is hereby amended by adding thereto 4 new sections to be numbered 1-A to 1-D, inclusive, to read as follows :

'**Sec. 1-A. "Pollution", defined.** For the purposes of this chapter pollution shall be regarded as existing in any of the aforesaid waters if, as the result of any discharge of any liquid, solid, or gaseous substances, the quality of any of such waters is impaired for public water supply, bathing or recreational purposes, shell-fish cultivation or use by live-stock, or kills or is injurious to fish life, or is injurious to public health or comfort.

The board shall have the right to decide and define where such pollution exists and it is hereby given jurisdiction for that purpose.'

'**Sec. 1-B. Complaint of pollution and action.** Upon complaint to the board that any of the aforesaid waters is receiving pollution, the board shall make a study of conditions and if possible by cooperation with the offending party or parties work out a reasonable solution thereof. If said offending party refuses or neglects to act reasonably in the premises, the board, acting through the attorney-general, may proceed at law or in equity to procure relief from the pollution condition.'

‘Sec. 1-C. Pollution unlawful. It shall be unlawful to cause the pollution of any stream, river, pond, lake or other body of water or watercourse, or any tidal waters of the state which at the present time is not subject to pollution as defined by this chapter, or to add any new source of pollution to any of the waters of the state which at the present time are from any cause receiving pollution.’

‘Sec. 1-D. Powers of attorney-general not limited. The provisions of sections 1-A to 1-C, inclusive, shall not be construed as in any way limiting the powers of the attorney-general to proceed by legal action to abate public nuisances.’