

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
97th LEGISLATURE

HOUSE AMENDMENT "A" to H.P. 1231, L.D. 1514, Bill, "An Act Amending Laws on Water Pollution Control."

Amend said Bill by striking out all of sections 8 and 9 and inserting in place thereof the following:

"Sec. 8. R.S., c. 79, Sec. 8, amended. Section 8 of chapter 79 of the revised statutes is hereby amended to read as follows:

'Sec. 8. Pollution restricted. No person, firm, corporation or municipality or agency thereof shall discharge into any stream, river, pond, lake or other body of water or watercourse or any tidal waters any waste, refuse or effluent from any manufacturing, processing or industrial plant or establishment or any sewage so as to constitute a ~~new~~ source of pollution to said waters without first obtaining a license therefor from the Water Improvement Commission; provided, however, that no application for a license shall be required hereunder for any manufacturing, processing or industrial plant or establishment, ~~new or heretofore operated, for any such discharge at its present general location, such license being hereby granted~~ established prior to August 1, 1945.

It shall be unlawful for any person or persons to dispose of any sewage or waste into any surface water in excess of the maximum quantity or of a different character than that being discharged during a period of one year prior to July 1, 1955 without first obtaining a license from the Commission, which license shall specify the terms and conditions by which the licensee may further pollute the water.

Sec. 9. R.S., c. 79, Sec. 11, amended. Section 11 of chapter 79 of the revised statutes is hereby amended to read as follows:

'Sec. 11. Deposit of slabs, edgings, sawdust, etc., in streams. No person, corporation or other party shall place or deposit in the inland waters or tidal waters of this State, or on the banks thereof so that the same shall fall or be washed into such waters, any slabs, edgings, sawdust, chips, bark slash or shavings created in the manufacture of lumber or other wood products, or so deposit any oil regardless of its source, or so pollute said waters. ~~The Water Improvement Commission shall make surveys concerning pollution of said waters. Whenever said Commission finds conditions inconsistent with this section, it shall attempt to correct the same through negotiation; and upon failure to procure correction, it shall apply to any justice of the supreme or superior court, in an action as in equity. Said court, on due notice and hearing, may abate said condition to an extent consistent with the public interest and shall impose limitations on the nature and extent of deposit in said waters consistent with the public interest. Any person, corporation or other party aggrieved thereby may appeal therefrom to the law court as in equity.~~

(over)

(Filing No. 524)

HOUSE AMENDMENT "A"
to H.P. 1231, L.D. 1514

The following rivers are exempted until the 1st day of September, 1955 and no longer from all of the provisions of this section - Salmon Falls river, Mousam river, Saco river, Presumpscot river, Androscoggin river, Little Androscoggin river, Kennebec river, Penobscot river and the West Branch of the Penobscot river and Millinocket stream up to and including the town of Millinocket, St. Croix river and St. John river, - excepting all tributaries of the aforesaid rivers. Whoever violates any provision of this section shall pay a fine of not less than 25 nor more than 200, and costs, for each offense.

Nothing contained in this section shall nullify, modify or in any way affect any license granted by said Commission or otherwise granted pursuant to or by the provisions of section 8.

If any person, corporation or other party believes it to be necessary in the prosecution of his or its business to deposit some or all of the materials hereinbefore mentioned in this section in any of said waters, or on the banks thereof, to an extent prohibited by this section, he or it may make application to such Commission, which shall give notice thereof and hold a hearing thereon, and which shall have authority to issue an order thereon granting such permit as it deems advisable or denying such application.

Any person, corporation or party aggrieved by any order or decision of said Commission made pursuant to any of the provisions of this section may appeal from such order or decision to any justice of the superior court in accordance with the procedure outlined in section 10 and all further proceedings upon such appeal shall be in accordance with the provisions of said section 10.

Filed by Mr. Briggs of Caribou.

Reproduced and distributed under direction of the Clerk of the House.

5/11/55

(Filing No. 524)