



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

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

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.

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

2 **Sec. 1. 38 MRSA §347-A, sub-§8,** as enacted by PL 2007, c. 337, §1, is repealed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

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

9 **SUMMARY**

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