

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 617

H.P. 434

House of Representatives, February 13, 1991

Reference to the Committee on Housing and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative GWADOSKY of Fairfield.

Cosponsored by Representative GOODRIDGE of Pittsfield and Representative POULIN of Oakland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Facilitate Economic Growth Compatible with the Maine Environment.

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

38 MRSA c. 2, sub-c. I, art. 1 is enacted to read:

Article 1

Environmental Project Development Unit

§350. Environmental project development unit established

The Environmental Project Development Unit, referred to in this article as the "unit," is established within the department.

1. Establishment; eligibility. The unit shall foster the creation and expansion of small businesses in the State in a manner compatible with environmental laws by eliminating unnecessary delays and costs for eligible small businesses undertaking projects that must receive permits granted by the board. The unit shall work with new and expanding small businesses in the State to coordinate project review and permit procedures, to identify areas where standardization of designs or procedures can reduce delays and to provide technical and administrative assistance in matters relating to project development.

For the purpose of this article, an eligible business is a business that has:

- A. Twenty or fewer full-time equivalent employees; or
- B. Annual gross revenues of \$2,500,000 or less.

2. Duties. The unit shall:

- A. Identify the most common types of projects submitted to the board for review and develop, whenever possible, standardized designs for those projects;
- B. Coordinate the departmental review and permit process for projects submitted by eligible businesses;
- C. Provide technical and administrative assistance to eligible businesses in matters relating to project development and project review by the board;
- D. Provide technical and administrative assistance to eligible businesses in a manner that reduces the cost of project development for those businesses least capable of affording such costs and reduces the time required for review of those projects;

2 E. Work with eligible businesses to determine whether or
4 not projects qualify for permit by rule under section 344,
6 subsection 7. If the unit determines that a project is
eligible for permit by rule, the unit shall work with the
business to facilitate that permit process; and

8 F. By July 1, 1992, develop and propose to the board for
10 adoption rules governing permit by rule procedures for
12 permits and licenses issued under the site location of
development, coastal wetlands and great pond laws.

14 **§350-A. Fees**

16 By January 1, 1992, the unit shall propose to the board a
18 schedule of fees payable by the eligible business for services
20 provided by the unit under this article. Such a fee schedule
must be on a sliding-scale basis, depending upon the gross annual
revenues and the gross liquid assets of the business.

22 **§350-B. Prohibitions**

24 The unit may not adopt any rule and is not vested with any
project approval or permitting powers.

26 **§350-C. Report to Legislature**

28 The commissioner shall report to the joint standing
30 committee of the Legislature having jurisdiction over energy and
32 natural resource matters by January 1, 1992 on the progress of
34 the unit. That report must include a summary of the most common
types of projects submitted to the board as identified by the
unit and a summary of the standardized recommendations developed
by the unit.

36
38 **STATEMENT OF FACT**

40 This bill creates the Environmental Project Development Unit
42 within the Department of Environmental Protection. The unit is
44 established to provide technical and administrative assistance to
46 small businesses undertaking projects that require departmental
48 review. The identification and the elimination of unnecessary
50 delays in the review and permitting of projects by the State,
without compromising established environmental standards, are
essential for economic development in the State. The unit will
identify the types of projects most commonly submitted to the
Board of Environmental Protection and will propose to the board
methods for standardizing those projects. The unit will also
develop and propose to the board, for adoption, rules that allow

2 for permit by rule under the site location of development,
3 coastal wetlands and great pond laws. The assistance provided to
4 small businesses by the unit and the adoption of rules
5 establishing expanded permit by rule authority for the department
6 are intended to eliminate unnecessary delays in the permitting
7 process while adhering to laws and regulations that protect the
8 State's natural resources.