

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 1159

H.P. 854

House of Representatives, April 5, 1993

**An Act to Increase Accountability of the Department of Environmental Protection.**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BENNETT of Norway.  
Cosponsored by Representatives: AHEARNE of Madawaska, CAMERON of Rumford, DUTREMBLE of Biddeford, FARNUM of South Berwick, FOSS of Yarmouth, GOULD of Greenville, GRAY of Sedgwick, JOY of Island Falls, KNEELAND of Easton, KUTASI of Bridgton, LIBBY of Buxton, TAYLOR of Cumberland, ZIRNKILTON of Mount Desert, Senators: BERUBE of Androscoggin, HANLEY of Oxford.

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

Sec. 1. 38 MRSA §349, sub-§6-A is enacted to read:

6-A. Legal fees. If the Attorney General brings a civil or criminal action under this section in any court against any person and does not prevail, the court shall order the department to reimburse that person for any reasonable attorney's fees and expenses in defending against that action.

#### STATEMENT OF FACT

This bill allows the court to require the Department of Environmental Protection to reimburse a party for reasonable attorney's fees if the Attorney General brings that party to court and does not prevail.