MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1375

H.P. 1023

House of Representatives, April 30, 1993

An Act Concerning Duplicate Fees Required by the Department of Environmental Protection.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27. Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative JACQUES of Waterville.
Cosponsored by Senator LAWRENCE of York and
Representatives: ANDERSON of Woodland, CLOUTIER of South Portland, COLES of
Harpswell, GOULD of Greenville, LORD of Waterboro, MICHAUD of East Millinocket,
MITCHELL of Freeport, TARDY of Palmyra, Senators: CAREY of Kennebec, CIANCHETTE
of Somerset, LUDWIG of Aroostook, TITCOMB of Cumberland.

	Be it enacted by the People of the State of Maine as follows:
2	
4	Sec. 1. 38 MRSA §353, sub-§4, as affected by PL 1989, c. 898, Pt. A, §40 and amended by Pt. B, §13, is further amended to read:
6	4. Duplicate fees. The commissioner may not assess applicants for direct costs associated with filing, processing or
8	licensing if those costs were previously assessed as the result of the filing, processing or licensing of separate but related
10	applications.
12	If the commissioner requests that an applicant withdraw its application and refile that application or file a substantially
14	similar application or denies an application, in order to ensure that a waiver of the department's permitting authority does not
16	occur, then the applicant is not required to pay a 2nd processing or licensing fee.
18	
20	Sec. 2. Retroactivity. This Act applies retroactively to applications withdrawn after September 1, 1992.
22	
24	STATEMENT OF FACT
26	This bill prohibits the current practice of requiring payment of a 2nd fee when an applicant is requested by the
28	Department of Environmental Protection to refile an application for which a fee has already been paid.

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