

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)



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1439

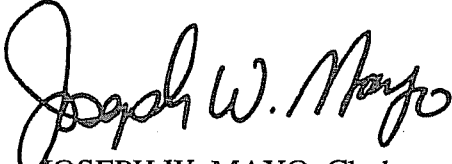
H.P. 1073

House of Representatives, May 5, 1993

**An Act to Amend Certain Laws Administered by the Department of
Environmental Protection Governing Fees, Reconsiderations and Outside
Permit Reviews.**

(EMERGENCY)

Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative DEXTER of Kingfield.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 Whereas, the Department of Environmental Protection fee
6 schedule will be repealed on July 1, 1993, resulting in lower
fees for most permitting and licensing activities; and

8 Whereas, the higher fee schedule is necessary to maintain
10 compliance with the permit processing timetables authorized by
Public Law 1991, chapter 804; and

12 Whereas, the statute allowing for outside review of
14 Department of Environmental Protection permit applications is
repealed on July 1, 1993; and

16 Whereas, the department has found the provision for outside
18 review of applications to be an important and useful aid; and

20 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
22 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
24 safety; now, therefore,

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

28 **Sec. 1. 38 MRSA §341-D, sub-§5,** as enacted by PL 1989, c. 890,
Pt. A, §13 and affected by §40, is repealed.

30 **Sec. 2. 38 MRSA §344-A, sub-§5,** as enacted by PL 1991, c. 471,
32 is repealed.

34 **Sec. 3. 38 MRSA §352, sub-§5-A,** as amended by PL 1991, c. 824,
Pt. C, §4, is further amended by amending the first paragraph to
36 read:

38 **5-A. Accounting system.** In order to determine the extent
to which the functions set out in this section are necessary for
40 the licensing process or are being performed in an efficient and
expeditious manner, the commissioner shall require that all
42 employees of the department involved in any aspect of these
functions keep accurate and regular daily time records. These
44 records must describe the matters worked on, services performed
and the amount of time devoted to those matters and services, as
46 well as amounts of money expended in performing those functions.
Records must be kept for a sufficient duration of time as
48 determined by the commissioner to establish to the commissioner's
satisfaction that the fees are appropriate. ~~This subsection is~~
50 ~~repealed July 1, 1993.~~

