

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)

M
R.S.

L.D. 156

2
4
DATE: April 25, 1995

(Filing No. S-80)

6
8
NATURAL RESOURCES

Reported by: The Minority of the Committee.

10
12
Reproduced and distributed under the direction of the Secretary
of the Senate.

14
16
**STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION**

18
20
22
COMMITTEE AMENDMENT " A" to S.P. 68, L.D. 156, Bill, "An Act
to Require the Department of Environmental Protection to Pay
Attorney's Fees in Court Cases where the Department Does Not
Prevail"

24
26
Amend the bill in section 1 in subsection 6-A in the last
line (page 1, line 9 in L.D.) by inserting after the following:
"action" the following: 'to a maximum of \$10,000'

28
30
Further amend the bill by inserting at the end before the
statement of fact the following:

32
·FISCAL NOTE

34
36
38
The Departments of Environmental Protection and the Attorney
General will require additional General Fund appropriations to
pay attorney's fees and costs in those cases in which a party
accused of violation is found innocent and to handle the
additional number of cases that will be brought to court. The
amounts can not be estimated at this time.

40
42
44
The additional workload and administrative costs associated
with the minimal number of new cases filed in the court system
can be absorbed within the budgeted resources of the Judicial
Department.'

COMMITTEE AMENDMENT

R. & S.

STATEMENT OF FACT

2

4

6

The amendment limits to \$10,000 the amount of attorney's fees and costs that the court may assess against the Department of Environmental Protection if the department does not prevail in a civil or criminal action. The amendment also adds a fiscal note to the bill.