

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 3 (Delegate Curran, et al.)

Environmental Matters

Referred to Economic and Environmental Affairs

**Review of License and Permit Applications -
Timing of Review by the Department of the Environment**

This amended bill requires the Maryland Department of the Environment (MDE), by October 1, 1996, to work with interested parties and publish a list of licenses and permits that MDE can issue within 30 days. By January 1, 1997, MDE must publish expected review times for each license and permit and must offer assistance and specified information to applicants.

For certain permits, MDE must provide a notice of completed application which, upon request, includes an estimated time for the issuance of the tentative determination. If MDE fails to issue the tentative determination within this estimated time, it must refund part or all of the application fee so long as the delay was not the result of procedures or requirements outside the control of MDE. The applicant must apply for the refund within 60 days after the estimated time given by the department. If the refund request is denied, MDE must provide a written explanation of the denial.

MDE must submit a report to the House Environmental Matters Committee and the Senate Economic and Environmental Affairs Committee by November 1, 1997 on its activities to streamline and improve the licensing and permitting process.

Fiscal Summary

State Effect: Potential minimal decrease in special fund revenues; potential indeterminate increase in general fund revenues. Expenditures would not be affected.

Local Effect: Potential indeterminate increase in revenues. Expenditures would not be affected.

Fiscal Analysis

Background: MDE has identified 73 types of permits, licenses, certificates, and approvals needed for activities impacting the natural resources of the State. Three administrative units within the department (Air and Radiation Management, Waste Management, and Water Management) process and issue the various permits. For permits subject to public hearing requirements, the permit process involves five steps: application receipt, informational meetings, tentative determination, public hearing, and final determination. Should a contested case hearing be requested, three additional steps are added to the process.

Due to previous discontent with the permitting process, MDE instituted the Environmental Permit Service Center in 1994.

State Effect: Administrative expenditures on permitting procedures would not be affected by this bill as the fiscal 1997 budget allowance contains sufficient resources to handle these requirements. It is assumed that applicants would not be able to appeal refund decisions to the Office of Administrative Hearings.

If MDE does not meet the estimated completion time given for permits, special fund revenues would decrease by the amount of the application fee refunds. However, MDE reports that it expects few refunds to be necessary under the provisions of this bill. Therefore, any such revenue loss is expected to be minimal.

To the extent that this legislation spurs economic and employment development, State tax revenues could increase.

Local Revenues: To the extent that this legislation spurs economic and employment development, local tax revenues could increase.

Information Source(s): Maryland Department of the Environment, Office of Administrative Hearings, Department of Fiscal Services

Fiscal Note History: First Reader - January 31, 1996

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Analysis by: Kim E. Wells

Direct Inquiries to:

Reviewed by: John Rixey

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710