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Date: (Filing No. H-)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1489, L.D. 2210, “An Act to Clarify Board of Environmental Protection Procedures Regarding Appeals of Licensing or Permitting Decisions of the Commissioner of Environmental Protection”

Amend the bill in section 1 in subsection 4 in the first line (page 1, line 4 in L.D.) by inserting after the following: "record" the following: 'on appeal'

Amend the bill in section 1 in subsection 4 in the 3rd line (page 1, line 6 in L.D.) by inserting after the following: "application," the following: 'including the record of any adjudicatory hearing held by the department.'

Amend the bill in section 1 in subsection 4 in paragraph A in the first blocked paragraph in the 9th line (page 1, line 45 in L.D.) by striking out the following: "administrative"

Amend the bill in section 1 in subsection 4 in paragraph A in the first blocked paragraph in the 9th to 13th lines (page 1, line 45 in L.D. and page 2, lines 1 to 4 in L.D.) by striking out the following: "relied upon by the commissioner in the commissioner's review of the application, any supplemental evidence admitted by the board on appeal and, if the board holds a hearing on the appeal, any other additional evidence obtained by the board through any from that hearing on the appeal held by the board" and inserting the following: 'any supplemental evidence admitted by the board and any other evidence obtained by the board through any hearing on the appeal held by the board on appeal'

Amend the bill in section 1 in subsection 4 in paragraph D in the 5th line (page 2, line 18 in L.D.) by striking out the following: "administrative" and inserting the following: 'administrative'

Amend the bill in section 1 in subsection 4 in paragraph D in the 5th to 10th lines (page 2, lines 18 to 23 in L.D.) by striking out the following: "of the department relied upon by the commissioner in the commissioner's review of the application, including the record of any adjudicatory hearing held by the department, and any supplemental information allowed evidence admitted by the board for supplementation of the record on appeal and, if the board holds a hearing on the appeal, any additional evidence obtained by the board from that hearing" and inserting the following: 'of the department, including the record of'

COMMITTEE AMENDMENT

1 ~~any adjudicatory hearing held by the department, and any supplemental information~~
2 ~~allowed by the board for supplementation of the record on appeal'~~

3 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
4 number to read consecutively.

5 **SUMMARY**

6 This amendment clarifies the record on appeal that may be relied upon by the Board of
7 Environmental Protection in reviewing a final license or permit decision of the
8 Commissioner of Environmental Protection, including for license or permit decisions
9 regarding an expedited wind energy development.

10 **FISCAL NOTE REQUIRED**

11 **(See attached)**