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ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 319, L.D. 988, “An Act To Increase Economic Development by Expanding the Special Fee Application Review Process of the Department of Environmental Protection”

Amend the bill by striking out the title and substituting the following:

'An Act To Increase Permitting Efficiency at the Department of Environmental Protection by Increasing the Availability of Outside Reviewers of Applications'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 38 MRSA §344-A, sub-§3, as enacted by PL 1991, c. 471, is amended to read:

3. Conflict of interest. An outside reviewer may not review any portion of an application submitted by an applicant who directly or indirectly employed the reviewer in any capacity ~~at any time during the 12-month period immediately preceding the submission of the application.~~ ~~An outside reviewer must sign a written agreement with the commissioner not to be employed, directly or indirectly, by any applicant whose application was reviewed by that reviewer for at least 12 months from the date the review of the application is complete~~ in connection to the proposal for which the applicant submitted the application.'

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

SUMMARY

This amendment replaces the bill. It amends the conflict of interest provisions in the Department of Environmental Protection laws related to an outside reviewer of an application to specify that an outside reviewer is precluded from reviewing an application

1 if the outside reviewer was directly or indirectly employed by the applicant in connection
2 to the proposal for which the applicant submitted the application.

3

FISCAL NOTE REQUIRED

4

(See attached)