

MAINE STATE LEGISLATURE

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SMY
R. O'F.

L.D. 1575

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Date: 5-31-11

MAJORITY

(Filing No. S-201)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 507, L.D. 1575, Bill, "An Act To Conform the Authority of the Department of Environmental Protection to Federal Law"

Amend the bill in section 1 in paragraph B in the 12th line (page 1, line 27 in L.D.) by inserting after the following: "department" the following: 'who do not hold major policy-influencing positions pursuant to Title 5, section 938 and'

Amend the bill in section 1 in paragraph B in the last line (page 1, line 40 in L.D.) by inserting after the following: "Agency." the following: 'If a person with a conflict under this paragraph is nominated for the position of commissioner, the Governor shall submit to the President of the Senate and Speaker of the House of Representatives a plan for delegating the duties required to be delegated under this paragraph. The plan must be submitted with the information packet required to be provided by the Governor to the President of the Senate and Speaker of the House of Representatives under Title 3, section 154.'

Amend the bill by inserting after section 1 the following:

Sec. 2. 38 MRSA §341-A, sub-§3, ¶D is enacted to read:

D. The commissioner is subject to the conflict-of-interest provisions of Title 5, section 18.'

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

SUMMARY

This amendment, which is the majority report of the committee, adds a provision that employees who are delegated duties when the Commissioner of Environmental Protection receives or during the previous 2 years has received a significant portion of income from National Pollutant Discharge Elimination System permit holders or applicants must be employees who do not hold major policy-influencing positions at the Department of Environmental Protection. The amendment also adds a provision requiring the Governor to submit a plan for delegating the restricted duties at the time of nomination of a person

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 507, L.D. 1575

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for the position of Commissioner of Environmental Protection. The amendment also makes it clear that the Commissioner of Environmental Protection is also governed by the conflict-of-interest provisions of the Maine Revised Statutes, Title 5, section 18.