

CONFLICT OF INTEREST POLICY

The Maine Technology Institute (the "Institute") is committed to achieving its mission of stimulating and supporting research and development activity in the State's technology-intensive industrial sectors by operating within the spirit and letter of all applicable laws and regulations. The Institute seeks to achieve a high level of public confidence in its operations through commitment to the highest standards of integrity and fairness in the course of its work.

Consistent with this philosophy, as well as the conflict of interest requirements of 5 M.R.S.A. § 15307, and the State fiscal agent standards of 5 M.R.S.A. § 15303(1), the Board adopts the following Conflict of Interest Policy, applicable to all Institute directors, Technology Board members and employees. This Policy shall also apply to peer reviewers who serve in a contractor or volunteer capacity in reviewing grant proposals or other funding applications on behalf of the Institute.

It is the policy of the Institute to avoid conflicts of interest between the Institute and its individual directors, employees and their respective family members as well as between the Institute and its Technology Board members, employees and their respective family members. A conflict of interest is any situation in which an individual's personal interest or the interest of the individual's family members unreasonably interferes with the individual's ability to make objective decisions on behalf of the Institute. There may also be circumstances in which a relationship will create an appearance of a conflict of interest and is to be treated as a conflict of interest.

Directors and employees of the Institute and Technology Boards, as well as Technology Board members and employees, are prohibited from using their positions or Institute information for personal purposes or gain in a manner that would be a conflict of interest without specific compliance with this Conflict of Interest Policy. Directors, members and employees may be required to complete questionnaires or to sign statements regarding personal conflicts of interest at least annually.

"Family members" covered by this Policy include parents, children, brothers, sisters, spouse, spouse's parents, and any persons sharing the same household with the Director, Technology Board member, or employee. The "Institute" means the Maine Technology Institute or any of its Technology Boards.

Grants or Transactions with Entities Related to Director, Member or Employee.

A conflict of interest arises where an entity in which you or a family member has a financial interest makes an application for a grant or other transaction with the Institute and where you are in a position to influence decisions pertaining to that transaction. In all cases in which an entity in which you or a family member has a financial interest makes application to the Institute for a grant or assistance of any kind, you must disclose to the Chair of the Institute Board, the Technology Board or the President of the Institute the nature and extent of your interest. The purpose of the disclosure is to enable the Institute to determine if a conflict of interest exists. As a general matter, if the only financial interest is the ownership of less than ten percent (10%) of the outstanding common stock of a publicly held company, the Institute will determine that no conflict of interest exists. If a conflict of interest is determined to exist, the Director, Technology Board member, or employee must recuse himself/herself from the matter, assuring he/she is not in a position to influence decisions pertaining to that transaction. The recusal shall ensure that the director, Technology Board member, or employee: (i) does not participate in discussions or analysis of the grant proposal; (ii) is not present at the time the proposal is evaluated

by Institute; and (iii) abstains from voting on the proposal or application. The abstention shall be recorded in the minutes of the meeting.

A similar disclosure and recusal standard shall apply to any contract award by the Institute.

Indirect Conflicts of Interest.

An indirect conflict of interest may arise when a board director, Technology Board member or employee or their family member has a recent, current or imminent future relationship of a financial or business nature with a person or organization seeking a grant or other assistance from the Institute. Such a situation might involve a recent past or expected prospective employment relationship, strategic business alliance, or even a direct competitor relationship in the same market niche. This type of indirect conflict of interest can create the appearance of a conflict of interest, if not an actual conflict.

In all cases of indirect conflict of interest, the director, Technology Board member or employee shall disclose the existence of the indirect conflict to the Chair of the Institute Board, the Technology Board or the Institute President. The purpose of the disclosure is to enable the Institute to determine if a conflict of interest exists. If the Institute determines that a conflict of interest exists, the protocol outlined above for financial conflicts of interest shall be observed by the recused director, Technology Board member or employee.

Contacts with Applicants.

All directors, Technology Board members and employees are prohibited from accepting any gift, entertainment, or other personal favor from any person or organization seeking a grant or other assistance from the Institute if the gift could be perceived as given to influence decision-making, could be regarded as inconsistent with ethical business practice, or could place the employee or the Institute under an obligation to the giver. Any gift, entertainment, or other personal favor accepted from any person or organization seeking a grant or other assistance from the Institute or a Technology Board with a value in excess of \$25.00 must be reported to the Chair of the Institute Board, the Technology Board or the President of the Institute either within 30 days of receipt, or before any action on the donor's application, whichever date occurs earlier.

Peer Reviewers.

In the event the Institute retains the services of a peer reviewer to assist the Institute in a contractor or volunteer capacity, the Institute peer reviewer shall be required to comply with the provisions of this Policy. Prior to retaining the peer reviewer's services, the Institute shall request the peer reviewer to sign a questionnaire disclosing any conflicts of interest or contacts with applicants, in order to assure compliance with this Policy.

Read and Accepted By: _____ Date: _____

Printed Name and Title: _____
(Name) (Title)