

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1643

S.P. 651

In Senate, April 15, 2025

An Act to Establish the Maine Life Science Innovation Center

Received by the Secretary of the Senate on April 11, 2025. Referred to the Committee on Housing and Economic Development pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator PIERCE of Cumberland.
Cosponsored by Representative ZAGER of Portland and
Senators: BENNETT of Oxford, MOORE of Washington, RENY of Lincoln, Representatives:
CLOUTIER of Lewiston, DUCHARME of Madison, GERE of Kennebunkport, SAYRE of
Kennebunk, STOVER of Boothbay.

1 Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 5 MRSA c. 397 is enacted to read:

3 **CHAPTER 397**

4 **MAINE LIFE SCIENCE INNOVATION CENTER**

5 **§13401. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms
7 have the following meanings.

8 **1. Board.** "Board " means the Board of Directors of the Maine Life Science Innovation
9 Center established in section 13403, subsection 2.

10 **2. Bond.** "Bond" means a bond or note or other evidence of indebtedness authorized
11 under this chapter, whether issued under or pursuant to a bond resolution, trust indenture,
12 loan or other security agreement.

13 **3. Center.** "Center" means the Maine Life Science Innovation Center established in
14 section 13402.

15 **4. Certified life science business.** "Certified life science business" means a business
16 that has been certified by the board as being eligible to receive investments, grants, loans
17 and incentives from the Maine Life Science Innovation Fund established in section 13404.

18 **5. Life science sector.** "Life science sector" means the aggregate of persons engaged
19 in any economic activity relating to living organisms and life processes for the purpose of
20 improving human, animal and environmental health, including business, manufacturing,
21 research, education and other activities.

22 **6. Real or personal property.** "Real or personal property" means properties and assets
23 purchased by the center or transferred to the center from federal, state, local and private
24 entities and individuals.

25 **§13402. Maine Life Science Innovation Center established**

26 The Maine Life Science Innovation Center, referred to in this chapter as "the center,"
27 is established as a body corporate and politic to carry out the purposes of this chapter. The
28 center shall leverage and expand the State's growing life science sector by:

29 **1. Central entity.** Serving as the central entity and coordinating organization for life
30 science initiatives on behalf of the State and working in collaboration with governmental
31 entities, trade associations, institutions of higher education, research institutions and other
32 entities to grow the life science sector;

33 **2. Planning for growth.** Creating and executing on a strategic plan for growth in the
34 State's life science sector;

35 **3. Alignment with state plans.** Ensuring the work of the center is aligned with the
36 State's long-term economic development plan under section 13053, the Maine Innovation
37 Economy Advisory Board's innovation economy action plan under Title 10, section 949
38 and other relevant plans;

1 **4. Workforce retention and attraction.** Facilitating the creation of a highly skilled
2 workforce and attracting and retaining workers in the life science sector;

3 **5. Education and training.** Enhancing science, technology, engineering and
4 mathematics education and engagement in kindergarten to grade 12 and higher education
5 curricula;

6 **6. Research and development.** Facilitating increased research and development
7 activity at the State's public and private research organizations;

8 **7. Health of state residents.** Ensuring the work of the center is aligned with the State's
9 plans to improve the health of humans, animals and the environment and specifically
10 confront diseases that disproportionately affect the people of the State;

11 **8. Business development and attraction.** Coordinating the State's business
12 development and business attraction programs and organizations to grow the number of
13 life science businesses in the State;

14 **9. Public engagement.** Facilitating community outreach and educational
15 programming for the people of the State related to the life science sector;

16 **10. Marketing and promotion.** Marketing the State's life science sector both within
17 and outside of the State to attract companies, business investment and talent to the State;

18 **11. Financing, grants and incentives.** Administering the Maine Life Science
19 Innovation Fund, established under section 13404;

20 **12. Facilities.** Securing facilities and properties within the geographic boundaries of
21 the State to operate the center;

22 **13. Revenue to the center.** Applying for and accepting contributions of any source of
23 money, property, labor or any other things of value, including federal, state and nonprofit
24 funding opportunities for the State's life science sector; and

25 **14. Revenue to the State.** Attracting out-of-state businesses, business visitors and
26 tourists to the State.

27 **§13403. Maine Life Science Center; powers; board of directors; obligations**

28 **1. Powers.** The Maine Life Science Innovation Center may:

29 A. Sue and be sued;

30 B. Adopt bylaws or rules consistent with this chapter for the governance of its affairs;

31 C. Exercise all of the general powers of corporations under Title 13-C, section 302;

32 D. Contract with the Federal Government or its instrumentalities or agencies; the State
33 or its agencies, instrumentalities or municipalities; public bodies; private corporations;
34 partnerships; associations; and individuals to carry out the purposes of this chapter;

35 E. Borrow money and apply for and accept advances, loans, grants, contributions and
36 other forms of financial assistance from the Federal Government, the State, a
37 municipality or other public body or from other sources, public or private, for the
38 purposes of this chapter and give any security that is required and enter into and carry
39 out contracts in connection with any financial assistance;

1 F. Borrow money and make, issue and sell at public or private sale negotiable notes,
2 bonds and other evidences of indebtedness or obligation of the center for the purposes
3 of this chapter and secure the payment of that indebtedness or obligation or any part of
4 that indebtedness or obligation by pledge of all or any part of the operating revenues
5 of the center;

6 G. Enter into loan or security agreements with one or more lending institutions,
7 including, but not limited to, banks, insurance companies and institutions that
8 administer pension funds, or with trustees of those institutions, for the issuance of
9 bonds and exercise with respect to those loan or security agreements all of the powers
10 delineated in this chapter for the issuance of bonds;

11 H. Provide from operating revenues for the maintenance, construction or reconstruction
12 of facilities to carry out the purposes of the center;

13 I. Adopt rules for the administration of this chapter. Rules adopted pursuant to this
14 paragraph are routine technical rules pursuant to chapter 375, subchapter 2-A; and

15 J. Take all other lawful action necessary and incidental to the powers under this
16 subsection.

17 **2. Board of directors.** The Board of Directors of the Maine Life Science Innovation
18 Center consists of 15 directors, of whom 4 directors are ex officio members as specified in
19 paragraph B and 11 directors are appointed as specified in paragraph C. Each director is
20 entitled to one vote.

21 A. The board has the full authority to direct the affairs and activities of the center.

22 B. Ex officio members of the board are:

23 (1) The Commissioner of Economic and Community Development or the
24 commissioner's designee;

25 (2) The president of the Maine Technology Institute under section 15302 or the
26 president's designee;

27 (3) The Chancellor of the University of Maine System or the chancellor's designee;
28 and

29 (4) The President of the Maine Community College System or the president's
30 designee.

31 C. The members of the board who are not ex officio members are appointed by the
32 Governor and subject to confirmation by the Senate and must be individuals or
33 representatives of organizations that are in a position to advance the purposes and goals
34 of the center and are able to have a significant effect on improving the State's life
35 science economy as specified in the bylaws of the center. Consideration must be given
36 to the unique multidisciplinary nature of the State's life science sector, which leverages
37 innovations across human and animal health, marine biology, agriculture, forestry and
38 data science for the benefit of human, animal and environmental health. Membership
39 under this paragraph must include:

40 (1) A representative of a business in the State with fewer than 25 employees that
41 is involved in the life science sector;

1 (2) A representative of a business in the State with 25 or more employees that is
2 involved in the life science sector;

3 (3) Two representatives of nonprofit research institutions based in the State that
4 are involved in research and development in the life science sector;

5 (4) A representative of a private college, university, community college or trade
6 school in the State that is involved in the life science sector;

7 (5) Two representatives of trade associations based in the State or other nonprofit
8 organizations that support the life science sector, including the executive director
9 of an association of life science companies, professionals and researchers in the
10 State;

11 (6) A representative of an institution that is a member of a collaborative network
12 of state educational and research institutions led by an internationally recognized
13 institution for biomedical research in the State;

14 (7) A representative of business investors or the banking or finance sectors;

15 (8) A representative from Washington County; and

16 (9) A representative from Aroostook County.

17 Members of the board who are not ex officio members serve 3-year terms, except that
18 the terms of these members serving on the first board must be staggered, with 4
19 members serving for one-year terms, 4 members serving for 2-year terms and 3
20 members serving for 3-year terms.

21 D. The board shall elect a chair and vice-chair from among its members. The center
22 may employ an executive director, technical experts and other agents and employees,
23 permanent and temporary, as required and may determine their qualifications, duties
24 and compensation. For required legal services, the center may employ or retain its own
25 counsel and legal staff.

26 E. For transacting business at board meetings, a majority of directors then in office
27 constitutes a quorum. The vote of a majority of the directors present at board meetings
28 constitutes an act of the board.

29 **3. Liability.** The liability of the center is governed by the Maine Tort Claims Act. A
30 member of the board or an employee of the center is not subject to any personal liability
31 for having acted in the service of the member's or employee's duty as a member of the board
32 or an employee of the center within the course and scope of membership or employment to
33 carry out a power or duty under this chapter. The center shall indemnify a member of the
34 board or an employee of the center against expenses actually and necessarily incurred in
35 connection with the defense of an action or proceeding in which a member of the board or
36 an employee of the center is made a party by reason of past or present association with the
37 center.

38 **4. Expenses.** A member of the board is not entitled to receive compensation for
39 services to the center but is entitled to receive reimbursement for necessary expenditures,
40 including travel expenses incurred in carrying out those services.

41 **§13404. Maine Life Science Innovation Fund**

1 **1. Maine Life Science Innovation Fund established.** There is established a
2 nonlapsing fund to be known as the Maine Life Science Innovation Fund, referred to in this
3 section as "the fund," for the purpose of receiving funds from the State and gifts, grants,
4 devises, bequests, trusts or security documents to support the operations and initiatives of
5 the center. The State shall credit to the fund any appropriation or allocation made to the
6 center in the fiscal year in which the appropriation or allocation is made.

7 A. The fund must be used to:

8 (1) Make qualified investments, grants and loans and provide incentives to eligible
9 recipients to advance the life science sector in the State;

10 (2) Facilitate clinical trials within the State;

11 (3) Provide business supports for new or expanding businesses;

12 (4) Purchase, lease, acquire, own, improve, use, sell, convey, transfer or otherwise
13 deal in and with a center property, a center project or any interest in a center
14 property or center project, whether tangible or intangible, as otherwise authorized
15 under this chapter;

16 (5) Pay the costs of operating, maintaining, improving and repairing all property
17 and projects of the center;

18 (6) Pay the costs of administering and operating the center, including, but not
19 limited to, all wages, salaries, benefits and other expenses authorized by the board
20 or the executive director;

21 (7) Pay the principal and premium, if any, and the interest on the outstanding bonds
22 of the center related to a center property or center project as they become due and
23 payable;

24 (8) Create and maintain reserves required or provided for in any law authorizing
25 or any security document securing the bonds of the center related to a center
26 property or center project;

27 (9) Create and maintain a capital improvement fund for a center property and center
28 project established by the board;

29 (10) Pay all taxes owed by the center related to a center property or center project;
30 and

31 (11) Pay all expenses incident to the management and operation of the center.

32 B. The fund constitutes a continuing appropriation for the benefit of the center. Any
33 amount remaining in the fund at the close of any fiscal year is carried over and credited
34 to the fund for the succeeding year.

35 C. Money in the fund must be paid to the center on manifests approved by the Governor
36 and Legislature in the same manner as other state claims are paid.

37 D. The revenues received by and due to the center from all sources other than state
38 appropriation must be retained by the center and must be used in such a manner as the
39 board determines consistent with the provisions of this section or as otherwise provided
40 by law or by the terms and conditions of any gift, grant, devise, bequest, trust or
41 security document.

1 **2. Eligible recipients.** Certified life science businesses, research institutions and
2 educational institutions are eligible to receive funding from the center upon a majority vote
3 of the board. The board may use a competitive process to award funds.

4 **§13405. Interest of public officials, directors or employees**

5 **1. Acquisition of interest.** A public official, member of the board or employee of the
6 center may not acquire or hold a direct or an indirect financial or personal interest in:

7 A. A center activity;

8 B. Center property; or

9 C. A contract or proposed contract in connection with a center activity.

10 **2. Present or past interest in property.** If a public official, member of the board or
11 employee of the center presently owns or controls, or owned or controlled within the
12 preceding 2 years, a direct or an indirect interest in property known to be included or
13 planned to be included in a center activity, that public official, member or employee shall
14 disclose this fact immediately in writing to the board and the disclosure must be entered in
15 the board's minutes.

16 **3. Recusal.** A public official, member of the board or employee of the center with an
17 interest in property under this section may not participate in an action by the center
18 affecting that property.

19 **4. Violation.** A violation of this section is a Class E crime.

20 **§13406. Exemption from execution**

21 **1. Property exempt from execution.** The real and personal property, including funds,
22 of the center is exempt from levy and sale by virtue of an execution. An execution or other
23 judicial process may not be issued against the center's real and personal property, and a
24 judgment against the center may not be a charge or lien upon its real and personal property.

25 **2. Construction; limitation of application.** This section does not:

26 A. Prohibit the center from making payments in lieu of taxes to a municipality; or

27 B. Apply to or limit the right of an obligee to foreclose or otherwise enforce a mortgage
28 of the center or to pursue remedies for the enforcement of a pledge or lien given by the
29 center on its rents, fees, grants, revenues or other sources pledged by the center to the
30 payment of its bonds.

31 **§13407. Termination of center**

32 The center is not dissolved until:

33 **1. Legislature provides for termination.** It is terminated by the Legislature; and

34 **2. Payment of bonds, premium and interest.** The center's bonds and any premium
35 and interest have been paid or a sufficient amount for the payment of the bonds and any
36 premium and interest to maturity or a prior redemption date have been irrevocably set aside
37 in trust for the benefit of the bondholders.

38 **§13408. Annual report**

39 **1. Annual financial report.** The center shall submit annually to the Governor, the
40 Executive Director of the Legislative Council and the joint standing committee of the

Legislature having jurisdiction over economic development matters, no later than 120 days after the close of the center's fiscal year, a complete report on the activities of the center. The report may also be provided to any other member of the Legislature and to any other person. The report must include all of the following for that fiscal year:

A. A description of the center's operations;

B. The center's current strategic plan for growth in the life science sector pursuant to section 13402 and progress toward meeting the goals of the plan;

C. An accounting of the center's receipts and expenditures, assets and liabilities at the end of its fiscal year;

D. A listing of all investments, grants, loans and incentives provided by the center during the fiscal year;

E. A listing of all property transactions conducted during the fiscal year;

F. A listing of any bonds issued during the fiscal year;

G. A statement of the center's proposed and projected activities for the ensuing fiscal year; and

H. Recommendations regarding further actions that may be suitable for achieving the purposes of this chapter.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Maine Life Science Innovation Fund N513

Initiative: Provides one-time funds in fiscal year 2025-26 and fiscal year 2026-27 for start-up costs for the Maine Life Science Innovation Center.

GENERAL FUND	2025-26	2026-27
All Other	\$2,000,000	\$2,000,000
GENERAL FUND TOTAL	\$2,000,000	\$2,000,000

Maine Life Science Innovation Fund N513

Initiative: Provides ongoing base allocations to authorize expenditures in the event that funds are received from gifts, grants or other private or public sources to support the Maine Life Science Innovation Center.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF
DEPARTMENT TOTALS**

2025-26 2026-27

1	GENERAL FUND	\$2,000,000	\$2,000,000
2	OTHER SPECIAL REVENUE FUNDS	\$500	\$500
3			
4	DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,000,500</u>	<u>\$2,000,500</u>

5

SUMMARY

6 This bill establishes the Maine Life Science Innovation Center to leverage and expand

7 the State's growing life science sector and appropriates \$2,000,000 of one-time funds in

8 fiscal years 2025-26 and 2026-27 for the center's start-up costs.