

# MAINE STATE LEGISLATURE

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L.D. 2193

(Filing No. H- 672)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
113TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1602, L.D. 2193,  
Bill, "AN ACT to Establish the Maine Science and  
Technology Commission and to Authorize Funding for  
Centers for Innovation."

Amend the bill by inserting after the title and  
before the enacting clause the following:

'Emergency preamble. Whereas, Acts of the  
Legislature do not become effective until 90 days  
after adjournment unless enacted as emergencies; and

Whereas, the 90-day period will not terminate  
until after the beginning of the next fiscal year; and

Whereas, the transition from the Maine Development  
Foundation to the Executive Department without  
interruption is crucial to the commission's current  
operations; and

Whereas, in the judgment of the Legislature, these  
facts create an emergency within the meaning of the  
Constitution of Maine and require the following  
legislation as immediately necessary for the  
preservation of the public peace, health and safety;  
now, therefore,'

Further amend the bill by inserting after the  
enacting clause the following:

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1 'Sec. 1. 2 MRSA §6, sub-§5, as amended by PL  
2 1987, c. 511, Pt. A, §1, is further amended to read:

3 5. Range 86. The salaries of the following state  
4 officials and employees shall be within salary range  
5 86:

6 Director of Labor Standards;

7 Deputy Chief of the State Police;

8 Director of State Lotteries;

9 State Archivist;

10 Director of Maine Geological Survey;

11 Executive Director, Maine Land Use Regulation  
12 Commission;

13 Director of the Risk Management Division;

14 Chairman, Maine Unemployment Insurance Commission;

15 Director of the Bureau of State Employee Health;  
16 and

17 Child Welfare Services Ombudsman; and

18 Executive Director, Maine Science and Technology  
19 Commission.'

20 Further amend the bill in section 2, by striking  
21 out all of the first 4 lines (page 2, lines 4 to 7 in  
22 L.D.) and inserting in their place the following:

23 'Sec. 2. 5 MRSA c. 385 is enacted to read:

24 CHAPTER 385

25 SCIENCE AND TECHNOLOGY'

26 Further amend the bill in section 2, in that part  
27 designated "§13121." in the 2nd line (page 2, line 9  
28 in L.D.) by striking out the underlined word

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1 "subchapter" and inserting in its place the underlined  
2 word 'chapter'

3 Further amend the bill in section 2, in that part  
4 designated "§13122." in the first paragraph, in the  
5 last line (page 2, line 29 in L.D.) by striking out  
6 the underlined word "subchapter" and inserting in its  
7 place the underlined word 'chapter'

8 Further amend the bill in section 2, in that part  
9 designated "§13122." in subsection 1, in the 2nd line  
10 (page 2, line 31 in L.D.) by striking out the  
11 underlined figure "17" and inserting in its place the  
12 underlined figure '21'

13 Further amend the bill in section 2, in that part  
14 designated "§13122." in subsection 1, in the 5th line  
15 (page 3, line 2 in L.D.) by striking out the  
16 underlined word "from" and inserting in its place the  
17 underlined word 'representing'

18 Further amend the bill in section 2, in that part  
19 designated "§13122." in subsection 1, in the 6th line  
20 (page 3, line 3 in L.D.) by striking out the  
21 underlined figure "13" and inserting in its place the  
22 underlined figure '18'

23 Further amend the bill in section 2, in that part  
24 designated "§13122." in subsection 1, in the 7th line  
25 (page 3, line 4 in L.D.) by striking out the  
26 underlined figure "9" and inserting in its place the  
27 underlined figure '14'

28 Further amend the bill in section 2, in that part  
29 designated "§13122." in subsection 5, in the 3rd line  
30 (page 3, line 25 in L.D.) by striking out the  
31 underlined figure "5" and inserting in its place the  
32 underlined figure '6'

33 Further amend the bill in section 2, in that part  
34 designated "§13122." in subsection 8, in the first  
35 line (page 3, line 33 in L.D.) by striking out the  
36 underlined figure "9" and inserting in its place the  
37 underlined figure '11'

38 Further amend the bill in section 2, in that part

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1 designated "§13123." by striking out all of subsection  
2 1 and inserting in its place the following:

3 '1. Executive director. As provided in section  
4 13125, the commission shall employ an executive  
5 director to serve at the pleasure of the commission.'

6 Further amend the bill in section 2, in that part  
7 designated "§13123." in subsection 6, in the last line  
8 (page 5, line 6 in L.D.) by striking out the  
9 underlined word "subchapter" and inserting in its  
10 place the underlined word 'chapter'

11 Further amend the bill in section 2, in that part  
12 designated "§13123." in subsection 9, in the last line  
13 (page 5, line 17 in L.D.) by striking out the  
14 underlined word "subchapter" and inserting in its  
15 place the underlined word 'chapter'

16 Further amend the bill in section 2, in that part  
17 designated "§13123." in subsection 12, in the 2nd line  
18 (page 5, line 28 in L.D.) by inserting after the  
19 underlined word "rules" the following: 'for its own  
20 procedures, the process and criteria for selecting  
21 Centers for Innovation and other matters it deems  
22 necessary'

23 Further amend the bill in section 2, in that part  
24 designated "§13124." in subsection 3, in the last line  
25 (page 6, line 31 in L.D.) by inserting after the  
26 underlined words "to be generated" the underlined  
27 words 'and other criteria determined by the commission'

28 Further amend the bill in section 2, in that part  
29 designated "§13126." in the 8th line (page 7, line 27  
30 in L.D.) by striking out the underlined word  
31 "subchapter" and inserting in its place the underlined  
32 word 'chapter'

33 Further amend the bill in section 2, in that part  
34 designated "§13126." by adding at the end the  
35 following:

36 'The executive director shall appoint and remove  
37 the staff of the office and prescribe their duties as  
38 may be necessary to implement the purposes of this

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1 chapter. Professional employees shall be hired as  
2 unclassified employees. All other employees shall be  
3 subject to the Civil Service Law.'

4 Further amend the bill by striking out all of  
5 sections 3 and 4 and inserting in their place the  
6 following:

7 'Sec. 3. Transition.

8 1. Commission. The current Maine Science and  
9 Technology Board shall act as the commission until the  
10 members of the Maine Science and Technology Commission  
11 have been appointed and qualified.

12 2. Personnel; property; and equipment. All  
13 funds, personnel, property and equipment of the Maine  
14 Science and Technology Board shall be transferred to  
15 the Maine Science and Technology Commission. No  
16 employee's pay will be adversely affected due to this  
17 reorganization.

18 3. Funds transferred. Notwithstanding the  
19 Maine Revised Statutes, Title 5, sections 1585 and  
20 1586, all accrued expenditures, assets, liabilities,  
21 balances, appropriations or allocations, transfers,  
22 revenues or other available funds of the Maine Science  
23 and Technology Board are transferred to the Maine  
24 Science and Technology Commission.

25 4. Contracts and agreements. All contracts and  
26 agreements currently in effect with the Maine Science  
27 and Technology Board shall remain in effect under the  
28 Maine Science and Technology Commission until  
29 rescinded, terminated or modified.

30 5. Rules and procedures. All rules and  
31 procedures of the Maine Science and Technology Board  
32 shall remain in effect and applicable to the Maine  
33 Science and Technology Commission unless expressly  
34 repealed or modified.

35 Emergency clause. In view of the emergency  
36 cited in the preamble, this Act shall take effect on  
37 July 1, 1988.

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FISCAL NOTE

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3 This bill creates the Maine Science and Technology  
4 Commission and deauthorizes the Maine Science and  
5 Technology Board. The necessary appropriation and  
6 deappropriation of General Fund dollars is included in  
the Governor's supplemental budget.

7

8 This bill also authorizes the creation of Centers  
9 of Innovation, the funding for which can also be found  
in the Governor's supplemental budget.'

10

STATEMENT OF FACT

11

This amendment does the following:

12

13 1. Establishes the executive director of the  
14 Maine Science and Technology Commission in salary  
range 86;

15

16 2. Increases the membership on the commission  
from 17 to 21 members;

17

18 3. Clarifies the role of the executive director  
and commission;

19

20 4. Clarifies the transition provisions for the  
commission;

21

22 5. Deletes the appropriation as funding has been  
included in the Governor's supplemental budget; and

23

6. Adds a fiscal note.

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Reported by the Committee on Appropriations and Financial Affairs  
Reproduced and distributed under the direction of the Clerk of the  
House  
4/12/88 (filing No. H-672)