

# 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 scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

---

Legislative Document

No. 140

---

S.P. 106

In Senate, February 14, 1989

Reported by Senator ESTES of York for the Commission on Marine Research pursuant to Resolve 1987, chapter 112.

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed pursuant to Joint Rule 18.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

---

STATE OF MAINE

---

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-NINE

---

An Act to Promote Marine Research.

---



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

3 Sec. 1. 5 MRSA §12004-G, sub-§27-A is enacted to read:

5 27-A. Marine Marine Expenses Only 5 MRSA  
7 Resources Research Board §13127

9 Sec. 2. 5 MRSA §§13127 to 13129 are enacted to read:

11 §13127. Marine Research Board

13 The Marine Research Board, as established in chapter 379,  
15 referred to in this section and sections 13128 and 13129 as "the  
17 board," shall carry out the purposes of this chapter.

19 1. Purpose. The board shall identify basic and applied  
21 marine research needs within the Gulf of Maine of interest to the  
23 State and shall develop a competitive grants program to address  
25 those needs. The board also shall work to foster cooperation  
27 between marine research agencies and institutions to efficiently  
29 carry out marine research. The board's focus shall be on basic  
31 and applied scientific research rather than technological  
33 development or technology transfer. The board shall coordinate  
35 its activities with the commission.

37 2. Composition. The board shall be composed of 13  
39 members. The membership shall include one representative of the  
41 University of Maine System, one representative of the Association  
43 for Research in the Gulf of Maine, one representative of  
45 nonprofit environmental organizations, one representative of  
47 independent higher education institutions, 2 representatives of  
49 the scientific community, and 2 representatives of marine  
resource industries. The Commissioner of Environmental  
Protection, the Commissioner of Conservation, the Commissioner of  
Marine Resources, the Director of the State Planning Office and  
the director of the sea grant college program shall serve as ex  
officio members.

3. Appointment. The Governor shall appoint the members of  
the board subject to review by the joint standing committee of  
the Legislature having jurisdiction over marine resources and to  
confirmation by the Senate. The Governor shall appoint the chair  
annually.

4. Terms. Appointed board members shall serve for 3-year  
terms. Initial terms of appointment shall be: 2 members for  
one-year terms; 3 members for 2-year terms; and 3 members for  
3-year terms. Board members may serve no more than 2 consecutive  
terms.

1           5. Compensation. Board members that are not representing  
2 state agencies shall be compensated for their expenses in  
3 accordance with chapter 379.

5           6. Quorum. A quorum consists of 7 members. A quorum shall  
6 be necessary for the board to conduct its business at any board  
7 meeting.

9           7. Rules. The commission shall consult with the board in  
10 establishing any rules relating to the board and its activities.

11           8. Staff. With the advice of the board, the executive  
12 director of the commission shall employ professional staff to  
13 administer and implement the programs and policies of the Marine  
14 Research Board.

17 **§13128. Powers and duties of the Marine Research Board**

19           1. Research priorities statement. The board shall develop  
20 a biennial priority statement and action plan of marine research  
21 needs in this State. The statement shall be submitted to the  
22 Governor and the Legislature no later than January 1st of each  
23 even-numbered year, except that the first statement shall be  
24 prepared by July 1, 1990. The statement and plan shall guide  
25 funding decisions and activities of the board. The board shall  
26 hold public hearings to gain insight into research needs for the  
27 State.

29           2. Data base. The board shall develop, maintain and  
30 periodically publish a bibliography of research relevant to the  
31 Gulf of Maine. The board shall encourage integrated management  
32 of data relating to state coastal waters and the Gulf of Maine.

33           3. Facility needs. The board shall develop a facility  
34 needs plan for the support of marine research within the State  
35 that shall identify and focus attention on specific facility  
36 needs with the objective of fostering cooperation within the  
37 marine research community. The plan shall be completed by  
38 October 1, 1990 and may be developed with the help of contractual  
39 services. This plan shall not prohibit agencies from addressing  
40 specific safety problems within their facilities.

43           4. Other activities. The board may sponsor and conduct  
44 conferences or publish periodic reports relating to marine  
45 research.

47           5. Cooperation. The board shall strive to coordinate its  
48 programs with existing policies and programs in the field of  
49 marine research.

51 **§13129. Marine research grants program**

1 The board shall develop and administer a competitive,  
2 merit-based grant program to address marine research needs for  
3 the State as set forth in section 13127, subsection 1.

4 1. Grant criteria. The board shall develop, and the  
5 commission shall approve, criteria for awarding grants under this  
6 program. Criteria shall include, but not be limited to, the  
7 quality of the research proposal and the ability of the  
8 organization to carry out the proposed research.

9 2. Peer review. All proposals for funding shall be subject  
10 to peer review by a panel of experts in the field of marine  
11 research who are not employed by or affiliated with marine  
12 research institutions within the State. The commission, upon  
13 recommendation of the board, may contract with another entity to  
14 coordinate the peer review process.

15 3. Grant decisions. The board shall make the final  
16 decision for awarding grants under this program. The board shall  
17 make competitive evaluations and may award grants that conform  
18 to the granting criteria and are consistent with the research  
19 priorities statement and action plan developed under section  
20 13128.

21 **Sec. 3. Appropriation.** The following funds are appropriated  
22 from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
<b>MARINE RESOURCES, DEPARTMENT OF</b>		
<b>Bureau of Marine Sciences</b>		
Positions	(5)	(10)
Personal Services	\$178,555	\$323,066
Provides funds to allow for the transfer of funding for positions from federal funds to the General Fund.		
<b>Bureau of Marine Sciences</b>		
Positions	(2)	(2)
Personal Services	43,915	58,550
All Other	(14,672)	(19,562)
TOTAL	<u>\$29,243</u>	<u>\$38,988</u>
Provides funds for a Librarian III and a Library		

1 Assistant. The funding for  
 2 these 2 positions is  
 3 currently shared between the  
 4 department and Bigelow  
 5 Laboratory. This results in  
 6 a \$29,243 increase in fiscal  
 7 year 1989 and a \$38,988  
 8 increase in fiscal year 1990.

9  
 10 **DEPARTMENT OF MARINE RESOURCES**  
 11 **TOTAL** \$207,798 \$362,054

12 **EXECUTIVE DEPARTMENT**

13 **Maine Science and Technology**  
 14 **Commission**

15			
16	Positions	(2)	(2)
17	Personal Services	\$ 48,524	\$ 64,699
18	All Other	52,500	1,559,250
19	Capital Expenditures	1,500	
20			
21	<b>TOTAL</b>	<b>\$102,524</b>	<b>\$1,623,949</b>

22 Provides funds to establish a  
 23 Marine Research Board within  
 24 the Maine Science and  
 25 Technology Commission. These  
 26 funds shall be used for  
 27 professional staff, a Clerk  
 28 Typist II and general  
 29 operating expenses to  
 30 administer the board. In  
 31 addition, this appropriation  
 32 provides \$40,000 in fiscal  
 33 year 1990 for contractual  
 34 services to develop a  
 35 facility needs plan, \$50,000  
 36 for fiscal year 1991 for  
 37 contractual services for peer  
 38 review of research proposals,  
 39 and \$1,500,000 in fiscal year  
 40 1991 for the proposed marine  
 41 research grants program.

42 **EXECUTIVE DEPARTMENT**  
 43 **TOTAL** \$102,524 \$1,623,949

44  
 45 **TOTAL APPROPRIATIONS** \$310,322 \$1,986,003

46  
 47 **Sec. 4. Allocation.** The following funds are allocated from  
 48 Federal Expenditures Fund to carry out the purposes of this Act.  
 49

1  
3  
5  
7  
9  
11  
13  
15  
17  
19  
21  
23  
25  
27  
29  
31  
33  
35  
37  
39  
41  
43  
45  
47  
49

1989-90

1990-91

**EXECUTIVE DEPARTMENT**

**Marine Resources**

Positions	(-5)	(-10)
Personal Services	\$(178,555)	\$(323,066)
All Other	178,555	323,066

Reallocates federal funds currently used to support 5 positions in fiscal year 1990 and 10 positions in fiscal year 1991 to provide additional funds for anticipated marine research activities within the department.

**EXECUTIVE DEPARTMENT  
TOTAL**

-----  
\$-0-                      \$-0-

STATEMENT OF FACT

The Gulf of Maine is a resource of tremendous importance both ecologically and economically. Yet resources in the Gulf are experiencing stress from both human-induced and natural changes. Not enough is known about these resources and the biological and physical systems of the Gulf to make wise management decisions. Research funds, predominantly from federal sources, are shrinking.

This bill is the product of a study conducted by the legislative Commission on Marine Research. The commission proposes to address these problems by establishing a Marine Research Board with the authority and resources to identify and fund marine research needs that are not currently being addressed. The board will be composed of the representatives of the major users of and contributors to the marine research field. In addition, the board is charged with coordinating available data on the Gulf of Maine and developing a facility needs plan.

This bill also stabilizes 10 federally funded positions in the Department of Marine Resources's Bureau of Marine Science by funding them through the General Fund. Federal funds supporting these positions have been declining in recent years. Also funded are 2 positions in the department's Boothbay Harbor library that are partially funded by a private laboratory.