

# MAINE STATE LEGISLATURE

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L.D. 1345

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DATE: 6-12-03

(Filing No. H-579)

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
121ST LEGISLATURE  
FIRST REGULAR SESSION**

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 436, L.D. 1345, Bill, "An Act To Make Minor Technical Changes to the Maine Biomedical Research Program"

Amend the amendment by inserting after the title the following:

'Amend the bill by striking out the title and substituting the following:

**'An Act To Make Minor Technical Changes to the Maine Biomedical Research Program and To Amend the Calculation of Funds To Be Transferred to the Maine Research and Development Evaluation Fund'**

Further amend the amendment by inserting after the title the following:

'Further amend the bill by inserting 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, this legislation adds general obligation bonds issued for research and development to the calculation of funds to the Maine Research and Development Evaluation Fund; and**

**Whereas, it is imperative that this legislation be effective in advance of the authorization of additional bonds; and**

**HOUSE AMENDMENT**

1018

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

8           Further amend the amendment in the first paragraph after the  
10 title in the first line (page 1, line 23 in amendment) by  
striking out the following: "Amend" and inserting in its place  
12 the following: 'Further amend'

14           Further amend the amendment by inserting after the first  
indented paragraph after the title the following:

16           '**Sec. 1. 5 MRSA §13060-C, first ¶,** as enacted by PL 2003, c.  
18 20, Pt. RR, §2 and affected by §18, is amended to read:

20           To assist the department in preparing a comprehensive  
22 research and development evaluation, a recipient of state funding  
24 including general obligation bond proceeds for research and  
development shall, in addition to any other reporting  
requirements required by law:

26           **Sec. 2. 5 MRSA §13060-D, sub-§§2 and 4,** as enacted by PL 2003,  
c. 20, Pt. RR, §2 and affected by §18, are amended to read:

28           **2. Definition.** For the purposes of this section, "research  
30 and development" means activities that directly or through  
capital investment support basic and applied scientific research  
32 and related commercial development funded by state appropriations  
and bond proceeds.

34           **4. Transfers to fund.** Notwithstanding section 1585 or any  
36 other provision of law, the State Budget Officer may transfer to  
the fund an amount not to exceed 0.8% of General Fund  
38 appropriations received by and general obligation bonds issued to  
an agency or entity for research and development efforts ~~to the~~  
40 ~~fund. The transfer and allotment of available funds may not~~  
~~exceed 0.8% of the total research and development~~  
42 ~~appropriations.~~ Private entities that receive funds from general  
obligation bonds for research and development efforts shall pay  
44 to the Treasurer of State in the fiscal year in which the general  
obligation bond was issued an amount not to exceed 0.8% of the  
46 proceeds from the bond issue in any fiscal year, which payment  
48 must be made from available resources other than bond proceeds.  
Only those programs that receive \$500,000 or more in research and  
development appropriations in any fiscal year, or those entities  
50 that receive funds from a general obligation bond issue of  
\$500,000 or more for research and development efforts in any

2 fiscal year, as identified and certified by the State Budget  
4 Officer and the Office of Fiscal and Program Review, may be  
6 assessed upon concurrence of the affected agencies, institutions  
8 and departments. The transfer must be implemented by financial  
10 order contingent upon the recommendation of the State Budget  
12 Officer and approval of the Governor and upon review by the joint  
standing committee of the Legislature having jurisdiction over  
appropriations and financial affairs. The financial order must  
include a plan outlining how these funds will be expended. The  
financial order takes effect upon approval by the Governor. Total  
~~transfers~~ payments made pursuant to this section may not exceed  
\$120,000 in any fiscal year.'

14 Further amend the amendment by inserting after section 1 the  
following:

16 'Sec. 2. **Application.** Those sections of this Act that amend  
18 the Maine Revised Statutes, Title 5, sections 13060-C and 13060-D  
apply beginning with the fiscal year beginning July 1, 2003.

20 **Emergency clause.** In view of the emergency cited in the  
22 preamble, this Act takes effect when approved.'

24 Further amend the amendment by relettering or renumbering  
any nonconsecutive Part letter or section number to read  
26 consecutively.

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### SUMMARY

32 This amendment incorporates the substance of Senate  
34 Amendment "A" to Committee Amendment "A" (S-269), except that it  
clarifies that the payment by private entities receiving general  
obligation bond proceeds must be paid from available resources  
other than bond proceeds.

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### FISCAL NOTE REQUIRED (See attached)

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SPONSORED BY: *Nancy Sullivan*  
(Representative SULLIVAN)

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TOWN: Biddeford

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**121st Maine Legislature  
Office of Fiscal and Program Review**



**LD 1345**

**An Act to Make Minor Technical Changes to the Maine Biomedical  
Research Program and to Amend the Calculation of Funds to be  
Transferred to the Maine Research and Development Evaluation Fund**

**LR 1870(06)**

**Fiscal Note for House Amendment " " to Committee Amendment "A"**

**Sponsor: Rep. Sullivan**

**Fiscal Note Required: Yes**

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**Fiscal Note**

Minor cost increase - General Fund

**Fiscal Detail and Notes**

The additional cost to the Department of Economic and Community Development, the Bureau of the Budget within the Department of Administrative and Financial Services and the Office of Fiscal and Program Review within the Legislature associated with calculating the amount to be transferred to the Maine Research and Development Evaluation Fund can be absorbed utilizing existing budgeted resources.