

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)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50
52

DATE: 6-10-03

(Filing No. S-269)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION

SENATE 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

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 amendment in the first paragraph after the

SENATE AMENDMENT

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 436,
L.D. 1345

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

4
6 Further amend the amendment by inserting after the first
indented paragraph after the title the following:

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

10
12 To assist the department in preparing a comprehensive
research and development evaluation, a recipient of state funding
14 including general obligation bond proceeds for research and
development shall, in addition to any other reporting
requirements required by law:

16
18 **Sec. 2. 5 MRSA §13060-D, sub-§§2 and 4,** as enacted by PL 2003,
c. 20, Pt. RR, §2, are amended to read:

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

26 4. **Transfers to fund.** Notwithstanding section 1585 or any
other provision of law, the State Budget Officer may transfer to
28 the fund an amount not to exceed 0.8% of General Fund
appropriations received by and general obligation bonds issued to
30 an agency or entity for research and development efforts to the
fund. ~~The transfer and allotment of available funds may not~~
32 ~~exceed 0.8% of the total research and development~~
appropriations. Private entities that receive funds from general
34 obligation bonds for research and development efforts shall pay
to the Treasurer of State in the fiscal year in which the general
36 obligation bond was issued an amount not to exceed 0.8% of the
proceeds from the bond issue in any fiscal year, which payment
38 must be made from available resources. Only those programs that
receive \$500,000 or more in research and development
40 appropriations in any fiscal year, or those entities that receive
funds from a general obligation bond issue of \$500,000 or more
42 for research and development efforts in any fiscal year, as
identified and certified by the State Budget Officer and the
44 Office of Fiscal and Program Review, may be assessed upon
concurrence of the affected agencies, institutions and
46 departments. The transfer must be implemented by financial order
contingent upon the recommendation of the State Budget Officer
48 and approval of the Governor and upon review by the joint
standing committee of the Legislature having jurisdiction over
50 appropriations and financial affairs. The financial order must
include a plan outlining how these funds will be expended. The

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 436,
L.D. 1345

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.'

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

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

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

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

SUMMARY

This amendment adds general obligation bonds issued for
research and development to the calculation of funds to be
transferred to the Maine Research and Development Evaluation Fund
that is administered by the Department of Economic and Community
Development for the purposes of funding the comprehensive
research and development evaluation of state investments in
research and development. This amendment also requires that
private entities receiving general obligation bond proceeds for
research and development pay to the Treasurer of State an amount
not to exceed 0.8% of the general obligation bond proceeds, which
must be paid from available resources in the fiscal year in which
the general obligation bond was issued.

Finally, this amendment adds an emergency preamble and
emergency clause.

FISCAL NOTE REQUIRED
(See attached)

SPONSORED BY:

(Senator *Lynne Bromley*)
BROMLEY)

COUNTY: Cumberland

**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(04)

Fiscal Note for Senate Amendment 'A' to Committee Amendment "A"

Sponsor: Sen. Bromley

Fiscal Note Required: Yes

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.