

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2000

State Board of Optometry

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$3,619	\$21,528
All Other	(4,625)	(18,500)

Provides for the allocation of funds for a Clerk III position and the deallocation of All Other funds due to a reduced need for contracted services for support services.

TOTAL	(\$1,006)	\$3,028
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Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 31, 2000.

CHAPTER 608

S.P. 869 - L.D. 2279

**An Act to Amend the Charter of the
Maine Science and Technology
Foundation**

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

Sec. 1. 5 MRSA §13121, sub-§2-A is enacted to read:

2-A. Clearinghouse. "Clearinghouse" means an interactive web-based clearinghouse of science and technology information to assist persons seeking to conduct research and development and to develop high-technology businesses in the State. "Clearinghouse" may include, but is not limited to, the following: a complete inventory of existing high-technology resources, including a roster of high-technology businesses in the State; sources of federal and private financial support for research and development and assistance in grant writing; information on developing technology business plans, accessing capital, obtaining legal and other professional assistance and managing business growth and marketing; the science and technology report card; and information on the availability of a skilled workforce.

Sec. 2. 5 MRSA §13121, sub-§§7 and 8, as enacted by PL 1993, c. 410, Pt. E, §9, are repealed.

Sec. 3. 5 MRSA §13122-B, as enacted by PL 1993, c. 410, Pt. E, §11, is amended to read:

§13122-B. Purpose

The foundation shall encourage, promote, stimulate, evaluate and support: research and development of relevance to the State; technology transfer activities that increase the competitiveness of businesses and public institutions of higher education in the State; effective and efficient application of technologies in the public and private sectors; scientific and technological education and training; the development of new commercial products and the fabrication of such products in the State; and cooperative efforts among government, the private sector and universities and colleges for the purposes outlined in this chapter.

Sec. 4. 5 MRSA §13122-D, as enacted by PL 1993, c. 410, Pt. E, §11, is amended to read:

§13122-D. Terms

Directors of the board are appointed for ~~6-year~~ 3-year terms. ~~The initial appointments must be staggered as follows: one third of the directors must be appointed for 2 year terms; one third for 4 year terms; and 1/3 for 6 year terms.~~ Board members may serve no more than 2 full consecutive terms. Public sector directors must serve terms coincident with the terms of their public sector appointments.

Sec. 5. 5 MRSA §13123-A, sub-§7, as enacted by PL 1993, c. 410, Pt. E, §13, is repealed.

Sec. 6. 5 MRSA §13123-A, sub-§7-A is enacted to read:

7-A. Clearinghouse. Manage, maintain and update the clearinghouse and protect the clearinghouse and its contents from infringement by utilizing copyright, trademark and other legal means available to protect products of intellectual property.

Sec. 7. 5 MRSA §13123-A, sub-§12, as enacted by PL 1993, c. 410, Pt. E, §13, is repealed.

Sec. 8. 5 MRSA §13124-B, first ¶, as enacted by PL 1993, c. 410, Pt. E, §16, is amended to read:

The foundation ~~is,~~ the University of Maine System and the EPSCoR steering committee are jointly responsible for the administration of the Maine Experimental Program to Stimulate Competitive Research, referred to in this chapter as the "Maine EPSCoR Program," which is a partnership effort between the State Government and the Federal Government to strengthen the State's science and engineering infrastructure.

Sec. 9. 5 MRSA §13124-B, sub-§2, as enacted by PL 1993, c. 410, Pt. E, §16, is amended to read:

2. Policy recommendation. Through the foundation, the University of Maine System and the EPSCoR steering committee, the Maine EPSCoR Program may recommend to the Governor and the Legislature policies and programs essential to the strengthening of the State's science and engineering infrastructure.

Sec. 10. 5 MRSA §13124-C, as enacted by PL 1993, c. 410, Pt. E, §16, is repealed.

Sec. 11. 5 MRSA §15301, sub-§§3 and 4 are enacted to read:

3. SBIR program. "SBIR program" means the small business innovation research program enacted pursuant to the federal Small Business Innovation Development Act of 1982, Public Law 97-219, which provides funds to small businesses to conduct innovation research having commercial application.

4. Small business. "Small business" as related to eligibility to participate in the SBIR program is defined pursuant to 13 Code of Federal Regulations, Section 121.

Sec. 12. 5 MRSA §15303, sub-§6-A is enacted to read:

6-A. SBIR technical assistance program. The institute shall establish a program to provide technical assistance to small businesses based in the State, pursuant to the federal Small Business Innovation Development Act of 1982, Public Law 97-219, to develop competitive small business innovation research, or SBIR, proposals for submission to any of the federal agencies participating in the SBIR program.

A. The technical assistance program may include, but is not limited to, small grants to hire grant writers, networking with scientists and other successful SBIR awardees, seminars on agency-specific solicitations and grant writing.

B. The institute shall conduct a program to inform small businesses of the federal SBIR program and the state program in order to ensure that all firms have the opportunity to participate in these programs.

C. The institute shall establish eligibility requirements and award selection criteria to serve as the basis for technical assistance funding under this program.

This subsection is in effect if, and as long as, federal financial participation is available pursuant to the federal Small Business Innovation Development Act of 1982.

Sec. 13. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 5, section 13122-D, the first appointments to the Board of Directors of the Maine Science and Technology Foundation following the effective date of this Act must be staggered as follows: 1/3 of the directors must be appointed for 1-year terms; 1/3 for 2-year terms; and 1/3 for 3-year terms.

See title page for effective date.

CHAPTER 609

H.P. 1422 - L.D. 2029

An Act to Update and Amend the Preferred Provider Arrangement Act

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

Sec. 1. 24-A MRSA §601, sub-§20, as amended by PL 1993, c. 637, §13, is further amended to read:

20. Preferred provider arrangement administrator. Preferred provider ~~organization~~ arrangement administrator fees are:

- A. Original registration issuance fee \$100; and
- B. Annual renewal fee \$100.

Sec. 2. 24-A MRSA §1901, sub-§1, as amended by PL 1997, c. 457, §28, is further amended by adding at the end a new blocked paragraph to read:

Notwithstanding any other provision of this subsection, "administrator" includes any administrator of a preferred provider arrangement required to register under this chapter pursuant to section 2674-A.

Sec. 3. 24-A MRSA c. 32, as amended, is further amended by repealing the chapter headnote and enacting the following in its place:

CHAPTER 32

PREFERRED PROVIDER ARRANGEMENT ACT

Sec. 4. 24-A MRSA §2670, as enacted by PL 1985, c. 704, §4, is amended to read:

§2670. Short title

This chapter may be cited as the "Preferred Provider Arrangement Act ~~of 1986.~~"

Sec. 5. 24-A MRSA §2671, as amended by PL 1995, c. 332, Pt. P, §1, is further amended to read: