

§13203. Maine Space Corporation; powers; board of directors; obligations

1. Maine Space Complex. The corporation shall establish and promote the Maine Space Complex, which must include but is not limited to the following business units:

A. The Maine Space Data and Advanced Analytics Center of Excellence, which must be a state-of-the-art computer center with networks equipped to import or downlink, store, cleanse, manage and analyze satellite data in concert with terrestrial data for the purposes of addressing business and public issues in innovative ways and creating new data products and services; [PL 2021, c. 631, §1 (NEW).]

B. The Maine New Space Innovation Hub, which must be an industry meeting place, a hub for new business incubation and acceleration, facilities for satellite and launch vehicle manufacturing and integration and ground control for satellite launch operations. The shared space must contain specialized equipment to facilitate business research and development, academic and scientific inquiry and a kindergarten to grade 12 learning center and must be designed to attract both in-state and out-of-state interests; and [PL 2021, c. 631, §1 (NEW).]

C. Maine Launch Sites and Services, which must consist of staging and launch sites for sending small vehicles with nanosatellites into polar orbit. Maine Launch Sites and Services shall allocate the use of its staging and launch sites in a manner that prioritizes Maine-based businesses and businesses that minimize the environmental effects of their space vehicles and launches. [PL 2021, c. 631, §1 (NEW).]

The corporation shall restrict the Maine Space Complex to commercial, research and educational uses. [PL 2021, c. 631, §1 (NEW).]

2. Additional powers. The corporation may:

A. Sue and be sued; [PL 2021, c. 631, §1 (NEW).]

B. Adopt bylaws or rules consistent with this chapter for the governance of its affairs; [PL 2021, c. 631, §1 (NEW).]

C. Exercise all of the general powers of corporations under Title 13-C, section 302; [PL 2021, c. 631, §1 (NEW).]

D. Provide for public safety by imposing appropriate rules, regulating appropriate use of the complex's facilities and ensuring compliance with rules as they apply to the use of the complex's facilities; [PL 2021, c. 631, §1 (NEW).]

E. Charge and collect fees, charges and rents for the use of the complex's properties and other services and use the proceeds of those fees, charges and rents for the purposes provided in this chapter, subject to and in accordance with any agreement with bondholders that may be made as provided in this chapter; [PL 2021, c. 631, §1 (NEW).]

F. Contract with the Federal Government or its instrumentalities or agencies; the State or its agencies, instrumentalities or municipalities; public bodies; private corporations; partnerships; associations; and individuals to carry out the purposes of this chapter; [PL 2021, c. 631, §1 (NEW).]

G. Accept the aid and cooperation of the Federal Government or its agencies in the construction, maintenance, reconstruction, operation and financing of the complex's facilities and take necessary actions to make use of that aid and cooperation; [PL 2021, c. 631, §1 (NEW).]

H. Borrow money and apply for and accept advances, loans, grants, contributions and other forms of financial assistance from the Federal Government, the State, a municipality or other public body or from other sources, public or private, for the purposes of this chapter and give any security that

is required and enter into and carry out contracts in connection with any financial assistance; [PL 2021, c. 631, §1 (NEW).]

I. Borrow money and make, issue and sell at public or private sale negotiable notes, bonds and other evidences of indebtedness or obligation of the corporation for the purposes of this chapter and secure the payment of that indebtedness or obligation or any part of that indebtedness or obligation by pledge of all or any part of the operating revenues of the corporation; [PL 2021, c. 631, §1 (NEW).]

J. Enter into loan or security agreements with one or more lending institutions, including, but not limited to, banks, insurance companies and institutions that administer pension funds, or with trustees of those institutions, for the issuance of bonds and exercise with respect to those loan or security agreements all of the powers delineated in this chapter for the issuance of bonds; [PL 2021, c. 631, §1 (NEW).]

K. Provide from operating revenues for the maintenance, construction or reconstruction of facilities to ensure the public safety for which the corporation has not otherwise provided; [PL 2021, c. 631, §1 (NEW).]

L. Adopt rules for the administration of this chapter. Rules adopted pursuant to this paragraph are routine technical rules pursuant to chapter 375, subchapter 2-A; and [PL 2021, c. 631, §1 (NEW).]

M. Take all other lawful action necessary and incidental to these powers. [PL 2021, c. 631, §1 (NEW).]

[PL 2021, c. 631, §1 (NEW).]

3. Members of corporation. Members of the corporation are individuals and organizations that pay dues to the corporation. Memberships may be set at different levels.

A. Members are private individuals, partnerships, small and large businesses, federal, state and local governmental entities, private and public higher education institutions and other public or quasi-public entities that are interested in advancing the State's new space economy. [PL 2021, c. 631, §1 (NEW).]

B. Other than the right to vote on matters as specified in the bylaws of the corporation, the members have no authority to manage or direct the affairs and activities of the corporation. [PL 2021, c. 631, §1 (NEW).]

[PL 2021, c. 631, §1 (NEW).]

4. Board of directors. The Board of Directors of the Maine Space Corporation consists of 17 directors, of whom 6 directors are ex officio as specified in paragraph B, and 11 directors are appointed as specified in paragraph C. Each director is entitled to one vote.

A. The board of directors has the full authority to direct the affairs and activities of the corporation. [PL 2021, c. 631, §1 (NEW).]

B. Ex officio members of the board of directors are:

- (1) The Commissioner of Economic and Community Development or the commissioner's designee;
- (2) The President of the Maine Technology Institute or the president's designee;
- (3) The Chancellor of the University of Maine System or the chancellor's designee;
- (4) The President of the Maine Community College System or the president's designee;
- (5) The executive director of the Midcoast Regional Redevelopment Authority or the executive director's designee; and

(6) The executive director of the Loring Development Authority of Maine or the executive director's designee. [PL 2021, c. 631, §1 (NEW).]

C. The members of the board of directors who are not ex officio members are appointed by the Governor and subject to confirmation by the Senate and must be individuals or representatives of organizations that are in a position to advance the purposes and goals of the corporation and are able to have a significant impact on improving the State's space economy infrastructure as specified in the bylaws of the corporation. Membership under this paragraph must include:

- (1) A representative of a business in the State with fewer than 25 employees that is involved in the aerospace industry;
- (2) A representative of a business in the State with 25 or more employees that is involved in the aerospace industry;
- (3) A resident of Aroostook County or Piscataquis County;
- (4) A resident of Cumberland County, York County or Androscoggin County;
- (5) A resident of Washington County, Hancock County or Penobscot County;
- (6) A resident of Waldo County, Knox County, Lincoln County, Sagadahoc County or Kennebec County;
- (7) A resident of Somerset County, Franklin County or Oxford County;
- (8) A representative of a nonprofit research organization in the State that uses satellite-based data;
- (9) A representative of an elementary or secondary school in the State;
- (10) A representative of a business that is involved in innovation and research and development in satellite development and manufacturing, data and analytics or launch services; and
- (11) A representative of business investors.

The members of the board of directors who are not ex officio members are appointed for 3-year terms. A vacancy must be filled in the same manner as the original appointment in accordance with this paragraph for the balance of the unexpired term. A member of the board of directors continues to hold office until a successor is appointed and qualified, but the term of the successor is not altered from the original expiration date of the holdover member's term. [PL 2023, c. 76, §1 (AMD).]

D. The board of directors shall elect a chair and vice-chair from among its members. The corporation may employ an executive director, technical experts and other agents and employees, permanent and temporary, as required and may determine their qualifications, duties and compensation. For required legal services, the corporation may employ or retain its own counsel and legal staff. [PL 2021, c. 631, §1 (NEW).]

E. For transacting business at board meetings, a majority of directors then in office constitutes a quorum. The vote of a majority of the directors present at board meetings constitutes the act of the board of directors. [PL 2021, c. 631, §1 (NEW).]

[PL 2023, c. 76, §1 (AMD).]

5. Liability. The liability of the corporation is governed by the Maine Tort Claims Act. A member of the board of directors or an employee of the corporation is not subject to any personal liability for having acted in the service of the member's or employee's duty as a member of the board of directors or an employee of the corporation within the course and scope of membership or employment to carry out a power or duty under this chapter. The corporation shall indemnify a member of the board of directors or an employee of the corporation against expenses actually and necessarily incurred in

connection with the defense of an action or proceeding in which a member of the board of directors or an employee of the corporation is made a party by reason of past or present association with the corporation.

[PL 2021, c. 631, §1 (NEW).]

6. Expenses. A member of the board of directors is not entitled to receive compensation for services to the corporation but is entitled to receive reimbursement for necessary expenditures, including travel expenses incurred in carrying out those services.

[PL 2021, c. 631, §1 (NEW).]

SECTION HISTORY

PL 2021, c. 631, §1 (NEW). PL 2023, c. 76, §1 (AMD).

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