

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Establish the Maine Science Advisory Board**

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

**Sec. 1. 5 MRSA §12004-I, sub-§74-F** is enacted to read:

**74-F.**

Science

Maine  
Science Advisory  
Board

Legislative  
Per Diem and  
Expenses

5 MRSA  
§13132

**Sec. 2. 5 MRSA c. 385-A** is enacted to read:

### **CHAPTER 385-A**

### **Science and Technology**

#### **§ 13132. Maine Science Advisory Board**

**1. Establishment.** The Maine Science Advisory Board, referred to in this chapter as "the advisory board" and established by section 12004-I, subsection 74-F, is established to render scientific assessment, risk-based analysis and consensus advice upon questions of science posed by the Governor or the joint standing committee of the Legislature having jurisdiction over science matters and to assist Legislators in analyzing scientific evidence in support of or opposition to legislation.

**2. Appointment and composition.** The advisory board consists of the following 16 members:

- A. Eight members appointed by the Governor;
- B. Two members appointed by the President of the Senate;
- C. Two members appointed by the Speaker of the House of Representatives;
- D. Two members appointed by the Senate leader of the party having the 2nd largest number of members in the Senate; and
- E. Two members appointed by the House leader of the party having the 2nd largest number of members in the House.

The advisory board members must meet the qualifications set out in subsection 4 and must be chosen from a list of names of scientists submitted for consideration by nationally recognized professional associations serving the science disciplines listed in subsection 4.

**3. Terms; vacancies; limits.** The term of office for members of the advisory board is 4 years. When a vacancy occurs, it must be filled by the same appointing authority and the new member shall serve for the remainder of the term. Members may continue to serve until their replacements are designated. A vacancy may not impair the right of the remaining members to exercise all of the powers of the advisory board. The respective appointing authority may remove an advisory board member in the event of professional ethics violations, a conflict of interest or criminality or upon any member's becoming an employee of the State with the exception of a university employee.

**4. Qualifications of advisory board members.** The advisory board must be composed of individuals who are not state employees, with the exception of university employees, or affiliated with an organization that represents a conflict of interest, such as a lobbying organization, and who have reputations for professional competence and technical expertise and doctorates in one of the following disciplines:

- A. Environmental health;
- B. Toxicology;
- C. Engineering;
- D. Ecological science;
- E. Economics;
- F. Chemistry;
- G. Physics;
- H. Biology;
- I. Forestry;
- J. Human medicine;
- K. Statistics;
- L. Risk assessment;
- M. Geology;
- N. Agricultural science;
- O. Marine science;
- P. Hydrology; or

Q. Veterinary science.

**5. Chair.** The members of the advisory board shall annually elect a chair from the advisory board members appointed by the Governor to set the agenda and schedule meetings. The advisory board may elect other officers and designate their duties.

**6. Meetings.** The advisory board shall hold meetings as necessary to conduct the business of the advisory board.

**7. Compensation.** Members of the advisory board are entitled to per diem pay and expenses equal to that paid to Legislators when not in session.

**8. Quorum.** A majority of the members of the advisory board constitutes a quorum.

**9. Staff support.** The Executive Director of the Legislative Council is the executive director of the advisory board and shall assign clerical and staff support from the legislative staff as required.

**10. Powers and duties.** The powers and duties of the advisory board are as set out in this subsection.

A. The advisory board shall review and summarize pertinent scientific studies related to the issues or question with an emphasis on studies and data that are most relevant to the subject of concern.

B. The advisory board shall summarize findings and recommendations in a manner that is timely, objective, transparent and understandable by elected officials and policymakers.

C. The advisory board may recruit and include expertise from other qualified experts as needed.

D. The advisory board shall include in its discussions and recommendations risk assessments, comparative risk analyses and economic analyses.

E. The advisory board's interpretation, findings and recommendations must represent the prevailing weight of scientific evidence for a given issue or question.

F. The advisory board shall identify and delineate science and policy as separate components that impact risk management and legislative decision making.

G. If a consensus is not achievable, the advisory board may issue minority reports.

H. Before a draft finding is final, the advisory board shall have open public comment periods and process.

I. If members of the advisory board have a conflict of interest in a matter before the advisory board, the members shall recuse themselves from the matter and may not attempt to influence the outcome of the matter.

**Sec. 3. Maine Science Advisory Board; staggered terms for initial appointees.**

Notwithstanding the Maine Revised Statutes, Title 5, section 13132, subsection 3, of the members initially appointed to the Maine Science Advisory Board by the Governor, 4 serve for one-year terms and 4 serve for 2-year terms; of the members initially appointed by the President of the Senate, one serves for a 3-year term and one serves for a 4-year term; of the members appointed by the Speaker of the House of Representatives, one serves for a 3-year term and one serves for a 4-year term; of the members appointed by the Senate leader of the party having the 2nd largest number of members in the Senate, one serves for a 3-year term and one serves for a 4-year term; and of the members appointed by the House leader of the party having the 2nd largest number of members in the House, one serves for a 3-year term and one serves for a 4-year term.

**SUMMARY**

This bill establishes the Maine Science Advisory Board.