



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 953

S.P. 299

In Senate, March 8, 2011

An Act To Establish the Maine Science Advisory Board

Reference to the Committee on State and Local Government suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator SHERMAN of Aroostook.

Cosponsored by Senators: McCORMICK of Kennebec, THOMAS of Somerset, TRAHAN of Lincoln, Representatives: CRAY of Palmyra, GIFFORD of Lincoln, NASS of Acton.

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

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

3 **74-G.**

4 Science Maine Science Legislative Per 5 MRSA §13132
5 Advisory Board Diem and Expenses

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

7 **CHAPTER 385-A**

8 **SCIENCE AND TECHNOLOGY**

9 **§13132. Maine Science Advisory Board**

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

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

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

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

29 **3. Terms; vacancies; limits.** The term of office for a member of the advisory board
30 is 4 years. When a vacancy occurs, it must be filled by the same appointing authority and
31 the new member shall serve for the remainder of the term. Members may continue to
32 serve until their replacements are designated. A vacancy may not impair the right of the
33 remaining members to exercise all of the powers of the advisory board. The respective
34 appointing authority may remove an advisory board member in the event of a
35 professional ethics violation, a conflict of interest or proof of criminal activity or upon a

1 member's becoming an employee of the State, with the exception of a university
2 employee.

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

8 A. Environmental health;

9 B. Toxicology;

10 C. Engineering;

11 D. Ecological science;

12 E. Economics;

13 F. Chemistry;

14 G. Physics;

15 H. Biology;

16 I. Forestry;

17 J. Human medicine;

18 K. Statistics;

19 L. Risk assessment;

20 M. Geology;

21 N. Agricultural science;

22 O. Marine science;

23 P. Hydrology; and

24 Q. Veterinary science.

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

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

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

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

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

