

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "B " to S.P. 198, L.D. 634, Bill, "An Act to Extend the Repeal Date of the Laws Governing Biosynthetic Bovine Somatotropin"

Amend the bill by striking out the title and substituting the following:

'An Act to Refine the Duties and Composition of the Commission on Biotechnology and Genetic Engineering'

Further amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

'Sec. 1. 7 MRSA §231, sub-§1, as repealed and replaced by PL 1989, c. 878, Pt. A, §21, is amended to read:

1. **Members; terms.** The Commission on Biotechnology and Genetic Engineering, as established in Title 5, section 12004-I, subsection 20-A, shall-be is composed of 11 13 members, including 3 ex officio members and 8 10 members appointed by the Governor, subject to approval by the joint standing committee of the Legislature having jurisdiction over agriculture and confirmation by the Legislature. To provide the knowledge and experience necessary for carrying out the duties of the commission, the Governor shall appoint one person shall-be--appointed who has practical experience and knowledge in agricultural procedures, one who has practical experience and knowledge in environmental and conservation issues, a health care professional, a representative from the forest products industry, a representative from the marine fisheries industry, a person appointed to represent the general public, an agricultural economist, a consumer advocate and one practicing scientist who shall--be is a representative of industry and one practicing scientist who shall--be is a representative of the academic community. The terms shall-be are for 4 years, except that, of

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the initial appointees, 2 shall serve 4-year terms, 2 shall serve 3-year terms, 2 shall serve 2-year terms and 2 shall serve a one-year term. Any vacancy shall must be filled by an appointment for the remainder of the unexpired term. The 3 ex officio members are: the Commissioner of Agriculture, Food and Rural Resources or the commissioner's designee; the Director of the Maine Agricultural Experiment Station; and the Executive Director of the Maine Science and Technology Commission.

Sec. 2. 7 MRSA §233, as amended by PL 1989, c. 798, §2, is repealed.

Sec. 3. 7 MRSA §233-A is enacted to read:

§233-A. Powers and duties

The commission shall allow the public access to the safe and proper use of biotechnology and genetic engineering products while safeguarding public health, safety and welfare and protecting the natural resources of the State.

The commission has the following powers and duties:

1. Standards for products developed through genetic engineering. The commission may establish standards for the issuance and renewal of permits for the release into the environment of products developed through genetic engineering and their waste products. In applying this authority the commission shall consider the following:

A. The adequacy of federal regulations and state rules affecting biotechnology, particular products developed through genetic engineering and their waste products;

B. The consistency of federal and state policies affecting the biotechnology and genetic engineering industries;

C. The adequacy of federal and state laws governing release of products developed through genetic engineering and their waste products into the environment and the consequences of the release of those products and waste products to public health, safety and welfare; and

D. The risks to the public and the environment created by the use of biotechnology and genetic engineering products and waste products;

2. Research. To encourage research designed to develop new and more extensive uses of the resources of the State and to promote and encourage the advancement of research in biotechnology and genetic engineering;

5. Other. To take other appropriate actions to carry out the purposes of this chapter.

The Commission on Biotechnology and Genetic Engineering will incur some minor additional costs to adopt certain new rules and to cover the increased costs of having 2 additional commission members. These costs can be absorbed within the commission's existing budgeted resources.'

This amendment replaces the bill with a more comprehensive and systematic approach to state review of biotechnology products. The amendment broadens the composition of the Commission on Biotechnology by adding an agricultural economist and a consumer advocate to the commission. The amendment provides additional direction to the commission as to its responsibilities in reviewing biotechnological products. The amendment also deletes the section of the bill that made the terms of the bill retroactive to February 1, 1993.

COUNTY: Aroostook

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SENATE AMENDMENT