

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

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No. 942

H.P. 699

House of Representatives, February 25, 2003

An Act To Create Guidelines To Promote Good Science in Rulemaking

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SAVIELLO of Wilton.
Cosponsored by Senator WOODCOCK of Franklin and
Representatives: ANNIS of Dover-Foxcroft, JOY of Crystal, KOFFMAN of Bar Harbor,
MAKAS of Lewiston, MOODY of Manchester, PINEAU of Jay, SUSLOVIC of Portland,
THOMPSON of China.

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

4 **Sec. 1. 5 MRSA §8059-A** is enacted to read:

6 **§8059-A. Quality of information in rule-making proceedings**

8 1. Definitions. As used in this section, unless the
10 context otherwise indicates, when referring to information
12 provided and used by agencies in rule-making procedures, the
14 following terms have the following meanings.

16 A. "Influential information" means information that an
18 agency reasonably determines will have or does have a clear
20 and substantial impact on important public policies or
22 important decisions within the private sector.

24 B. "Information" means any communication or representation
26 of knowledge such as facts or data, in any medium or form,
28 including textual, numerical, graphic, cartographic,
30 narrative or audiovisual forms. "Information" does not
32 include opinions, when the entity presenting the information
34 makes it clear that what is being offered is someone's
36 opinion rather than fact.

38 C. "Integrity of information" means the security of the
40 information, including protection of information from
42 unauthorized access or revision and protection against the
44 compromise of information through corruption or
46 falsification.

48 D. "Objectivity" when referring to information, means the
extent to which information is presented in an accurate,
clear, complete and unbiased manner and is presented within
a proper context.

E. "Quality" means utility, objectivity and integrity.

F. "Utility" means the usefulness of information to its
intended users.

2. Establishment of standards; criteria. In conducting
rulemaking under this chapter, an agency shall incorporate
information quality criteria into its agency rule-making
practices and shall adopt specific standards of quality that are
appropriate for the various categories of information that are
used as evidence in a rule-making proceeding under this chapter.

A. To assess the objectivity of information, the agency
shall:

