

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1771

H.P. 1322

House of Representatives, December 2, 2021

Resolve, To Establish the Advisory Panel To Better Understand and Make Recommendations Regarding the Implications of Genome-editing Technology for the Citizens of the State

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on November 30, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ZAGER of Portland.
Cosponsored by Senator CLAXTON of Androscoggin and
Representatives: DUNPHY of Old Town, EVANS of Dover-Foxcroft, HYMANSON of York,
PERRY of Calais, Senator: DILL of Penobscot.

1 **Preamble. Whereas,** genome-editing technologies, such as clustered regularly
2 interspaced short palindromic repeats, also known as CRISPR, CRISPR-associated protein
3 9, also known as Cas9, and gene drive, have been discovered and dramatically refined in
4 recent years, enabling innumerable opportunities around the world to inexpensively edit
5 the genetic code of any living thing; and

6 **Whereas,** many deadly human diseases could be eradicated with genome-editing
7 technology, thereby saving countless lives, immeasurable heartache and large health care
8 expenditures in perpetuity; and

9 **Whereas,** a genetic alteration in a species of marine, terrestrial or airborne animal,
10 plant, fungus, protozoan, bacteria or virus could rapidly alter the natural beauty, ecology,
11 security and economy of Maine; and

12 **Whereas,** Maine's higher education system and technology sector can further position
13 themselves as leaders in innovation and ethical implementation, reaping enduring benefits
14 for Maine citizens, through the use of these technologies; and

15 **Whereas,** there are significant ethical, social and legal considerations for genome
16 editing in humans and other species; and

17 **Whereas,** in the past, scientific ideas have been used in the implementation of and to
18 promote eugenics programs and other forms of oppression; and

19 **Whereas,** throughout history living organisms have been used as weapons, and
20 genome-editing technologies create new security needs in the endless effort to protect the
21 people of Maine and the United States; and

22 **Whereas,** genome editing has the potential to fundamentally improve or diminish our
23 health, our natural environment, our social fabric and our economy; and

24 **Whereas,** the pace of innovation is accelerating and over the next several years Maine
25 can capitalize on the changes in our world that genome editing can bring about or risk being
26 left behind; now, therefore, be it

27 **Sec. 1. Panel established. Resolved:** That the Advisory Panel To Better
28 Understand and Make Recommendations Regarding the Implications of Genome-editing
29 Technology for the Citizens of the State, referred to in this resolve as "the panel," is
30 established.

31 **Sec. 2. Panel membership. Resolved:** That, notwithstanding Joint Rule 353, the
32 panel consists of 17 members appointed as follows:

33 1. Three members of the Senate appointed by the President of the Senate, including
34 members from each of the 2 parties holding the largest number of seats in the Legislature.
35 In making the appointments pursuant to this subsection, the President of the Senate shall
36 endeavor to appoint members having expertise in areas or backgrounds listed in section 5;

37 2. Six members of the House of Representatives appointed by the Speaker of the
38 House, including members from each of the 2 parties holding the largest number of seats
39 in the Legislature. In making the appointments pursuant to this subsection, the Speaker of
40 the House shall endeavor to appoint members having expertise in areas or backgrounds
41 listed in section 5;

- 1 3. One member who is a bioethicist, appointed by the President of the Senate;
- 2 4. One member who is a person under 30 years of age at the time of the appointment,
- 3 appointed by the Speaker of the House;
- 4 5. One member who is from a federally recognized Indian nation, tribe or band in the
- 5 State, appointed by the President of the Senate;
- 6 6. One member who is a fiction author or poet whose published works have explored
- 7 the humanity of all people, appointed by the Speaker of the House;
- 8 7. One member who is a person living with a single-gene disorder, such as cystic
- 9 fibrosis, Duchenne muscular dystrophy or sickle cell anemia, appointed by the President of
- 10 the Senate;
- 11 8. One member having expertise in an area or a background listed in section 5,
- 12 appointed by the President of the Senate; and
- 13 9. Two members having expertise in areas or backgrounds listed in section 5,
- 14 appointed by the Speaker of the House.

15 The Presiding Officers shall invite the participation on the panel of the Chief Justice of
16 the Supreme Judicial Court or the chief justice's designee and the Governor or the
17 Governor's designee.

18 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair
19 and the first-named House of Representatives member is the House chair of the panel.

20 **Sec. 4. Appointments; convening of panel. Resolved:** That all appointments
21 must be made no later than 30 days following the effective date of this resolve. The
22 appointing authorities shall notify the Executive Director of the Legislative Council once
23 all appointments have been completed. After appointment of all members, the chairs shall
24 call and convene the first meeting of the panel. If 30 days or more after the effective date
25 of this resolve a majority of but not all appointments have been made, the chairs may
26 request authority and the Legislative Council may grant authority for the panel to meet and
27 conduct its business.

28 **Sec. 5. Duties. Resolved:** That the panel shall study the implications of genome-
29 editing technology and the legislative, administrative or other steps that the State should
30 take to capitalize on the potential and avoid the hazards of genome-editing technology. In
31 performing its duties under this section, the panel shall solicit the testimony, advice or
32 participation of persons having the following backgrounds or areas of expertise:

- 33 1. Ethics;
- 34 2. Clinical medicine caring for children;
- 35 3. Clinical medicine caring for adults;
- 36 4. Public health;
- 37 5. Bioscience research;
- 38 6. Environmental protection;
- 39 7. Forestry;
- 40 8. Agriculture or aquaculture;

- 1 9. Fishing;
- 2 10. State economics;
- 3 11. Tourism, business or commerce;
- 4 12. Military or security affairs;
- 5 13. University of Maine System or Maine Community College System;
- 6 14. Living with a single-gene disorder, such as cystic fibrosis, Duchenne muscular
- 7 dystrophy or sickle cell anemia, or a parent or guardian of a person living with such a
- 8 single-gene disorder;
- 9 15. Hospital or hospice chaplaincy; and
- 10 16. History of race, ethnicity or eugenics.

11 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
12 necessary staffing services to the panel, except that the Legislative Council staff support is
13 not authorized when the Legislature is in regular or special session.

14 **Sec. 7. Report. Resolved:** That, notwithstanding Joint Rule 353, no later than
15 December 31, 2023, the panel shall submit a report that includes its findings and
16 recommendations, including suggested legislation, for presentation to the Second Regular
17 Session of the 131st Legislature.

18 **Sec. 8. Outside funding. Resolved:** That the panel shall seek funding contributions
19 to fully fund the costs of the study. All funding is subject to approval by the Legislative
20 Council in accordance with its policies. If sufficient contributions to fund the study have
21 not been received within 30 days after the effective date of this resolve, no meetings are
22 authorized and no expenses of any kind may be incurred or reimbursed.

23 **SUMMARY**

24 This resolve establishes the Advisory Panel To Better Understand and Make
25 Recommendations Regarding the Implications of Genome-editing Technology for the
26 Citizens of the State to study the implications of genome-editing technology and the
27 legislative, administrative or other steps that the State should take to capitalize on the
28 potential and avoid the hazards of genome-editing technology. The panel is directed to
29 submit its report, including suggested legislation, to the Second Regular Session of the
30 131st Legislature by December 31, 2023. The panel is also directed to seek outside funding.