

(PRE-FILED)

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By: **Delegates Stern and Barve**  
Requested: October 1, 2001  
Introduced and read first time: January 9, 2002  
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Bioscience Issues and Concerns - State Advisory Council**

3 FOR the purpose of establishing a State Advisory Council on Bioscience Issues and  
4 Concerns for the purpose of advising both the General Assembly and the  
5 Governor with regard to certain scientific issues and certain pending legislation;  
6 defining certain terms; providing for the membership, term, removal,  
7 chairperson, attendance of meetings, and duties of the Advisory Council; and  
8 generally relating to the establishment of a State Advisory Council on Bioscience  
9 Issues and Concerns.

10 BY adding to  
11 Article 41 - Governor - Executive and Administrative Departments  
12 Section 18-601 through 18-605, inclusive, to be under the new subtitle "Subtitle  
13 6. State Advisory Council on Bioscience Issues and Concerns"  
14 Annotated Code of Maryland  
15 (1997 Replacement Volume and 2001 Supplement)

16 Preamble

17 WHEREAS, In the 21st century and beyond, the knowledge and advances  
18 developed in the field of bioscience will impact every aspect of society including health  
19 care, the natural environment, the Chesapeake Bay, ocean beaches, agriculture, and  
20 industry such as information technology, materials fabrication, nanotechnology, and  
21 energy; and

22 WHEREAS, There exists a need for a diverse committee to serve in an  
23 advisory role to the Maryland State Legislature regarding matters such as the  
24 scientific basis for legislation introduced to the General Assembly, economic  
25 development of the bioscience industry, education and promotion of the bioscience  
26 industry to and for the citizens of Maryland, risk assessment, and ethical issues  
27 related to research, development, and industrial bioscience; and

1 WHEREAS, The continued development and enhancement of a strong  
2 bioscience platform integrating industry, education, and the citizens of Maryland will  
3 promote and maintain the role of Maryland as a worldwide bioscience leader; and

4 WHEREAS, Such a commitment will attract and retain the bioscience  
5 industry of the State of Maryland assuring sustained economic growth and  
6 development in the Maryland bioscience industry and ensure the safety, health, and  
7 well-being of the citizens of Maryland; now, therefore,

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article 41 - Governor - Executive and Administrative Departments**

11 SUBTITLE 6. STATE ADVISORY COUNCIL ON BIOSCIENCE ISSUES AND CONCERNS.

12 18-601.

13 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
14 INDICATED.

15 (B) "ADVISORY COUNCIL" MEANS THE STATE ADVISORY COUNCIL ON  
16 BIOSCIENCE ISSUES AND CONCERNS.

17 (C) "BIOLOGICAL SYSTEM" INCLUDES A VIRUS, LIVING ORGANISM SUCH AS A  
18 MICROBE, PLANT, OR ANIMAL, OR MATERIAL DERIVED FROM A LIVING ORGANISM  
19 SUCH AS TISSUE SLICES, CELLS INCLUDING EMBRYONIC AND OTHER STEM CELLS,  
20 ORGANELLES, OR BIOMOLECULES SUCH AS DNA, ENZYMES, ANTIBODIES, OR  
21 FRAGMENTS OF BIOMOLECULES.

22 (D) "BIOSCIENCE" INCLUDES THE APPLICATION AND INTEGRATION OF  
23 VARIOUS SCIENTIFIC DISCIPLINES SUCH AS BIOLOGY, CHEMISTRY, PHYSICS,  
24 MATHEMATICS, INFORMATION THEORY, COMPUTER SCIENCE, PSYCHOLOGY, AND  
25 ENGINEERING, TO THE STUDY, MANIPULATION, AND COMMERCIALIZATION OF  
26 BIOLOGICAL SYSTEMS.

27 18-602.

28 THERE IS A STATE ADVISORY COUNCIL ON BIOSCIENCE ISSUES AND CONCERNS.  
29 18-603.

30 (A) THE ADVISORY COUNCIL SHALL CONSIST OF 17 MEMBERS:

31 (1) ONE SHALL BE A MEMBER OF THE HOUSE OF DELEGATES,  
32 APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES;

33 (2) ONE SHALL BE A MEMBER OF THE SENATE, APPOINTED BY THE  
34 PRESIDENT OF THE SENATE;

1 (3) ONE SHALL BE THE SECRETARY OF HEALTH AND MENTAL HYGIENE  
2 OR THE SECRETARY'S DESIGNEE;

3 (4) ONE SHALL BE THE SECRETARY OF AGRICULTURE OR THE  
4 SECRETARY'S DESIGNEE; AND

5 (5) THE OTHER 13 MEMBERS SHALL BE APPOINTED BY THE GOVERNOR:

6 (I) THREE SHALL BE SCIENTISTS OR EDUCATORS OR BOTH,  
7 SELECTED FROM EDUCATIONAL INSTITUTIONS LOCATED WITHIN THE STATE:

8 1. ONE MEMBER SHALL BE ENGAGED IN RESEARCH;

9 2. ONE MEMBER SHALL BE ENGAGED IN EDUCATION; AND

10 3. ONE MEMBER SHALL BE ENGAGED IN A DISCIPLINE  
11 RELATED TO BIOSCIENCE;

12 (II) ONE SHALL BE AN ATTORNEY FAMILIAR WITH THE LEGAL  
13 IMPLICATIONS OF BIOSCIENCE;

14 (III) ONE SHALL BE FAMILIAR WITH THE RELIGIOUS IMPLICATIONS  
15 OF BIOSCIENCE;

16 (IV) SEVEN SHALL BE FROM BIOSCIENCE FIELDS SPECIALIZING IN,  
17 BUT NOT LIMITED TO, THE FOLLOWING AREAS:

18 1. PHARMACEUTICAL RESEARCH AND MANUFACTURING;

19 2. AGRICULTURE; AND

20 3. INFOMATICS; AND

21 (V) ONE SHALL BE FROM A NONPROFIT HEALTH RELATED  
22 ADVOCACY GROUP.

23 (B) (1) THE TERM OF A MEMBER IS 2 YEARS.

24 (2) AT THE END OF A TERM, NOT TO EXCEED THREE CONSECUTIVE  
25 TERMS, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED.

26 (3) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES  
27 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED.

28 (C) THE GOVERNOR MAY REMOVE A MEMBER OF THE ADVISORY COUNCIL FOR  
29 INCOMPETENCE OR MISCONDUCT.

30 (D) FROM AMONG THE MEMBERS OF THE ADVISORY COUNCIL, THE  
31 GOVERNOR SHALL APPOINT A CHAIRPERSON FOR A 2-YEAR TERM.

1 18-604.

2 (A) A MAJORITY OF THE MEMBERS OF THE ADVISORY COUNCIL CONSTITUTES  
3 A QUORUM AND ATTENDANCE MAY BE SATISFIED THROUGH ELECTRONIC MEANS  
4 INCLUDING TELEPHONE, TELECONFERENCING, OR SIMILAR MEANS ESTABLISHED  
5 BY THE ADVISORY COUNCIL.

6 (B) THE ADVISORY COUNCIL SHALL MEET AT LEAST TWICE A YEAR.

7 (C) A MEMBER OF THE ADVISORY COUNCIL MAY NOT RECEIVE  
8 COMPENSATION, BUT MAY RECEIVE REIMBURSEMENT FOR EXPENSES UNDER THE  
9 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

10 (D) THE SECRETARY OF HEALTH AND MENTAL HYGIENE AND THE SECRETARY  
11 OF AGRICULTURE SHALL JOINTLY DESIGNATE THE STAFF NECESSARY TO CARRY  
12 OUT THIS SUBTITLE.

13 18-605.

14 THE ADVISORY COUNCIL SHALL:

15 (1) EXAMINE PROPOSED BIOSCIENCE RELATED LEGISLATION  
16 INCLUDING, BUT NOT LIMITED TO, BILLS REGARDING STEM CELL RESEARCH,  
17 CLONING, GUIDELINES FOR HUMAN MEDICAL RESEARCH, BIOENGINEERED FOOD,  
18 AND BIOENGINEERED LIVESTOCK;

19 (2) CONSULT WITH ADDITIONAL EXPERTS AS NEEDED; AND

20 (3) ADVISE THE GENERAL ASSEMBLY AND THE GOVERNOR REGARDING:

21 (I) BOTH THE POSITIVE AND NEGATIVE IMPACTS OF BIOSCIENCE  
22 RELATED LEGISLATION; AND

23 (II) SIGNIFICANT NEW DEVELOPMENTS WITHIN THE FIELD OF  
24 BIOSCIENCE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
26 effect October 1, 2002.