

# MAINE STATE LEGISLATURE

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(Governor's Bill)  
SECOND REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1834**

S. P. 698

In Senate, January 18, 1980

Referred to the Committee on Health and Institutional Services. Sent down for concurrence and Ordered Printed.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Carpenter of Aroostook.

Cosponsors: Senator Najarian of Cumberland and Senator O'Leary of Oxford.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

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**AN ACT to Establish an Environmental Health Program.**

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

Sec. 1. 22 MRSA c. 269 is enacted to read:

**CHAPTER 269**

**ENVIRONMENTAL HEALTH PROGRAM**

§ 1661. Findings and declaration of purpose

The Legislature finds that adequate measures must be taken to assure that any threats to the health of the people of the State posed by natural phenomena or the introduction of potentially toxic substances into the environment are identified and appropriately considered by those responsible for protecting the public's health and environment.

The purpose of this chapter is to create an environmental health program within the Department of Human Services, Bureau of Health, which would provide the department with the capability it requires to satisfactorily discharge its responsibilities and advise other departments and boards charged with similar or related responsibilities regarding the potential health implications of their actions.

**§ 1662. Environmental health unit**

The department shall establish an environmental health unit within the Bureau of Health. This unit shall be staffed by individuals with training and experience in environmental medicine, epidemiology, toxicology, statistics and related fields. The responsibilities of the environmental health unit shall include, but not be limited to:

1. **Monitoring health status.** Monitoring the health status of the people of the State;
2. **Identifying health problems.** Identifying the prevalence and distribution of health problems, including those which may be related to environmental factors;
3. **Investigation.** Conducting investigations necessary to determine whether particular problems are related to environmental factors; and
4. **Advice to state agencies.** Advising the Commissioner of Human Services, as well as other state agencies and boards, such as the Departments of Environmental Protection and Agriculture, regarding the potential health implications of their actions, the nature and extent of identified problems and the steps which can be taken to address them.

**§ 1663. Medical advisory committee**

The commissioner shall appoint a committee of representatives of the public and private sectors to serve as an advisory body to the environmental health unit. The committee shall advise, consult and assist the commissioner regarding the public health implications of the introduction of potentially toxic substances to the environment. Furthermore, the committee may make recommendations to the commissioner concerning the steps which should be taken to protect the environment. The committee shall be solely advisory in nature. The committee shall be composed of not less than 9 members and shall include individuals with training and experience in environmental medicine, epidemiology, toxicology, human genetics, biomedical research and related fields. The commissioner shall appoint the chairman of the committee.

**§ 1664. Rules and regulations**

The department is authorized and empowered to adopt, amend and enforce such rules and regulations as are necessary for the proper administration of this chapter.

**§ 1665. Right of entry**

The department and any duly designated officer or employee thereof shall have the right to enter upon and into any place or premises where nuisances or conditions dangerous to life or health are known or believed to exist, but no such entry or inspection of any premises may be made without the permission of the owner or occupant thereof, unless an inspection warrant is first obtained from the District Court.

§ 1666. Acceptance of funds

The department is authorized to accept any federal funds which may be available for carrying out the purposes of this chapter.

**Sec. 2. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1980-81

HUMAN SERVICES, DEPARTMENT OF

Environmental Health Program

Positions	(6)
Personal Services	\$136,803
All Other	57,000
Capital Expenditures	<u>7,000</u>
Total	\$200,803

STATEMENT OF FACT

This proposal is the result of 1979 Resolve, chapter 18, "RESOLVE, to Study the Need for an Environmental Health Program."

The increasing complexity of industrial processes and natural resources' management have created new problems of chemical and toxic substances' management. Recent events have focused increased public attention on the introduction of these substances into the Maine environment and actual and potential hazards these events may present. In some cases, the harm is not known or understood or may not be known for a considerable. Currently, there is no demonstrated capability of State Government to respond to such incidents or to conduct thorough investigations concerning the long-term impact of such incidents on the public health.

The purpose of this bill is to enable the State to better respond to these potential environmental health hazards. It establishes a program within the Department of Human Services to carry out this vital function. The individuals in this unit must be trained and experienced in environmental medicine, epidemiology, toxicology, bio-statistics and related fields in order to provide the information needed.