

MAINE STATE LEGISLATURE

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EMERGENCY
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 914

H. P. 804

House of Representatives, February 20, 1981

Reported by Mrs. Prescott from the Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Reported from the Joint Standing Committee on Health and Institutional Services under Joint Rule 18, pursuant to H. P. 1900. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Create an Environmental Health Program.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the past decade has been marked by an increasing awareness of potential threats to the public's health by contaminants in the environment; and

Whereas, detection of these contaminants and treatment of their effects requires expertise in many fields; and

Whereas, Maine has higher than average rates of certain environmentally related diseases, including lung disease and cancer, the reasons for which require investigation; and

Whereas, it is clear that the State has a limited and fragmented capability to address these environmental health issues; and

Whereas, there is a need to create an environmental health program to detect and evaluate environmental factors known or suspected to be injurious to our health; and

Whereas, the Department of Human Services has a broad mandate to protect the public health; and

Whereas, the federal Center for Disease Control has indicated that the existence of such a program would result in additional assistance in this field; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 22 MRSA c. 271 is enacted to read:

CHAPTER 271

ENVIRONMENTAL HEALTH PROGRAM

§ 1691. Findings and declaration of purpose

The Legislature finds that adequate measures must be taken to ensure 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, appropriately considered and responded to 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 discharge its responsibilities satisfactorily, and to advise other departments and boards charged with similar or related responsibilities regarding the potential health implications of their actions.

§ 1692. Environmental health program

The department shall create an environmental health program within the Division of Disease Control of the Bureau of Health, Department of Human Services. This program shall be staffed by individuals with training and experience in environmental medicine, epidemiology, toxicology, statistics and related fields.

The Environmental Health Program shall:

1. **Develop and monitor health status.** Develop indicators of health problems in the State, monitor the health status of the people of the State and establish and maintain the necessary data banks for broad surveillance of human health and disease in Maine.

2. **Identify health problems.** Identify significant health problems in the State, including those which may be related to environmental factors;

3. **Investigate.** Conduct and contract for investigations as necessary to determine whether particular problems are related to environmental factors;

4. Advise state agencies. Advise the Commissioner of Human Services, as well as other state agencies and boards, such as the Departments of Environmental Protection and Agriculture, Food and Rural Resources, 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; and

5. Public information. Provide the public with information, and advise them as to preventive and corrective actions in the area of environmental health.

§ 1693. Environmental Health 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 Program. The committee shall advise, assist and consult with the commissioner regarding the public health implications of hazardous elements in the environment. The committee may make recommendations to the commissioner, concerning the steps which should be taken to make for a healthful environment. The committee shall be solely advisory in nature. It shall be composed of not less than 11 members, of whom 3 shall be public members. The members shall serve for 3-year terms, except that initially 4 shall be appointed for 3 years, 4 for 2 years and 3 for one year. The members shall include individuals with training and experience in any of the following, or related fields: Environmental medicine; epidemiology, toxicology; human genetics; or biomedical research. The commissioner shall appoint the chairman of the committee. Members of the committee shall serve without pay, but be recompensed for expenses incurred in carrying out their duties. The committee shall meet at least once annually in Augusta.

§ 1694. Contracts with educational, research and eleemosynary institutions

The environmental health program shall, to the maximum extent feasible, and within the amounts appropriated for these purposes, contract with educational research eleemosynary institutions within the State for research and investigation activities which can be carried out more economically, expeditiously or conveniently by those nonstate institutions.

§ 1695. Acceptance of funds

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

Sec. 2. Expenditure funds. The funds appropriated for personal services under this program in the biennium shall be expended for 2 professional positions and one clerical position in 1981-82, and an additional professional position in 1982-83.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The bill creates an Environmental Health Program within the Bureau of Health of the Department of Human Services.

In the first year, the staff will be a nonphysician epidemiologist, a toxicologist and a clerical worker; in the 2nd year, a research assistant will be added. The responsibilities will include: Monitoring of the health of the people of Maine; identifying and investigating health problems which may be related to environmental factors through state or contracted research; provided advice and information to the Commissioner of Human Services and other state departments and boards; and providing information and advice to the public on environmental health.

The bill also creates an advisory committee representing medical, scientific and lay members from the public and private sectors.

The funds for this program are contained in the Governor's Part II budget: \$100,930 in 1981-82, and \$117,225 in 1982-83. The actual expenditures are expected to be less, due to the limitations expressed in section 2 of this bill.