

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1418

S.P. 451

In Senate, May 3, 1993

**An Act to Amend the Laws Governing the Committee to Advise the
Department of Human Services on AIDS.**

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator McCORMICK of Kennebec.
Cosponsored by Representative RYDELL of Brunswick.

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

2
3 **Sec. 1. 5 MRSA §12004-I, sub-§42**, as amended by PL 1989, c.
4 503, Pt. A, §32, is further amended to read:

6 **42.** Committee-to Expenses 5 MRSA
7 Human Services Advise-the Only §19202
8 Department-of
9 Services-on
10 AIDS
11 Maine HIV
12 Advisory
13 Committee

14
15 **Sec. 2. 5 MRSA §19202**, as amended by PL 1991, c. 404, §1 and
16 affected by §2, is repealed and the following enacted in its
17 place:

18 **§19202. Maine HIV Advisory Committee**

19
20 **1. Duties.** The Maine HIV Advisory Committee, as
21 established in section 12004-I, subsection 42 and referred to in
22 this section as the "committee," shall advise all departments and
23 agencies of the State on:

24
25 A. Prevention of the human immunodeficiency virus, referred
26 to in this section as "HIV," and education related to HIV;

27 B. Crises that may develop related to HIV;

28 C. Services to persons with HIV;

29 D. Services for family members and other persons providing
30 care and support to persons with HIV;

31 E. HIV-related policy, planning, rules or legislation; and

32 F. All fiscal matters related to HIV.

33
34 **2. Membership.** The Maine HIV Advisory Committee consists
35 of 33 members as follows:

36 A. One allopathic physician from nominees submitted by the
37 Maine Medical Association;

38 B. One osteopathic physician from nominees submitted by the
39 Maine Osteopathic Association;

40 C. One nursing home administrator from nominees submitted
41 by the Maine Health Care Association;

- 2 D. One social worker from nominees submitted by the Maine
 Chapter of the National Association of Social Workers;
- 4 E. One public school health educator from nominees
6 submitted by the Maine School Health Education Committee;
- 8 F. One school nurse from nominees submitted by the Maine
10 School Nurses Association;
- 12 G. One superintendent of a school administrative unit;
- 14 H. One representative from service providers for youth in
 high-risk situations;
- 16 I. One representative from labor from nominees submitted by
18 the AFL-CIO;
- 20 J. One nurse from nominees submitted by the Maine State
 Nurses Association;
- 22 K. One representative from nominees submitted by the Maine
 Hospice Council;
- 24 L. One person appointed from nominees submitted by the
26 Maine Hemophilia Treatment Center and the Maine Chapter of
 New England Hemophilia Association;
- 28 M. One representative of the gay community from nominees
30 submitted by the Maine Lesbian/Gay Political Alliance;
- 32 N. Two persons living with HIV from nominees submitted by
 the Maine Persons with AIDS Coalition;
- 34 O. One representative from the insurance industry;
- 36 P. One dentist from nominees submitted by the Maine Dental
38 Association;
- 40 Q. Two members of the public, including one parent of a
 school-age child;
- 42 R. One mental health professional from nominees submitted
44 by the Maine Psychological Association and the Maine Council
 of Community Mental Health Services;
- 46 S. One member representing hospitals from nominees
48 submitted by the Maine Hospital Association;

2 T. One member representing public health professionals from
nominees submitted by the Maine Public Health Association;

4 U. One infection control practitioner from nominees
submitted by the Maine Council for Infection Control
6 Practitioners;

8 V. One representative from nominees submitted by the Maine
Human Rights Commission;

10 W. One substance-abuse counselor nominated from the Maine
12 Association of Drug Abuse Counselors;

14 X. One member of the clergy appointed by the Maine Council
of Churches;

16 Y. One representative of AIDS service providers from
18 nominees submitted by the Maine AIDS Alliance;

20 Z. One family planning service provider nominated by the
22 Family Planning Association;

24 AA. One women's health advocate nominated by the National
Organization of Women;

26 BB. One representative from the American Red Cross
nominated by the American Red Cross State Service Council;

28 CC. The Commissioner of Human Services or the
30 commissioner's designee, who serves during the
commissioner's term of office; and

32 DD. Two Legislators, one Senator appointed by the President
34 of the Senate and one member of the House of Representatives
appointed by the Speaker of the House of Representatives.

36 The members, except for those specifically designated in
38 paragraphs CC and DD, must be appointed by the Governor for their
competence and experience in connection with these fields, and
40 the field of HIV disease.

42 3. Terms; compensation. The term of office of each member
44 is 3 years; except that of the members first appointed, 1/3 must
be appointed for a term of one year, 1/3 for a term of 2 years
46 and 1/3 for a term of 3 years. The Governor shall designate a
chair and vice-chair to serve at the pleasure of the Governor.
48 The chair is the presiding member of the committee. All
vacancies must be filled for the balance of the unexpired term in
the same manner as original appointments. The members of the

2 committee are entitled to compensation in accordance with chapter
379.

4 4. Meetings. The committee shall meet at least 4 times a
5 year and more frequently if needed to respond to the duties of
6 this committee as specified in subsection 1. Special meetings
7 may be called by the chair and must be called at the request of
8 the State Epidemiologist, the Director of the Bureau of Health,
9 the Director of Disease Control, the Director of Sexually
10 Transmitted Diseases or by 3 or more members of the committee.

12 5. Annual program and budget review. The committee shall
13 make an annual assessment of the policies, programs and budget
14 proposals related to HIV of state agencies and may make
15 recommendations related to those policies, programs and budgets.

16 6. Committee may accept funds. The committee may vote to
17 accept or refuse gifts, grants or other funding that may be
18 offered to the committee.

20
22 **STATEMENT OF FACT**

24 This bill renames the Committee to Advise the Department of
25 Human Services on AIDS as the Maine HIV Advisory Committee,
26 revises the membership of the committee, adds an additional
27 source for nomination of existing members and establishes new
28 duties and responsibilities of the committee.