

MAINE STATE LEGISLATURE

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M
R 88

L.D. 121

DATE: 3/20/97

(Filing No. H- 81)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 97, L.D. 121, Bill, "An Act to Require Disclosure to Prison Workers in the Case of an Inmate Who Tests Positive for Acquired Immune Deficiency Syndrome"

Amend the bill by striking out all of section 1 (page 1, lines 3 to 14 in L.D.) and inserting in its place the following:

'Sec. 1. 5 MRSA §19203, sub-§7, as repealed and replaced by PL 1987, c. 811, §3 and amended by PL 1995, c. 560, Pt. K, §82 and affected by §83, is further amended to read:

7. Other agencies. To employees of, or other persons designated by, the Department of Corrections, the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services, to the extent that those employees or other persons are responsible for the treatment or care of subjects of the test. Those agencies shall promulgate adopt rules, within 90 days of the effective date of this subsection, pursuant to the Maine Administrative Procedure Act, chapter 375, subchapter II, designating the persons or classes of persons to whom the test results may be disclosed. The rules of the Department of Corrections must designate those persons who may receive the results of an HIV test of a county jail inmate;

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

The additional costs associated with rulemaking can be

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 97, L.D. 121

2 absorbed by the Department of Corrections utilizing existing
budgeted resources.'

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SUMMARY

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8 This amendment clarifies the intent of the original bill by
requiring the Department of Corrections to make rules designating
persons who may receive the results of a positive HIV test of a
10 county jail inmate. It also adds a fiscal note.