

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 121

H.P. 97

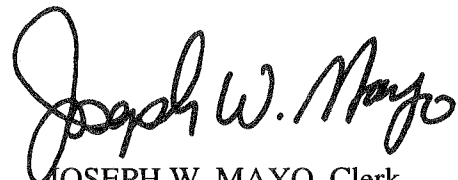
House of Representatives, January 14, 1997

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**An Act to Require Disclosure to Prison Workers in the Case of an Inmate  
Who Tests Positive for Acquired Immune Deficiency Syndrome.**

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Reference to the Committee on Judiciary suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative MUSE of South Portland.  
Cosponsored by Representatives: MORGAN of South Portland, WRIGHT of Berwick.

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

2  
4       **Sec. 1. 34-A MRSA §3003, sub-§4** is enacted to read:

6       **4. Required disclosure.** Notwithstanding any other  
8       provision of law, when the department knows that an inmate has  
10       tested positive for the human immunodeficiency virus, HIV, or  
12       Acquired Immune Deficiency Syndrome, AIDS, the department shall  
14       disclose that fact to the facility in which the inmate is housed  
16       and to every employee responsible for the care, custody or  
18       control of the inmate. The facility and the employees receiving  
20       the information shall treat it as confidential. Further  
22       disclosure is absolutely prohibited and is governed by subsection  
24       2.

#### SUMMARY

18       This bill requires the Department of Corrections, when it  
20       knows that an inmate has tested positive for HIV or AIDS, to  
22       disclose that fact to the facility in which the inmate is housed  
and to every employee who is responsible for the care, custody or  
control of the inmate.