

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985  
Chapters 384-End

AND AT THE

**FIRST SPECIAL SESSION**

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1985

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**RESOLVES**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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## CHAPTER 23

H.P. 990 - L.D. 1428

### Resolve, Pertaining to a State Employee Health Promotion.

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

Whereas, many health needs of state employees are not currently being met; and

Whereas, there is an immediate need for a comprehensive state employee health promotion program; 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

State Employee Health Promotion Program Commission established. Resolved: That there is established the State Employee Health Promotion Program Commission. The commission shall consist of 9 members to be appointed by the Governor as follows:

1. One member representing the Department of Human Services, Bureau of Health;
2. One member representing the Maine State Employees Health Insurance Program;
3. One member representing the Department of Finance and Administration, Risk Management Division;
4. One member representing the Department of Finance and Administration, Bureau of Public Improvements;
5. The Assistant Director of the Department of Personnel, Office of Employee Relations;
6. One member representing the Alcohol and Drug Abuse Planning Committee;
7. One member representing the State Employee Assistance Program; and

8. Two members representing the 2 employee unions or associations representing the largest number of state employees; and be it further

Duties of commission. Resolved: That the commission shall conduct a study, including, but not limited to, the following:

1. The inclusion in state employee health insurance of coverage for surgical opinions and testing prior to hospital admission;

2. Smoking policies in the workplace;

3. The use of seat belts in state-owned vehicles and privately-owned vehicles where the owner is reimbursed by the State for mileage;

4. Income protection programs; and

5. The feasibility of implementing wellness programs dealing with, but not limited to, the following:

A. The hazards of smoking;

B. Drug and alcohol abuse;

C. Stress management;

D. Weight reduction;

E. Low cholesterol diet programs; and

F. High blood pressure clinics; and be it further

Goals. Resolved: That, in conducting the study and in making its recommendations, the commission shall adopt the goals of reducing incidence of sick leave and reducing the number of workers' compensation claims against the State; and be it further

Report. Resolved: That the commission shall, by no later than the date required of reports of joint standing committees as provided in the Joint Rules of the Legislature, report its findings, together with any implementing legislation, including a proposed program for state employee health promotion covering all state employees who are eligible for state health insurance, to the Joint Standing Committee on State Government for consideration at the Second Regular Session of the 112th Legislature; and be it further

**Compensation. Resolved:** That the members of the commission shall receive no compensation. Members of the commission representing agencies of State Government shall be reimbursed for all necessary expenses from the budgets of the respective agencies. The 2 employee members representing employee unions or associations shall be reimbursed from the appropriations of the Department of Human Services; and be it further

**Employee members' compensation and benefits. Resolved:** That for the purpose of this resolve, the 2 employee members of the commission representing state employee unions or associations shall continue to receive their regular wages or salaries for time spent in the work of the commission. The time that the employee representatives spend in the work of the commission shall be deemed part of the regular duties of these employee members and shall accrue for the purposes of fringe benefits, including vacation and sick leave, health and life insurance and retirement; and be it further

**Bargaining negotiations. Resolved:** That nothing in this resolve may be interpreted to limit or restrict, in any way, any issues or proposals to be included in bargaining negotiations between the State and state employee labor unions and associations; and be it further

**Staff. Resolved:** That the Department of Human Services, Bureau of Health shall provide staff to the commission to assist the commission in all its work.

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

Effective May 23, 1985.

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## CHAPTER 24

H.P. 933 - L.D. 1339

Resolve, Relating to the Development of a  
Plan for the Provision of Court-ordered  
Evaluations for Juveniles.

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