

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

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

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J.S. McCarthy Company  
Augusta, Maine  
1989

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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

**Whereas,** this legislation needs to take effect immediately to ensure appropriate representation on the Committee to Advise the Department of Human Services on AIDS; 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:**

5 MRSA §19202, 1st ¶, as amended by PL 1987, c. 769, Pt. A, §33, and c. 861, §§7 and 8, is repealed and the following enacted in its place:

The Committee to Advise the Department of Human Services on AIDS, as established by section 12004-I, subsection 42, shall consist of not less than 27 members nor more than 31 members to include representation of: One allopathic physician from nominees submitted by the Maine Medical Association; one osteopathic physician from nominees submitted by the Maine Osteopathic Association; one nursing home administrator from nominees submitted by the Maine Health Care Association; one funeral director from nominees submitted by the Maine Funeral Directors Association; one social worker from nominees submitted by the Maine Chapter of the National Association of Social Workers; one public school administrator from a local school district from nominees submitted by the Maine Superintendents Association; one nurse from nominees submitted by the Maine State Nurses Association; one representative from nominees submitted by the Maine Hospice Council; one teacher from nominees submitted by the Maine Teachers Association; 3 members of the high-risk community one of whom must be a person with hemophilia from nominees submitted by the Maine Hemophilia Treatment Center and the Maine Chapter of New England Hemophilia Association, one representative of the gay community from nominees submitted by the Maine Lesbian/Gay Political Alliance, and one person living with AIDS from nominees submitted by the Maine Persons with AIDS Coalition; one insurance industry representative; one employee of a community mental health center; one dentist from nominees submitted by the Maine Dental Association; one state employee from nominees submitted by the Maine State Employees Association; 2 members of the public, including one parent of a school-age child; the Commissioner of Human Services or the commissioner's designee who shall serve during the commissioner's term of office; one psychologist from nominees submitted by the Maine Psychological Association; one state employee from nominees submitted by the American Federation of State, County and Municipal Employees; one member representing hospitals from nominees submitted by the Maine Hospital Association; one member representing public health professionals from nominees submitted by the Maine Public Health Association; one representative of a

nonprofit hospital or medical service organization; one substance-abuse counselor; one member of the clergy; and 2 Legislators, one member of the House of Representatives appointed by the Speaker of the House of Representatives and one Senator appointed by the President of the Senate. The members, except for those specifically designated in this paragraph, shall be appointed by the Governor for their competence and experience in connection with these fields.

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

Effective May 26, 1989.

## CHAPTER 190

H.P. 692 - L.D. 944

### An Act to Increase Protection for Clients of the Department of Mental Health and Mental Retardation

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

**Whereas,** this Act permits disclosure of information which is of importance to an adult protective investigation or other adult protective activity; 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:**

34-B MRSA §1207, sub-§1, ¶B-1, as enacted by PL 1985, c. 495, §23, is amended to read:

B-1. Information shall be disclosed to the Department of Human Services for the purpose of cooperating in an investigation or any other activity pursuant to Title 15, chapter 507, or Title 22, chapter 958-A or 1071, pursuant to an agreement between the department and the Department of Human Services. The agreement, specifying the circumstances and conditions by which disclosure shall be made, shall be promulgated as rules by the department in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375;

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

Effective May 26, 1989.