

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

**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**  
**2002**

**Sec. 13. Appropriations and allocations.**

The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Capitol Security - Bureau of**

Initiative: Provides funds for the additional cost of increasing the normal cost component associated with providing retirement coverage to capitol security officers under the 1998 Special Plan effective July 1, 2002.

<b>General Fund</b>	<b>2001-02</b>	<b>2002-03</b>
Personal Services	\$0	\$1,379

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect July 1, 2002.

Effective July 1, 2002.

**CHAPTER 647**

**H.P. 1651 - L.D. 2157**

**An Act Regarding the Requirements for Documenting Pretest and Post-test Counseling for HIV Tests**

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

**Sec. 1. 5 MRSA §19204-A, sub-§1, ¶B,** as amended by PL 1995, c. 404, §15, is further amended to read:

~~B. A written memorandum~~ An entry in the medical record of the person being counseled summarizing the contents of the discussion concerning at least the topics listed in paragraph A, subparagraphs (1) to (5) ~~given to the person being counseled.~~ A written informed consent form may be used to satisfy the requirement ~~for a written memorandum~~ in this paragraph if it contains all the required information. A written consent form does not satisfy the requirement for personal counseling in paragraph A.

**Sec. 2. 5 MRSA §19204-A, sub-§2, ¶B,** as amended by PL 1995, c. 404, §15, is further amended to read:

~~B. A written memorandum~~ An entry in the medical record of the person being counseled summarizing the contents of the discussion ~~given to the person being counseled;~~ and

**Sec. 3. 5 MRSA §19204-A, sub-§5** is enacted to read:

**5. Written information to person being counseled.** To comply with the requirements of this section regarding pretest counseling, in addition to meeting the requirements of subsection 1, the provider of an HIV test shall give to the person being counseled a written document containing information on the subjects described in subsection 1, paragraph A. To comply with the requirements of this section regarding post-test counseling, in addition to meeting the requirements of subsection 2, the provider of an HIV test shall give to the person being counseled a written document containing information on the subjects described in subsection 2, paragraph A. A written consent form or other document may be used to meet one or both of the requirements for information pursuant to this subsection if the form or document contains all the information required for the type of counseling being offered.

See title page for effective date.

**CHAPTER 648**

**H.P. 1565 - L.D. 2070**

**An Act to Establish the Community Preservation Advisory Committee**

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

**Sec. 1. 5 MRSA §12004-I, sub-§24-F** is enacted to read:

<b>24-F.</b>	<u>Community</u>	<u>Legislative</u>	<u>30-A</u>
<u>Environment:</u>	<u>Preservation</u>	<u>Per Diem</u>	<u>MRSA</u>
<u>Natural</u>	<u>Advisory</u>	<u>and</u>	<u>§4350</u>
<u>Resources</u>	<u>Committee</u>	<u>Expenses</u>	
		<u>for</u>	
		<u>Legislators</u>	
		<u>and</u>	
		<u>Expenses</u>	
		<u>Only for</u>	
		<u>Certain</u>	
		<u>Members</u>	

**Sec. 2. 30-A MRSA c. 187, sub-c. II, art. 3-B** is enacted to read:

**Article 3-B**

**COMMUNITY PRESERVATION ADVISORY COMMITTEE**

**§4350. Community Preservation Advisory Committee**

**1. Establishment; purpose.** The Community Preservation Advisory Committee, established by Title 5, section 12004-I, subsection 24-F and referred to in