



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 905

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H.P. 624

House of Representatives, March 12, 2015

### An Act To Study Allocations of the Fund for a Healthy Maine

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BEAVERS of South Berwick.  
Cosponsored by Senator DUTREMBLE of York and  
Representatives: Speaker EVES of North Berwick, GATTINE of Westbrook, HEAD of Bethel,  
HYMANSON of York, POULIOT of Augusta, SANBORN of Gorham, VACHON of  
Scarborough, Senator: KATZ of Kennebec.

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

2 **Sec. 1. 3 MRSA c. 12** is enacted to read:

3 **CHAPTER 12**

4 **COMMISSION TO STUDY ALLOCATIONS OF THE FUND FOR A HEALTHY**  
5 **MAINE**

6 **§251. Commission To Study Allocations of the Fund for a Healthy Maine**

7 **1. Commission established.** The Commission To Study Allocations of the Fund for  
8 a Healthy Maine, referred to in this section as "the commission," is established in Title 5,  
9 section 12004-I, subsection 30-B.

10 **2. Commission membership.** The commission consists of 13 members appointed  
11 as follows:

12 **A. The President of the Senate shall:**

13 (1) Appoint 3 members of the Senate, including a member from each of the 2  
14 parties holding the largest number of seats in the Legislature. At least one of the  
15 appointees must serve on the joint standing committee of the Legislature having  
16 jurisdiction over appropriations and financial affairs and at least one of the  
17 appointees must serve on the joint standing committee of the Legislature having  
18 jurisdiction over health and human services matters; and

19 (2) Appoint one person representing municipal public health departments and  
20 one person representing a major voluntary nonprofit health organization; and

21 **B. The Speaker of the House of Representatives shall:**

22 (1) Appoint 4 members of the House of Representatives, including members  
23 from each of the 2 parties holding the largest number of seats in the Legislature.  
24 At least one of the appointees must serve on the joint standing committee of the  
25 Legislature having jurisdiction over appropriations and financial affairs and at  
26 least one of the appointees must serve on the joint standing committee of the  
27 Legislature having jurisdiction over health and human services matters; and

28 (2) Appoint one person representing a nonprofit statewide organization of public  
29 health professionals, one person representing a public health organization or  
30 agency operating in a rural community, one person representing the organizations  
31 providing services supported by funds from the Fund for a Health Maine and one  
32 person who possesses expertise in the subject matter of the study under this  
33 section.

34 **3. Terms of appointment.** The terms of appointment for members of the  
35 commission are as follows.

36 **A. Except as provided in paragraph B, members are appointed for terms of 3 years.**

37 **B. Members who are Legislators are appointed for the duration of the legislative**  
38 **terms of office in which they were appointed.**

1           C. Members may serve beyond their designated terms until their successors are  
2           appointed.

3           4. Chairs. The first-named Senate member of the commission is the Senate chair  
4           and the first-named House of Representatives member of the commission is the House  
5           chair of the commission.

6           5. Quorum. A quorum of the commission is 7 members.

7           6. Meetings. The commission may meet only when the Legislature is not in regular  
8           or special session. The commission may meet up to 6 times every 3 years to accomplish  
9           its duties.

10          7. Duties. The commission shall review the alignment of allocations from the Fund  
11          for a Healthy Maine, established in Title 22, section 1511, with the State's public health  
12          care and preventive health priorities and goals. The commission shall gather information  
13          and data from public and private entities as necessary to:

14            A. Identify or review the State's public health care and preventive health priorities  
15            and goals;

16            B. Identify or review strategies for addressing priorities and goals and potential  
17            effectiveness of those strategies;

18            C. Assess the level of resources needed to properly pursue the strategies identified in  
19            paragraph B;

20            D. Make recommendations for how Fund for a Healthy Maine funds should be  
21            allocated to most effectively support the State's public health and preventive health  
22            priorities, goals and strategies; and

23            E. Make recommendations for processes to be used to ensure that Fund for a Healthy  
24            Maine allocations stay aligned with the State's health priorities and goals.

25          8. Cooperation. The Commissioner of Administrative and Financial Services, the  
26          Commissioner of Education, the Commissioner of Health and Human Services and the  
27          Director of the Maine Center for Disease Control and Prevention within the Department  
28          of Health and Human Services shall provide information and data to the commission as  
29          necessary for its work.

30          9. Staff assistance. The Legislative Council shall provide necessary staffing  
31          services to the commission.

32          10. Report. By December 7, 2015 and every 3 years thereafter, the commission  
33          shall submit a report that includes its findings and recommendations, including suggested  
34          legislation, to the joint standing committee of the Legislature having jurisdiction over  
35          appropriations and financial affairs and the joint standing committee of the Legislature  
36          having jurisdiction over health and human services matters.

37          11. Compensation. Legislators who are members of the commission are entitled to  
38          receive the legislative per diem and expenses as defined in section 2 for their attendance  
39          to their duties under this section. Other members are entitled to receive reimbursement of

1 necessary expenses if they are not otherwise reimbursed by their employers or others  
2 whom they represent.

3 **12. Funding for commission activities; outside funding; Fund for a Healthy**  
4 **Maine.** The commission may seek outside funds to fund the cost of meetings and other  
5 activities of the commission. Contributions to support the work of the commission may  
6 not be accepted from any party having a pecuniary or other vested interest in the outcome  
7 of the matters being studied. Any person, other than a state agency, desiring to make a  
8 financial or in-kind contribution shall certify to the Legislative Council that it has no  
9 pecuniary or other vested interest in the outcome of the commission's activities. Such a  
10 certification must be made in the manner prescribed by the Legislative Council. All  
11 contributions are subject to approval by the Legislative Council. All funds accepted must  
12 be forwarded to the Executive Director of the Legislative Council along with an  
13 accounting record that includes the amount of funds, the date the funds were received,  
14 from whom the funds were received and the purpose of and any limitation on the use of  
15 those funds. The Executive Director of the Legislative Council shall administer any funds  
16 received by the commission. The commission may accept funds from the Fund for a  
17 Healthy Maine pursuant to Title 22, section 1511.

18 **Sec. 2. 5 MRSA §12004-I, sub-§30-B** is enacted to read:

19 **30-B.**

20 <u>Health Care</u>	<u>Commission To</u>	<u>Legislative Per Diem</u>	<u>3 MRSA §251</u>
	<u>Study Allocations of</u>	<u>and Expenses for</u>	
	<u>the Fund for a</u>	<u>Legislators/ Expenses</u>	
	<u>Healthy Maine</u>	<u>Only for Other</u>	
24		<u>Members</u>	

25 **Sec. 3. 22 MRSA §1511, sub-§6**, as amended by PL 2011, c. 617, §1, is further  
26 amended to read:

27 **6. Health promotion purposes.** ~~Allocations~~ Except as otherwise provided in this  
28 subsection, allocations are limited to the following prevention and health promotion  
29 purposes:

- 30 A. Smoking prevention, cessation and control activities, including, but not limited to,  
31 reducing smoking among the children of the State;
- 32 A-1. Prevention, education and treatment activities concerning unhealthy weight and  
33 obesity;
- 34 B. Prenatal and young children's care including home visits and support for parents  
35 of children from birth to 6 years of age;
- 36 C. Child care for children up to 15 years of age, including after-school care;
- 37 D. Health care for children and adults, maximizing to the extent possible federal  
38 matching funds;

- 1 E. Prescription drugs for adults who are elderly or disabled, maximizing to the extent
  - 2 possible federal matching funds;
  - 3 F. Dental and oral health care to low-income persons who lack adequate dental
  - 4 coverage;
  - 5 G. Substance abuse prevention and treatment; and
  - 6 H. Comprehensive school health and nutrition programs, including school-based
  - 7 health centers.
- 8 Allocations may be used to fund the activities of the Commission To Study the
- 9 Allocations of the Fund for a Healthy Maine established under Title 3, section 251.

10

### SUMMARY

11 This bill establishes an ongoing commission to review whether allocations of the

12 Fund for a Healthy Maine are properly aligned with the State's public and preventive

13 health priorities and goals and recommend adjustments to allocations as necessary.

14 Under the bill, the commission is authorized to meet up to 6 times every 3 years when the

15 Legislature is not in session and the commission's first report must be submitted by

16 December 7, 2015 to the joint standing committee of the Legislature having jurisdiction

17 over appropriations and financial affairs and the joint standing committee having

18 jurisdiction over health and human services matters. Money in the Fund for a Healthy

19 Maine may be used to fund the activities of the commission.