



# 114th MAINE LEGISLATURE

# **FIRST REGULAR SESSION - 1989**

Legislative Document

No. 792

H.P. 588

House of Representatives, March 15, 1989

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

Id Pers

EDWIN H. PERT, Clerk

Presented by Representative RYDELL of Brunswick. Cosponsored by Representative MARSANO of Belfast, Representative LISNIK of Presque Isle and Senator BRANNIGAN of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Provide Support for Nonprofit Community AIDS Organizations Which are Members of a Statewide AIDS Alliance.

(EMERGENCY)

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

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Whereas, there is a statewide AIDS alliance composed of community-based AIDS organizations and provides a forum for the exchange of support resources and technical skills for members; and

Whereas, this legislation will provide grants for member organizations to supplement local resources; and

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Whereas, AIDS is a problem of increasing urgency; and

15 Whereas, the community-based AIDS organizations are a critical means of support and information for persons with
 17 HIV-related illnesses and to families and others providing care and support to persons with HIV-related illnesses; and

Whereas, the first grant is scheduled to be awarded no 21 later than October 1, 1989; 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,

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

31 Sec. 1. 5 MRSA c. 502 is enacted to read:

#### CHAPTER 502

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# COMMUNITY-BASED AIDS ORGANIZATIONS

37 **§19251.** Definitions

39 <u>As used in this chapter, unless the context indicates</u> otherwise, the following terms have the following meanings.

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 Bureau. "Bureau" means the Department of Human Services, Bureau of Health.

45 <u>2. Community-based AIDS organization. "Community-based AIDS organization" means a nonprofit community organization whose</u>
 47 <u>primary purpose is to provide educational information on HIV-related illnesses, support to persons with HIV-related</u>
 49 <u>illnesses and assistance to families and others providing care and support to persons with HIV-related illnesses.</u>
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3. Fiscal agent. "Fiscal agent" means an incorporated community organization, agency or institution designated by a community-based AIDS organization and authorized by the bureau to <u>receive and distribute grants to that community-based AIDS</u> organization.

**4. Statewide AIDS alliance. "Statewide AIDS alliance"** means a statewide coalition of community-based AIDS organizations having at least one representative from each member organization.

§19252. Authorization for expenditure of funds

The bureau may make grants to community-based AIDS organizations or fiscal agents for the purposes of maintaining a statewide network of volunteer organizations that are members of a statewide AIDS alliance and supporting the work of those organizations.

- Grants. Grants shall be made according to rules adopted
  by the bureau. In order to be eligible for a grant, the applicant must match state funds, in a percentage to be determined by the bureau, from community contributions of cash or in-kind contributions.
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- 2. Award of grants. Grants awarded shall be based on submission to the bureau of an annual plan which includes, but is not limited to, community education, materials and ongoing operations of the organization.
  - 3. Distribution of grants. Grants shall be awarded to support existing community-based AIDS organizations and to assist the establishment of new community-based AIDS organizations. The bureau shall award the first grant no later than October 1, 1989.

4. Consultation with statewide AIDS alliance. The bureau 33 shall seek the advice of a statewide AIDS alliance regarding the distribution of grants before any grants are awarded.

<u>§19253. Fiscal agents</u>

A fiscal agent receiving grants under this chapter shall act only in an administrative capacity to receive and distribute grant money to the nonprofit community organization, as described in the rules promulgated by the bureau for regulating the local administration of these programs.

## <u>§19254. Rules</u>

The bureau shall adopt rules, pursuant to the Maine 47 Administrative Procedure Act, chapter 375, which are necessary for the implementation of this chapter including, but not limited 49 to, program and administrative standards.

Sec. 2. Appropriation. The following funds are appropriated 1 from the General Fund to carry out the purposes of this Act. 3 1989-90 1990-91 5 **HUMAN SERVICES, DEPARTMENT OF** 7 **Bureau of Health** q All Other \$335,000 \$368,500 11 Provides funds for grants to community-based AIDS 13 organizations to supplement 15 local resources for the purpose of maintaining a 17 network. Includes support \$35,000 in fiscal year 1990 19 and \$38,500 in fiscal year 1991 for a statewide AIDS 21 alliance, and may be used for staff and expenses. 23 25 Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved. 27 STATEMENT OF FACT 29 31 The statewide AIDS alliance is comprised of 13 community-based organizations that have formed throughout the 33 State to provide education about HIV-related illnesses and services to people affected by HIV-related illnesses. The 35 alliance was formed to help these groups better carry out their tasks by sharing resources and skills, assessing needs for 37 education and services and providing a unified voice on AIDS issues in the State. The alliance also encourages the formation 39 of community groups in currently unrepresented parts of the State. 41 It is these community organizations depending largely on volunteers that have responded to the growing needs of the AIDS issue in Maine. These organizations not only provide assistance 43 to persons with HIV-related illnesses in their geographical areas but also education and support to family members, friends, 45 co-workers, neighbors and the general community. Members of the 47 statewide AIDS alliance provide education to local communities to reduce the spread of HIV infection and to enhance community responsibility in reducing fear and prejudice. They sponsor 49

support groups for people affected by AIDS, and provide volunteer "buddies" to people with AIDS. These are services which are not provided by state agencies. State funding of the alliance and its member agencies will ensure the continuation of a coordinated system of essential education and services while avoiding unnecessary duplication.

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