

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

M
R/S

L.D. 2164

DATE: 4-2-02

(Filing No. H-1063)

REPORT B
HEALTH AND HUMAN SERVICES
JUDICIARY

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 1656, L.D. 2164, Bill, "An Act to Provide Government with the Necessary Authority to Respond to a Public Health Emergency Caused by an Act of Bioterrorism"

Amend the bill by striking out the title and substituting the following:

'Resolve, to Establish the Task Force to Study Extreme Public Health Emergencies'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, this resolve establishes the Task Force to Study Extreme Public Health Emergencies; and

Whereas, this resolve is necessary as an emergency measure to afford adequate time for the issues to be appropriately addressed by the task force; 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

R.O.S.

2 **Sec. 1. Task force established. Resolved:** That the Task Force to
Study Extreme Public Health Emergencies, referred to in this
4 resolve as the "task force," is established; and be it further

6 **Sec. 2. Task force membership. Resolved:** That the task force
consists of 12 members appointed as follows:

8 1. Five members of the Senate, appointed by the President
of the Senate, at least 2 of whom represent each of the 2 major
10 political parties. When making the appointments, the President
of the Senate shall give preference for 2 appointments to members
12 who serve on the Joint Standing Committee on Judiciary and shall
give preference for 2 appointments to members who serve on the
14 Joint Standing Committee on Health and Human Services; and

16 2. Seven members of the House of Representatives, appointed
by the Speaker of the House, at least 3 of whom represent each of
18 the 2 major political parties. When making the appointments, the
Speaker of the House shall give preference for 3 appointments to
20 members who serve on the Joint Standing Committee on Judiciary
and shall give preference for 3 appointments to members who serve
22 on the Joint Standing Committee on Health and Human Services; and
be it further

24 **Sec. 3. Chairs. Resolved:** That the first named Senate member
26 is the Senate chair of the task force and the first named House
of Representatives member is the House chair of the task force;
28 and be it further

30 **Sec. 4. Appointments; convening of task force. Resolved:** That all
32 appointments must be made no later than 30 days following the
effective date of this resolve. The appointing authorities shall
34 notify the Executive Director of the Legislative Council once all
appointments have been completed. Within 15 days after
36 appointment of all members, the chairs shall call and convene the
first meeting of the task force.

38 The task force shall consult with the following persons in
its work: persons representing major groups of interested
40 persons, including state, county and municipal government and law
enforcement, public health professionals, health care providers
42 and entities, civil liberties organizations, the Commissioner of
Human Services or the commissioner's designee, a representative
44 of the Department of the Attorney General, a representative of
the Judicial Department, a representative of the Office of the
46 Governor, the Maine State Police, the Maine Sheriffs'
Association, the Maine Chiefs of Police Association, the Maine
48 Fire Chiefs Association, state emergency medical services
officials and the Adjutant General of the Department of Defense,

R.O.S.

COMMITTEE AMENDMENT "b" to H.P. 1656, L.D. 2164

2 Veterans and Emergency Management or the Adjutant General's
designee; and be it further

4 **Sec. 5. Duties. Resolved:** That the task force shall meet up to
6 6 times and shall examine the following issues concerning extreme
public health emergencies:

8 1. The developing body of knowledge regarding bioterrorism
and the threat of spreading epidemics and illnesses in new ways;

10 2. Options for preparation for and responses to
12 bioterrorism by State Government, county and municipal
governments and emergency services personnel;

14 3. Options for safeguarding the individual rights of the
16 people of the State during an extreme public health emergency and
for providing information to the public before and during an
18 emergency;

20 4. Options for ensuring that the Legislature is provided
with information and has appropriate opportunity to exercise
22 legislative authority during an extreme public health emergency;

24 5. Options for maximizing the services of health care
personnel and entities during an extreme public health emergency;

26 6. Options for maximizing the services of the Judicial
28 Department and attorneys during an extreme public health
emergency;

30 7. Options for determining the strengths and weaknesses of
32 Maine's existing emergency response system for bioterrorism and
recommendations to strengthen that system;

34 8. Options for training and providing the resources for a
36 strengthened emergency response system;

38 9. Options for establishing with the Executive Department
and the Judicial Department a legislative advisory group; and

40 10. Options for monitoring and evaluating bioterrorism
42 events during the occurrence of the events.

44 The task force shall provide public notice of all meetings
in accordance with the Maine Revised Statutes, Title 1, section
46 406. Meetings of the task force are public proceedings within
the meaning of Title 1, sections 402 and 403. Pursuant to Title
48 1, section 405, the task force may meet in executive session to
deliberate on matters permitted for executive session under that
50 section; and be it further

R.O.S.

2 **Sec. 6. Staff assistance. Resolved:** That, upon approval of the
4 Legislative Council, the Office of Policy and Legal Analysis
 shall provide necessary staffing services to the task force; and
 be it further

6 **Sec. 7. Compensation. Resolved:** That the members of the task
8 force are entitled to receive legislative per diem, as defined in
10 Maine Revised Statutes, Title 3, section 2, and reimbursement for
 travel and other necessary expenses related to their attendance
 at authorized meetings of the task force; and be it further

12 **Sec. 8. Report. Resolved:** That the task force shall submit its
14 report that includes its findings and recommendations, including
16 suggested legislation, to the Legislature no later than November
18 6, 2002. The task force is authorized to submit legislation for
 consideration by the First Regular Session of the 121st
 Legislature no later than November 6, 2002; and be it further

20 **Sec. 9. Extension. Resolved:** That, if the task force requires
22 a limited extension of time to complete its study and make its
 report, it may apply to the Legislative Council, which may grant
 an extension; and be it further

24 **Sec. 10. Task force budget. Resolved:** That the chairs of the
26 task force, with assistance from the task force staff, shall
28 administer the task force budget. Within 10 days after its first
30 meeting, the task force shall present a work plan and proposed
 budget to the Legislative Council for its approval. The task
 force may not incur expenses that would result in the task force
 exceeding its approved budget.

32 Upon request from the task force, the Executive Director of
34 the Legislative Council or the executive director's designee
36 shall promptly provide the task force chair and staff with a
 status report on the task force budget, expenditures incurred and
 paid and available funds; and be it further

38 **Sec. 11. Appropriations and allocations. Resolved:** That the
40 following appropriations and allocations are made.

42 **LEGISLATURE**

44 **Task Force to Study Extreme Public Health Emergencies**

46 Initiative: Provides funds for the per diem and expenses of
48 the legislative members of the Task Force to Study Extreme
 Public Health Emergencies and to print the required report.

R.O'S.

COMMITTEE AMENDMENT "B" to H.P. 1656, L.D. 2164

2	General Fund	2001-02	2002-03
	Personal Services	\$0	\$3,960
4	All Other	0	7,400
6	Total	<u>\$0</u>	<u>\$11,360</u>

8
10 **Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.'

12 Further amend the bill by inserting at the end before the summary the following:

16 **FISCAL NOTE**

18 **2002-03**

20 **APPROPRIATIONS/ALLOCATIONS**

22 General Fund \$11,360

24 The Legislature will require a General Fund appropriation of \$11,360 in fiscal year 2002-03 to provide funds for the per diem and expenses of members of the Task Force to Study Extreme Public Health Emergencies. The General Fund appropriation is based on the task force meeting 6 times and includes funds to print the required report.

30 The additional costs associated with providing staffing assistance to the task force during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources. If an extension of the reporting deadline is granted and the task force requires staffing assistance during the legislative session, the Legislature may require an additional General Fund appropriation to contract for staff services.

40 The additional costs associated with serving on the task force can be absorbed by the Judicial Department and the Department of the Attorney General utilizing existing budgeted resources.

44 The Bureau of Health in the Department of Human Services will incur some minor additional costs to support and consult with the task force. These costs can be absorbed within the department's existing budgeted resources.'

50

COMMITTEE AMENDMENT

R. of S.

COMMITTEE AMENDMENT "B" to H.P. 1656, L.D. 2164

SUMMARY

2

This amendment replaces the bill and changes the bill to a
4 resolve.

4

6

This resolve is one the reports of the Joint Standing
Committee on Judiciary and the Joint Standing Committee on Health
8 and Human Services. It establishes the Task Force to Study
Extreme Public Health Emergencies. The task force includes 12
10 appointed and voting members, consisting of 5 members of the
Senate and 7 members of the House of Representatives. The task
12 force would consult with persons representing major groups of
interested persons and governmental officials. The resolve
14 requires a report to the Legislature by November 6, 2002 and
authorizes the task force to introduce legislation to the First
16 Regular Session of the 121st Legislature.

18

It also adds an appropriations and allocations section and a
fiscal note to the bill.

20