

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1823

H.P. 1346

House of Representatives, January 7, 2004

**Resolve, Extending the Reporting Deadline for the Commission To
Study Public Health**

(EMERGENCY)

Reported by Representative CRAVEN of Lewiston for the Commission to Study Public Health pursuant to Resolve 2003, chapter 95.

Reference to the Committee on Health and Human Services suggested and ordered printed under Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

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

4
6 **Whereas,** the Commission to Study Public Health has been
charged with a number of duties in furtherance of examining the
causes of obesity as well as methods to decrease the cost of
8 health care and increase public health, an examination of great
importance to the people of this State and worthy of a full year
10 of study and deliberation; and

12 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
14 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
16 safety; now, therefore, be it

18 **Sec. 1. Resolve 2003, c. 95, §7, amended. Resolved:** That Resolve
2003, c. 95, §7 is amended to read:

22 **Sec. 7. Report. Resolved:** That the commission shall submit
its report, including recommendations for legislative action,
along with any accompanying legislation to the Second First
24 Regular Session of the 121st 122nd Legislature by December--3,
2003 November 3, 2004. The commission is authorized to introduce
26 a bill related to its report and recommendations to the Second
First Regular Session of the 121st 122nd Legislature. The
28 report, recommendations and legislation must have as goals
improving public health, including cardiovascular health,
30 decreasing rates of obesity, decreasing the cost of health care,
increasing the physical activity of youth and increasing
32 awareness of healthy eating choices; and be it further

34 ; and be it further

36 **Sec. 2. Resolve 2003, c. 95, §9, amended. Resolved:** That Resolve
2003, c. 95, §9 is amended to read:

38 **Sec. 9. Funding. Resolved:** That the commission shall seek
40 outside funds to fully fund all costs of the commission. If
sufficient outside funding has not been received by August 15,
42 2003 to fully fund all costs of the commission, no meetings are
authorized and no expenses of any kind may be incurred or
44 reimbursed. Contributions to support the work of the commission
may not be accepted from any party having a pecuniary or other
46 vested interest in the outcome of the matters being studied. Any
person, other than a state agency, desiring to make a financial
48 or in-kind contribution must certify to the Legislative Council
that it has no pecuniary or other vested interest in the outcome
50 of the study. Such certification must be made in the manner

2 prescribed by the Legislative Council. All contributions are
subject to approval by the Legislative Council. All funds
4 accepted must be forwarded to the Executive Director of the
Legislative Council along with an accounting record that includes
6 the amount of funds, the date the funds were received, from whom
the funds were received and the purpose of and any limitation on
the use of those funds. The Executive Director of the
8 Legislative Council administers any funds received by the
commission. The executive director shall notify the chairs of
10 the commission when sufficient funding has been received. Any
funds appropriated for fiscal year 2003-04 left unexpended at the
12 end of fiscal year 2003-04 do not lapse and are available for the
purposes of the commission in fiscal year 2004-05; and be it
14 further

16 ; and be it further

18 **Sec. 3. Retroactivity. Resolved:** That that section of this
resolve that amends Resolve 2003, chapter 95, section 7 applies
20 retroactively to December 3, 2003.

22 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.
24

26 SUMMARY

28 This resolve extends the reporting deadline for the
Commission to Study Public Health until November 3, 2004 and
30 directs that the commission submit its report to the First
Regular Session of the 122nd Legislature. The resolve applies
32 this extension retroactively from the original reporting deadline
of December 3, 2003 and clarifies that the commission's report
34 will include recommendations for legislative action. The resolve
also allows unexpended funds appropriated for use in fiscal year
36 2003-04 to be used in fiscal year 2004-05.