

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

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Legislative Document

No. 1798

H.P. 1286

House of Representatives, February 25, 2010

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**An Act To Authorize a General Fund Bond Issue To Create Access  
to Dental Care throughout the State**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CONNOR of Kennebunk.

Cosponsored by Senator COURTNEY of York and

Representatives: BEAUDETTE of Biddeford, BEAUDOIN of Biddeford, BERRY of Bowdoinham, BOLAND of Sanford, BRYANT of Windham, BUTTERFIELD of Bangor, CAIN of Orono, CAMPBELL of Newfield, CASAVANT of Biddeford, CLARK of Millinocket, CLEARY of Houlton, COHEN of Portland, DILL of Cape Elizabeth, DRISCOLL of Westbrook, EBERLE of South Portland, FLAHERTY of Scarborough, HARLOW of Portland, HASKELL of Portland, HILL of York, HINCK of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, JONES of Mount Vernon, LEGG of Kennebunk, MARTIN of Eagle Lake, MAZUREK of Rockland, McCABE of Skowhegan, MILLER of Somerville, MITCHELL of the Penobscot Nation, MORRISON of South Portland, NASS of Acton, NELSON of Falmouth, PERCY of Phippsburg, PERRY of Calais, PIEH of Bremen, PILON of Saco, Speaker PINGREE of North Haven, SANBORN of Gorham, SHAW of Standish, STRANG BURGESS of Cumberland, TREAT of Hallowell, TRINWARD of Waterville, TUTTLE of Sanford, VALENTINO of Saco, WAGNER of Lyman, WAGNER of Lewiston, WATSON of Bath, WEAVER of York, WEBSTER of Freeport, WRIGHT of Berwick, Senators: ALFOND of Cumberland, BARTLETT of Cumberland, BRANNIGAN of Cumberland, DIAMOND of Cumberland, GOOLEY of Franklin, HOBBS of York, NASS of York, PERRY of Penobscot, RECTOR of Knox, SHERMAN of Aroostook, SULLIVAN of York, TRAHAN of Lincoln.

1       **Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in  
2 accordance with the Constitution of Maine, Article IX, Section 14 to authorize the  
3 issuance of bonds on behalf of the State of Maine to provide funds as described in this  
4 Act,

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

6                                   **PART A**

7       **Sec. A-1. Authorization of bonds.** The Treasurer of State is authorized, under  
8 the direction of the Governor, to issue bonds in the name and on behalf of the State in an  
9 amount not exceeding \$7,000,000 for the purposes described in section 6 of this Part.  
10 The bonds are a pledge of the full faith and credit of the State. The bonds may not run for  
11 a period longer than 10 years from the date of the original issue of the bonds. At the  
12 discretion of the Treasurer of State, with the approval of the Governor, any issuance of  
13 bonds may contain a call feature. The bonds may not be issued before July 1, 2011.

14       **Sec. A-2. Records of bonds issued kept by Treasurer of State.** The  
15 Treasurer of State shall keep an account of each bond showing the number of the bond,  
16 the name of the successful bidder to whom sold, the amount received for the bond, the  
17 date of sale and the date when payable.

18       **Sec. A-3. Sale; how negotiated; proceeds appropriated.** The Treasurer of  
19 State may negotiate the sale of the bonds by direction of the Governor, but no bond may  
20 be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the  
21 bonds, which must be held by the Treasurer of State and paid by the Treasurer of State  
22 upon warrants drawn by the State Controller, are appropriated solely for the purposes set  
23 forth in this Part. Any unencumbered balances remaining at the completion of the project  
24 in this Part lapse to the debt service account established for the retirement of these bonds.

25       **Sec. A-4. Interest and debt retirement.** The Treasurer of State shall pay  
26 interest due or accruing on any bonds issued under this Part and all sums coming due for  
27 payment of bonds at maturity.

28       **Sec. A-5. Disbursement of bond proceeds.** The proceeds of the bonds must be  
29 expended as set out in this Part under the direction and supervision of the Department of  
30 Health and Human Services.

31       **Sec. A-6. Allocations from General Fund bond issue.** The proceeds of the  
32 sale of the bonds authorized under this Part must be expended as designated in the  
33 following schedule.

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1 Governor shall proclaim the result without delay and this Part becomes effective 30 days  
2 after the date of the proclamation.

3 The Secretary of State shall prepare and furnish to each city, town and plantation all  
4 ballots, returns and copies of this Part necessary to carry out the purposes of this  
5 referendum.

## 6 PART B

7 **Sec. B-1. 22 MRSA §2127, sub-§6-A** is enacted to read:

8 **6-A. Monitoring of grants.** The program director or chief executive officer under  
9 subsection 2, paragraph C, subparagraph (3) shall monitor contracts resulting from grant  
10 awards established by the department concerning community-based dental clinics  
11 affiliated with or operated by a school of dentistry.

## 12 PART C

13 **Sec. C-1. Oral Health Advisory Committee.** The Department of Health and  
14 Human Services shall establish the Oral Health Advisory Committee, referred to in this  
15 Part as "the committee," to award a \$5,000,000 grant to create a teaching dental clinic  
16 pursuant to subsections 3 and 4 and to award \$2,000,000 in grants pursuant to subsection  
17 5 subject to the passage of the referendum set out in Part A.

18 **1. Membership.** The program manager of the oral health care program within the  
19 Department of Health and Human Services, Maine Center for Disease Control and  
20 Prevention is designated the chair of the committee and shall appoint the following 6  
21 members:

22 A. A representative of a group representing individuals licensed to practice dentistry  
23 in this State;

24 B. A representative of a statewide organization representing low-income individuals;

25 C. A representative of an organization representing community-based health care  
26 clinics;

27 D. An individual representing community-based dental clinics;

28 E. A representative of a foundation based in this State committed to improving the  
29 health of citizens in this State who has experience funding direct service for dental  
30 care; and

31 F. An individual representing Maine veterans of the United States Armed Forces and  
32 the Maine National Guard who has experience with dental care.

33 **2. Appointments.** The committee must be appointed and convene within 30 days of  
34 the passage of the referendum set out in Part A.

35 **3. Duties.** The committee shall create an application for the grant for interested  
36 parties within 60 days of passage of the referendum in Part A. The committee shall hold  
37 a bidders conference within 7 days following issuance of the applications, after which an

1 applicant has 18 days to complete the application. The committee shall award the grant  
2 before March 1, 2011.

3 **4. Grant criteria.** The committee shall use the following criteria in awarding the  
4 grant:

5 A. The recipient must:

- 6 (1) Be a postsecondary institution with its primary campus located in the State;
- 7 (2) Be accredited by a regional accrediting agency approved by the United States  
8 Department of Education;
- 9 (3) Have a board of trustees that has previously approved a doctor of dental  
10 medicine, or DMD, or doctor of dental surgery, or DDS, degree-granting  
11 program;
- 12 (4) Have health professions education programs that are academically and  
13 clinically based; and
- 14 (5) Offer a degree in public health;

15 B. The recipient must demonstrate financial capacity to start and sustain an accredited  
16 program in dental medicine that supports long-term access to dental care in the State;  
17 and

18 C. The recipient must demonstrate an ability to match state funding on a one-to-one  
19 basis.

20 **5. Distribution of balance of bond.** Following the award of the grant under  
21 subsections 3 and 4, the recipient shall identify 2 members of its organization to join the  
22 committee to establish an application process for the \$2,000,000 in clinic grants under  
23 Part A. A recipient of a grant under this subsection must:

24 A. Be from an underserved community that has a demonstrated need for dental care;

25 B. Be a qualified health care provider, including, but not limited to: federally  
26 qualified health care centers, veterans health care facilities, health care facilities  
27 established by the United States Department of Defense serving active duty military  
28 personnel, Maine-based nonprofit health care centers and municipally supported  
29 health clinics; and

30 C. Demonstrate a capacity to accommodate dental students.

31 **6. Completion date.** The awards under subsection 5 must be completed by  
32 December 1, 2011, and following disbursement of these grants the committee terminates.

## 33 PART D

34 **Sec. D-1. Contingent effective date.** Parts B and C take effect only if the  
35 General Fund bond issue proposed in Part A is approved by the voters of the State.

## SUMMARY

The funds provided by the bond issue in Part A, in the amount of \$7,000,000, will be awarded on a competitive basis, \$5,000,000 to be used for a community-based teaching clinic affiliated with or operated by a college of dental medicine and \$2,000,000 to be used to upgrade community-based health care clinics across the State to increase their capacity.

Part B establishes a regular monitoring requirement regarding grant recipients.

Part C establishes a committee to award the funds.

Part D makes Part B and Part C contingent on passage of the General Fund bond issue.