

MAINE STATE LEGISLATURE

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Amendment Name: Amendment CB (H-838) (LD 1134 2020)

Date: 8/12/2020

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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 823, L.D. 1134, Bill, “An Act To Set Aside Funds from Federal Block Grants for Certain Communities”

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

'Resolve, To Direct the Department of Health and Human Services To Enter into a Memorandum of Understanding with the Federally Recognized Indian Nations, Tribes and Bands in the State Regarding Block Grant Funds'

Amend the bill by striking out everything after the title and inserting 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, block grant funds received from the Federal Government provide essential health and other services to the people of Maine; and

Whereas, ensuring the coordination as soon as possible between the Department of Health and Human Services and the federally recognized Indian nations, tribes and bands in the State in the receipt and distribution of federal block grant funds is essential to ensure the delivery of appropriate health and other services in as timely a manner as possible; 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

Sec. 1. Department of Health and Human Services to enter into a memorandum of understanding. Resolved: That the Department of Health and Human Services shall reengage in a dialogue with representatives from the federally recognized Indian nations, tribes and bands in the State to define and implement meaningful tribal consultation for all block grants received by the State. No later than 90 days after the effective date of this legislation, the department shall enter into a

COMMITTEE AMENDMENT

1 memorandum of understanding with the federally recognized Indian nations, tribes and
2 bands in the State regarding block grant funds.

3 **Sec. 2. Report. Resolved:** That, no later than January 31, 2021, the Department
4 of Health and Human Services shall submit a report to the joint standing committee of the
5 Legislature having jurisdiction over health and human services matters on the status of
6 the memorandum of understanding entered into pursuant to section 1. The committee
7 may report out legislation relating to this report to the First Regular Session of the 130th
8 Legislature.

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

11 **SUMMARY**

12 This amendment, which is the minority report of the committee, replaces the bill with
13 a resolve. It directs the Department of Health and Human Services to, no later than 90
14 days after the effective date of this legislation, enter into a memorandum of understanding
15 with the federally recognized Indian nations, tribes and bands in the State to define and
16 implement meaningful tribal consultation for all block grants received by the State. It
17 also requires the department to report to the joint standing committee of the Legislature
18 having jurisdiction over health and human services matters on the status of the
19 memorandum of understanding no later than January 31, 2021.

20 **FISCAL NOTE REQUIRED**

21 **(See attached)**



129th MAINE LEGISLATURE

LD 1134

LR 1964(03)

An Act To Set Aside Funds from Federal Block Grants for Certain Communities

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - General Fund

Fiscal Detail and Notes

The Department of Health and Human Services is required to enter into a Memorandum of Understanding (MOU) with the recognized Indian nations, tribes and bands regarding Federal Block Grant funding. If the MOU identifies a higher portion of Federal Block Grant funds to go to the Indian nations, tribes and bands than they currently receive, then the remaining Federal Block Grant funds may not be sufficient to accomplish their current purposes. If those purposes and programs are not modified to account for a reduction in expenditures, General Fund appropriations may be needed to supplement the federal resources.