

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

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Legislative Document

No. 1548

H.P. 1153

House of Representatives, April 22, 2021

### **An Act To Alleviate the Disproportionate Impact of COVID-19 and Public Health Outcomes**

(EMERGENCY)

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Received by the Clerk of the House on April 20, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative TALBOT ROSS of Portland.  
Cosponsored by Representative: CRAVEN of Lewiston.

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

3           **Whereas,** this legislation needs to take effect before the expiration of the 90-day  
4 period to ensure that certain funds received from the Federal Government due to the  
5 COVID-19 pandemic are directed to the appropriate use; and

6           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
7 the meaning of the Constitution of Maine and require the following legislation as  
8 immediately necessary for the preservation of the public peace, health and safety; now,  
9 therefore,

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

11           **Sec. 1. 37-B MRSA §747** is enacted to read:

12 **§747. Federal funds received due to the COVID-19 pandemic and appropriated to**  
13 **the Department of Health and Human Services**

14           Notwithstanding the provisions of section 744 and Title 5, section 1669, at least 10%  
15 of discretionary funds not otherwise earmarked prior to the effective date of this section  
16 that are received directly by the State from the Federal Government due to the pandemic  
17 related to coronavirus disease 2019, also known as COVID-19, and that are appropriated  
18 or otherwise directed to the Department of Health and Human Services, referred to in this  
19 section as "the department," must be used by the department to address the needs of  
20 historically marginalized racial communities in the State. Prior to using or obligating the  
21 funds, the department shall consult with and accept recommendations from the Permanent  
22 Commission on the Status of Racial, Indigenous and Maine Tribal Populations, established  
23 by Title 5, section 12004-I, subsection 74-J, to ensure the funds are used to address the  
24 needs of historically marginalized racial communities in the State. By December 15, 2021  
25 and every 6 months thereafter until all of the funds have been used or obligated by the  
26 department, the department shall submit a report to the joint standing committee of the  
27 Legislature having jurisdiction over health and human services matters on the use of the  
28 funds.

29           **Emergency clause.** In view of the emergency cited in the preamble, this legislation  
30 takes effect when approved.

31 **SUMMARY**

32           This bill requires that at least 10% of discretionary funds that are received directly by  
33 the State from the Federal Government due to the pandemic related to COVID-19 and that  
34 are appropriated or otherwise directed to the Department of Health and Human Services be  
35 used by the department to address the needs of historically marginalized racial communities  
36 in the State. The bill requires the department to consult with and accept recommendations  
37 from the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal  
38 Populations to ensure the funds are used to address the needs of historically marginalized  
39 racial communities in the State. It also requires the department to submit a report to the  
40 joint standing committee of the Legislature having jurisdiction over health and human  
41 services matters on the use of the funds by December 15, 2021 and every 6 months  
42 thereafter.