

LD 1134

ROPS

Majority report

L.D. 1134

Date:

(Filing No. H-)

HEALTH AND HUMAN SERVICES

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

STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND REGULAR 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:

'An Act To Set Aside Funds from Federal Block Grants for Federally Recognized Indian Nations, Tribes and Bands in the State'

new title

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 22 MRSA §51 is enacted to read:

§51. Block grant set aside; federally recognized Indian nations, tribes and bands in the State

Notwithstanding section 5327 or any other provision of law to the contrary, for each block grant received by the department from the Federal Government, the department shall annually set aside an amount equal to at least 12% of the total amount of the block grant to be awarded to federally recognized Indian nations, tribes and bands in the State. The administration of such grants is by the tribal district. The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. For purposes of this section, "tribal district" has the same meaning as in section 411, subsection 12.'

I removed the word "qualified"

added x-ref.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is the majority report of the committee, removes the set-aside amount to vulnerable communities and changes the required set aside from 10% to at least 12% of the total amount of the block grant to be awarded to federally

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT “ ” to H.P. 823, L.D. 1134

1 recognized Indian nations, tribes and bands in the State. It also provides that the
2 administration of such grants is by the tribal district.

3 **FISCAL NOTE REQUIRED**

4 **(See attached)**



129th MAINE LEGISLATURE

LD 1134

LR 1964(02)

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

Requiring 12% of Federal Block Grant funds be set aside for Indian nations, tribes and bands limits the amount of funding available for the purposes for which they are currently being used. If the remaining 88% of Federal Block Grant funds are not sufficient to accomplish those purposes, or the purposes and programs are not modified to account for a reduction in expenditures, General Fund appropriations may be needed to supplement the federal resources.

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Minority Report

L.D. 1134

2 Date:

(Filing No. H-)

3 **HEALTH AND HUMAN SERVICES**

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5 **STATE OF MAINE**

6 **HOUSE OF REPRESENTATIVES**

7 **129TH LEGISLATURE**

8 **SECOND REGULAR SESSION**

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

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

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

15 Amend the bill by striking out everything after the title and inserting the following:

16 **'Emergency preamble. Whereas, acts and resolves of the Legislature do not**
17 **take effect until 90 days after adjournment unless enacted as emergencies; and**

preamble
ok? ←

18 **Whereas, block grant funds received from the Federal Government provide**
19 **essential health and other services to the people of Maine; and**

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

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

29 **Sec. 1. Department of Health and Human Services to enter into a**
30 **memorandum of understanding. Resolved:** That the Department of Health and
31 Human Services shall reengage in a dialogue with representatives from the federally
32 recognized Indian nations, tribes and bands in the State to define and implement
33 meaningful tribal consultation for all block grants received by the State. No later than
34 May 1, 2020, the department shall enter into a memorandum of understanding with the

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COMMITTEE AMENDMENT " " to H.P. 823, L.D. 1134

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federally recognized Indian nations, tribes and bands in the State regarding block grant funds.

add a
report - fiscal
date of
the status?

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

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SUMMARY

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This amendment, which is the minority report of the committee, directs the Department of Health and Human Services to, no later than May 1, 2020, enter into a memorandum of understanding with 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.

11

FISCAL NOTE REQUIRED

12

(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.