STATE OF MAINE
123rd LEGISLATURE
FIRST SPECIAL SESSION

Final Report of the Joint Standing Committee on Health and Human Services Review of the Fund for a Healthy Maine

October 1, 2008

Members:

Sen. Joseph C. Brannigan, Chair
Rep. Anne C. Perry, Chair
Sen. Lisa T. Marrache´
Sen. Kevin L. Raye
Rep. Carol A. Grose
Rep. Elizabeth S. Miller
Rep. Paulette G. Beaudoin
Rep. Gary A. Connor
Rep. Patricia R. Jones
Rep. Robert P. Walker
Rep. James J. Campbell, Sr.
Rep. Sarah O. Lewin
Rep. Donna W. Finley
Rep. Donald G. Soctomah

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Executive Summary

The Joint Standing Committee Health and Human Services held two meetings in September 2008 to consider the structure, accountability and level of legislative and independent oversight of the Fund for a Healthy Maine, as required by Public Law 2007, Chapter 629, Part H (copy provided in Appendix A).[1] In accordance with that law, the Joint Standing Committee on Health and Human Services submits this report of its recommendations regarding oversight of the Fund for a Healthy Maine to the Joint Standing Committee on Appropriations and Financial Affairs.

The Health and Human Services Committee convened its first meeting to consider oversight of the Fund for a Healthy Maine on September 16, 2008. The first meeting provided committee members with background information regarding the Fund for a Healthy Maine including legal, financial, policy and program history. Presenters at the first meeting included Attorney General G. Steven Rowe, State Treasurer David Lemoine, Dr. Dora Mills, the Director of the Maine Center for Disease Control and Prevention, Edward Karass, State Controller, Shirrin Blaisdell from the State Budget Office, Rebecca Birrell Smith from the Friends of the Fund for a Healthy Maine and legislative staff. Materials provided to the committee included the Maine law governing the Fund for a Healthy Maine (Appendix B) and the financial detail and budget history of the Fund (Appendix C).

The Health and Human Services Committee met for a second time on September 24, 2008 to fulfill the requirements of Public Law 2007, Chapter 629, Part H. The meeting commenced with staff presentations of information requested at the first meeting, including oversight of other funds within Maine law (Appendix D), tobacco settlement funding structure and oversight in other states (Appendix E) and evaluations of programs funded through the Fund for a Healthy Maine that are administered by the Maine Center for Disease Control and Prevention. The balance of the second meeting was devoted to a work session to discuss and develop recommendations regarding oversight of the Fund for a Healthy Maine. At the close of the second meeting, the Health and Human Services Committee voted on three recommendations which are presented below.

The Health and Human Services Committee presents the following three recommendations regarding oversight of the Fund for a Healthy Maine. Ten members of the committee support recommendations (1), (2) and (3); three members support recommendations (2) and (3) only; and one member was absent at the time the votes were taken. The recommendations are as follows:

- ***Recommendation (1): OPEGA Review.*** The Health and Human Services Committee will request that the Government Oversight Committee authorize the Office of Program Evaluation and Government Accountability to conduct a review of the

[1] Legislative Document 2247 was enacted as Public Law 2007, Chapter 629 after Part H was accepted as a Senate Floor Amendment to the bill.

efficacy, efficiency and accountability of the Fund for a Healthy Maine programs and expenditures. The Health and Human Services Committee will request that the OPEGA review include a comparison between Maine and other states in terms of the degree to which preventive health is prioritized in the expenditure of tobacco settlement dollars. The Health and Human Services Committee will make clear in its request to the Government Oversight Committee that the request regarding a review of the Fund for a Healthy Maine should not be interpreted as in any way suggesting that such a review take precedence over OPEGA's planned review of MaineCare.

- ***Recommendation (2): Fund for a Healthy Maine Subcommittee.*** The Health and Human Services Committee recommends that a "Fund for a Healthy Maine Subcommittee" be established at the outset of the 124th Legislature to ensure that members of the Health and Human Services Committee and the Appropriations Committee jointly discuss all budget proposals and other proposals that affect the Fund for a healthy Maine and work together to begin fiscal planning for the end, in 9 years, to the "strategic contribution payments" that Maine is currently receiving under the Master Tobacco Settlement Agreement.[2] The Health and Human Services Committee recommends a 5-member Fund for a Healthy Maine subcommittee, consisting of 3 members of the Health and Human Services Committee and 2 members of the Appropriations Committee, including one minority party member from the House and one minority party member of the Senate.

- ***Recommendation (3): Joint Rule regarding Health and Human Services Committee Review.*** The Health and Human Services Committee will recommend to the Joint Rules Committee that a Joint Rule be established for the 124th Legislature to provide for a review by the Health and Human Services Committee of any proposed allocation or deallocation of Fund for a healthy Maine funds or change to the Fund for a Healthy Maine or its governing statutes, using a process similar to the process under which the Judiciary Committee reviews all proposed exceptions to public records (under Title 1, section 434). Under the proposed Joint Rule, if, after a public hearing, a majority of the committee of jurisdiction to which the proposal affecting the Fund for a Healthy Maine has been referred supports the proposal, the committee of jurisdiction would request and the Health and Human Services Committee would provide a review of that legislative proposal and a recommendation back to the committee of jurisdiction prior to that legislation being reported out of the committee of jurisdiction.

[2] The strategic contribution payments are $10.7 million in FY08 and $10.8 million in FY09.

I. INTRODUCTION

The Joint Standing Committee Health and Human Services held two meetings in September 2008 to consider the structure, accountability and level of legislative and independent oversight of the Fund for a Healthy Maine, as required by Public Law 2007, Chapter 629, Part H (copy provided in Appendix A).[3] In accordance with that law, the Joint Standing Committee on Health and Human Services submits this report of its recommendations regarding oversight of the Fund for a Healthy Maine to the Joint Standing Committee on Appropriations and Financial Affairs.

II. STUDY PROCESS

The Health and Human Services Committee convened its first meeting to consider oversight of the Fund for a Healthy Maine on September 16, 2008. The first meeting provided committee members with background information regarding the Fund for a Healthy Maine including legal, financial, policy and program history. Presenters at the first meeting included Attorney General G. Steven Rowe, State Treasurer David Lemoine, Dr. Dora Mills, the Director of the Maine Center for Disease Control and Prevention, Edward Karass, State Controller, Shirrin Blaisdell from the State Budget Office, Rebecca Birrell Smith from the Friends of the Fund for a Healthy Maine and legislative staff. Materials provided to the committee included the Maine law governing the Fund for a Healthy Maine (Appendix B) and the financial detail and budget history of the Fund (Appendix C).

The Health and Human Services Committee met for a second time on September 24, 2008 to fulfill the requirements of Public Law 2007, Chapter 629, Part H. The meeting commenced with staff presentations of information requested at the first meeting, including oversight of other funds within Maine law (Appendix D), tobacco settlement funding structure and oversight in other states (Appendix E) and evaluations of programs funded through the Fund for a Healthy Maine that are administered by the Maine Center for Disease Control and Prevention. The balance of the second meeting was devoted to a work session to discuss and develop recommendations regarding oversight of the Fund for a Healthy Maine. At the close of the second meeting, the Health and Human Services Committee voted on three recommendations which are presented below.

III. RECOMMENDATIONS

The Health and Human Services Committee presents the following three recommendations regarding oversight of the Fund for a Healthy Maine. Ten members of the committee support recommendations (1), (2) and (3); three members support recommendations (2) and (3) only; and one member was absent at the time the votes were taken. The recommendations are as follows:

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[3] Legislative Document 2247 was enacted as Public Law 2007, Chapter 629 after Part H was accepted as a Senate Floor Amendment to the bill.

- ***Recommendation (1): OPEGA Review.*** The Health and Human Services Committee will request that the Government Oversight Committee authorize the Office of Program Evaluation and Government Accountability to conduct a review of the efficacy, efficiency and accountability of the Fund for a Healthy Maine programs and expenditures. The Health and Human Services Committee will request that the OPEGA review include a comparison between Maine and other states in terms of the degree to which preventive health is prioritized in the expenditure of tobacco settlement dollars. The Health and Human Services Committee will make clear in its request to the Government Oversight Committee that the request regarding a review of the Fund for a Healthy Maine should not be interpreted as in any way suggesting that such a review take precedence over OPEGA's planned review of MaineCare.

- ***Recommendation (2): Fund for a Healthy Maine Subcommittee.*** The Health and Human Services Committee recommends that a "Fund for a Healthy Maine Subcommittee" be established at the outset of the 124th Legislature to ensure that members of the Health and Human Services Committee and the Appropriations Committee jointly discuss all budget proposals and other proposals that affect the Fund for a healthy Maine and work together to begin fiscal planning for the end, in 9 years, to the "strategic contribution payments" that Maine is currently receiving under the Master Tobacco Settlement Agreement.[4] The Health and Human Services Committee recommends a 5-member Fund for a Healthy Maine subcommittee, consisting of 3 members of the Health and Human Services Committee and 2 members of the Appropriations Committee, including one minority party member from the House and one minority party member of the Senate.

- ***Recommendation (3): Joint Rule regarding Health and Human Services Committee Review.*** The Health and Human Services Committee will recommend to the Joint Rules Committee that a Joint Rule be established for the 124th Legislature to provide for a review by the Health and Human Services Committee of any proposed allocation or deallocation of Fund for a healthy Maine funds or change to the Fund for a Healthy Maine or its governing statutes, using a process similar to the process under which the Judiciary Committee reviews all proposed exceptions to public records (under Title 1, section 434). Under the proposed Joint Rule, if, after a public hearing, a majority of the committee of jurisdiction to which the proposal affecting the Fund for a Healthy Maine has been referred supports the proposal, the committee of jurisdiction would request and the Health and Human Services Committee would provide a review of that legislative proposal and a recommendation back to the committee of jurisdiction prior to that legislation being reported out of the committee of jurisdiction.

[4] The strategic contribution payments are $10.7 million in FY08 and $10.8 million in FY09.

APPENDIX A

Authorizing Public Law
Public Law 2007, Chapter 629, Part H

PUBLIC LAW 2007, CHAPTER 629
H.P. 1608 - L.D. 2247
PART H

Sec. H-1. Report regarding Fund for a Healthy Maine. The Joint Standing Committee on Health and Human Services shall meet to consider the structure, accountability and appropriate level of legislative and independent oversight of the Fund for a Healthy Maine, established in the Maine Revised Statutes, Title 22, section 1511. The committee shall report back to the Joint Standing Committee on Appropriations and Financial Affairs by October 1, 2008 with recommendations, including necessary implementing legislation, for the structure, accountability and appropriate level and type of oversight of the Fund for a Healthy Maine.

APPENDIX B

Membership list, Joint Standing Committee on Health and Human Services

HEALTH AND HUMAN SERVICES

COMMITTEE MEMBERS

Sen. Joseph C. Brannigan, Chair
168 Concord Street
Portland, Maine 04103

Rep. Anne C. Perry, Chair
474 South Street
Calais, Maine 04619

Sen. Lisa T. Marrache´
109 Silver Street
Waterville, Maine 04901

Sen. Kevin L. Raye
63 Sunset Cove Lane
Perry, Maine 04667

Rep. Carol A. Grose
37 River Road
Woolwich, Maine 04579

Rep. Elizabeth S. Miller
6 Hemlock Lane
Somerville, Maine 04348

Rep. Paulette G. Beaudoin
32 Herring Avenue Extension
Biddeford, Maine 04005

Rep. Gary A. Connor
10 Patterson Drive
Kennebunk, Maine 04043

Rep. Patricia R. Jones
172 Wings Mills Road
Mount Vernon, Maine 04352

Rep. Robert P. Walker
PO Box 33
Lincolnville, Maine 04849

Rep. James J. Campbell, Sr.
PO Box 29
West Newfield, Maine 04095

Rep. Sarah O. Lewin
110 Pleasant Street
Eliot, Maine 03903

Rep. Donna W. Finley
190 Waterville Road
Skowhegan, Maine 04976

Rep. Donald G. Socotomah
PO Box 159
Indian Township, Maine 04668

APPENDIX C

Fund for a Healthy Maine
Title 22, Section 1511

FUND FOR A HEALTHY MAINE

22 §1511. Fund for a Healthy Maine established

1. Fund established. The Fund for a Healthy Maine, referred to in this chapter as the "fund," is established as an Other Special Revenue fund for the purposes specified in this chapter.

2. Sources of fund. The State Controller shall credit to the fund:

A. All money received by the State in settlement of or in relation to the lawsuit State of Maine v. Philip Morris, et al., Kennebec County Superior Court, Docket No. CV-97-134;

B. Money from any other source, whether public or private, designated for deposit into or credited to the fund; and

C. Interest earned or other investment income on balances in the fund.

3. Allocation; amounts.

3-A. Unencumbered balances. Any unencumbered balance remaining at the end of any fiscal year lapses back to the Fund for a Healthy Maine, the account within the Department of Administrative and Financial Services established pursuant to this section, and may not be made available for expenditure without specific legislative approval.

3-B. Departmental indirect cost allocation plans. Any revenue transfer made on or after July 1, 2000 from a Fund for a Healthy Maine account to another account pursuant to an approved departmental indirect cost allocation plan is determined by the Legislature to be an authorized use of revenue credited to the Fund for a Healthy Maine. The State Budget Officer shall reduce allotment for the amount of any transfer made from a Fund for a Healthy Maine account for the purpose authorized in this subsection.

4. Restrictions. This section does not require the provision of services for the purposes specified in subsection 6. When allocations are made to direct services, services to lower income consumers must have priority over services to higher income consumers. Allocations from the fund must be used to supplement, not supplant, appropriations from the General Fund.

5. General Fund limitation. Notwithstanding any provision to the contrary in this section, any program, expansion of a program, expenditure or transfer authorized by the Legislature using the Fund for a Healthy Maine may not be transferred to the General Fund without specific legislative approval.

6. Health purposes. Allocations are limited to the following health-related purposes:

A. Smoking prevention, cessation and control activities, including, but not limited to, reducing smoking among the children of the State;

B. Prenatal and young children's care including home visits and support for parents of children from birth to 6 years of age;

C. Child care for children up to 15 years of age, including after-school care;

D. Health care for children and adults, maximizing to the extent possible federal matching funds;

E. Prescription drugs for adults who are elderly or disabled, maximizing to the extent possible federal matching funds;

F. Dental and oral health care to low-income persons who lack adequate dental coverage;

G. Substance abuse prevention and treatment; and

H. Comprehensive school health programs, including school-based health centers.

7. Investment; plan; report.

8. Report by Treasurer of State. The Treasurer of State shall report at least annually on or before the 2nd Friday in December to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters. The report must summarize the activity in any funds or accounts directly related to this section.

9. Working capital advance. Beginning July 1, 2003, the State Controller is authorized to provide an annual advance up to $37,500,000 from the General Fund to the fund to provide money for allocations from the fund. This money must be returned to the General Fund as the first priority from the amounts credited to the fund pursuant to subsection 2, paragraph A.

10. Restricted accounts.

11. Restricted accounts. The State Controller is authorized to establish separate accounts within the fund in order to segregate money received by the fund from any source, whether public or private, that requires as a condition of the contribution to the fund that the use of the money contributed be restricted to one or more of the purposes specified in subsection 6. Money credited to a restricted account established under this subsection may be applied only to the purposes to which the account is restricted.

APPENDIX D

Financial Information, Fund for a Healthy Maine

FUND FOR A HEALTHY MAINE (FHM) STATUS

Based on all actions through the close of the fiscal year ending June 30, 2008 [1]

	FY 08	FY 09
FHM RESOURCES:		
Revenue:		
December 2006 Base Revenue Estimate [2]	$60,408,950	$62,815,948
March 2007 Revenue Forecast	$167,761	$239,938
May 2007 Revenue Forecast	$616,945	$1,104,291
December 2007 Revenue Forecast	$159,415	$1,466,401
March 2008 Revenue Forecast	($78,318)	($12,000)
Revenue Variances (Actual minus Budgeted Revenue)	$769,906	$0
Subtotal - Revenue	$62,044,659	$65,614,578
Other Resources and Adjustments		
Adjustments to Prior Year Balances	$1,164,243	$0
Lapsed Balances from Unexpended Funds	$2,439,721	$0
Subtotal - Other Resources and Adjustments	$3,603,965	$0
Total FHM Resources	**$65,648,624**	**$65,614,578**
FHM ALLOCATIONS AND OTHER USES: [3]		
Transfers		
Transfers - 123rd Legislature, 1st Regular Session	$0	$0
Supplemental Budget (LD 2289, PL2007, c. 539)	$225,000	$1,464,406
Subtotal - Transfers	$225,000	$1,464,406
Allocations		
2008-2009 Biennial Budget - Baseline Budget	$49,624,293	$49,673,882
2008-2009 Biennial Budget - Adjustments to Baseline Budget	$11,287,243	$14,079,520
Other Legislation Enacted During 123rd Legislature, 1st Regular Session	$150,000	$0
Supplemental Budget (LD 2289, PL2007, c. 539)	$22,379	$553,665
Other Legislation Enacted During 123rd Legislature, 2nd Regular Session	$0	$0
Legislation Enacted During 123rd Legislature, 1st Special Session [4]	$0	$0
Subtotal - Allocations	$61,083,915	$64,307,067
Total Allocations and Other Uses	**$61,308,915**	**$65,771,473**
Net Change (Resources minus Allocations and Other Uses)	**$4,339,709**	**($156,895)**
BEGINNING BALANCE [1]	**$3,619,946**	**$7,959,655**
NET CHANGE (FROM ABOVE)	**$4,339,709**	**($156,895)**
ENDING BALANCE [1]	**$7,959,655**	**$7,802,760**

NOTES:

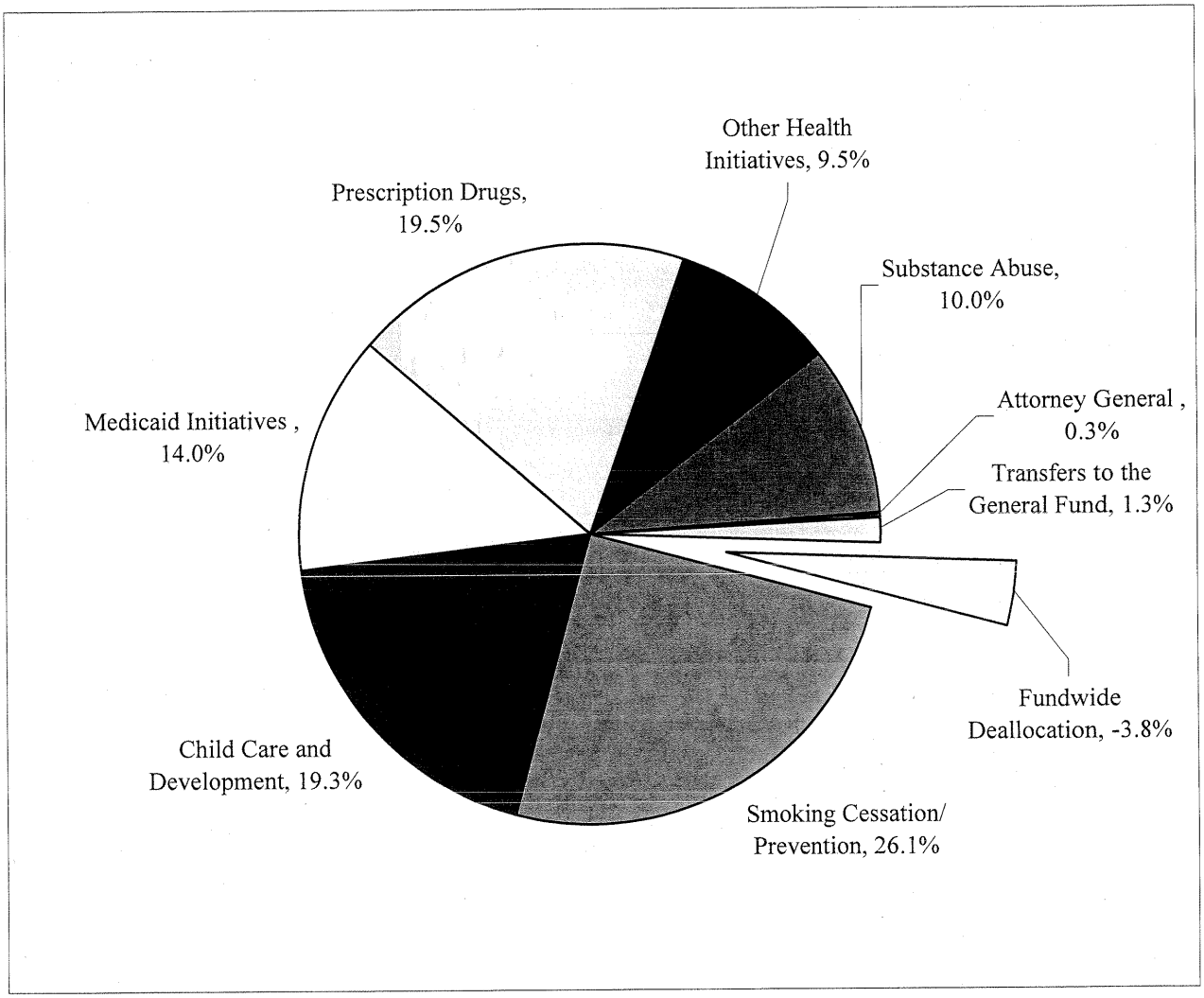
[1] Reflects all enacted legislation through the end of the 1st Special Session of the 123rd Legislature and actual FY07 and FY08 ending balances, including all revenue and expenditure variances and closing transactions for FY07 and FY08.

[2] Under the Master Settlement Agreement beginning in 2008 states will begin receiving "strategic contribution payments" based on each settling state's contribution to the original state tobacco litigation. Payments to Maine under this provision are estimated to be $10.7 million in FY08 and $10.8 million in FY09.

[3] For the purposes of this summary, transfers out are treated as an expenditure/use and are positive amounts, while transfers in are negative amounts.

[4] PL 2007, c. 629, "An Act To Continue Maine's Leadership in Covering the Uninsured," includes a new $5 million allocation in FY09 to the Dirigo Health Program. This increased allocation is offset in the Act by a $5 million fund-wide deallocation of funds to be distributed proportionately across fund programs by the State Budget Officer after first applying any unexpended balance in the Fund for a Healthy Maine as of June 30, 2008.

Fund for a Healthy Maine (FHM)
Budgeted Allocations and Uses
2008-2009 Biennium



	2005-06	2006-07	Biennium
Smoking Cessation/ Prevention	$16,774,452	$17,684,928	$34,459,380
Child Care and Development	$12,600,798	$12,928,588	$25,529,386
Medicaid Initiatives	$9,547,397	$8,964,667	$18,512,064
Prescription Drugs	$11,824,840	$13,912,727	$25,737,567
Other Health Initiatives	$3,583,770	$8,960,642	$12,544,412
Substance Abuse	$6,563,613	$6,656,831	$13,220,444
Attorney General	$189,045	$198,684	$387,729
Transfers to the General Fund	$225,000	$1,464,406	$1,689,406
Fundwide Deallocation	$0	($5,000,000)	($5,000,000)
Totals	$61,308,915	$65,771,473	$127,080,388

** Reflects Budgeted Allocations and Uses through the 123rd Legislature, 1st Special Session*

Prepared by the Office of Fiscal and Program Review

Fund for a Healthy Maine
Budgeted Allocations and Uses - By Department/By Account
(Reflects actions through the 123rd Legislature)

Use Category	Dept./ Account	Acct. Number	FY 2004-05			FY 2005-06			FY 2006-07			FY 2007-08			FY 2008-09		
			Pers. Svcs.	All Other	Total	Pers. Svcs.	All Other	Total	Pers. Svcs.	All Other	Total	Pers. Svcs.	All Other	Total	Pers. Svcs.	All Other	Total
Attorney General (Enforcement)	Attorney General - FHM - Attorney General	01426A094701	$55,223	$3,058	$58,281	$62,382	$6,169	$68,551	$66,054	$6,553	$72,607	$159,616	$29,429	$189,045	$169,115	$29,569	$198,684
Totals - Attorney General (Enforcement)			**$55,223**	**$3,058**	**$58,281**	**$62,382**	**$6,169**	**$68,551**	**$66,054**	**$6,553**	**$72,607**	**$159,616**	**$29,429**	**$189,045**	**$169,115**	**$29,569**	**$198,684**
Substance Abuse	DHHS - FHM - Substance Abuse	01414G094801	$0	$5,570,005	$5,570,005	$0	$5,643,669	$5,643,669	$0	$5,657,240	$5,657,240	$0	$6,466,079	$6,466,079	$0	$6,554,080	$6,554,080
Substance Abuse	Judicial - FHM Judicial Department	01440A096301	$87,410	$2,601	$90,011	$95,586	$2,660	$98,246	$100,849	$2,726	$103,575	$94,808	$2,726	$97,534	$100,025	$2,726	$102,751
Totals - Substance Abuse			**$87,410**	**$5,572,606**	**$5,660,016**	**$95,586**	**$5,646,329**	**$5,741,915**	**$100,849**	**$5,659,966**	**$5,760,815**	**$94,808**	**$6,468,805**	**$6,563,613**	**$100,025**	**$6,556,806**	**$6,656,831**
Other Health	Education - FHM - School Nurse Consultant	01405A094910	$77,349	$7,704	$85,053	$80,930	$8,006	$88,936	$82,069	$8,206	$90,275	$90,633	$9,134	$99,767	$92,238	$9,023	$101,261
Other Health	FAME - Health Education Centers	01494F095002	$0	$100,000	$100,000	$0	$101,602	$101,602	$0	$103,235	$103,235	$0	$117,235	$117,235	$0	$117,235	$117,235
Other Health	FAME - Dental Education	01494F095101	$0	$240,000	$240,000	$0	$241,601	$241,601	$0	$243,235	$243,235	$0	$277,735	$277,735	$0	$277,735	$277,735
Other Health	DHHS - FHM - Oral Health	01410A095301	$0	$950,000	$950,000	$0	$948,155	$948,155	$0	$973,897	$973,897	$0	$1,113,797	$1,113,797	$0	$973,897	$973,897
Other Health	DHHS - FHM - Family Planning	01410A095601	$0	$400,000	$400,000	$0	$399,223	$399,223	$0	$410,062	$410,062	$0	$468,962	$468,962	$0	$884,240	$884,240
Other Health	DHHS - FHM - Donated Dental	01410A095801	$0	$36,250	$36,250	$0	$36,180	$36,180	$0	$37,162	$37,162	$0	$42,562	$42,562	$0	$42,562	$42,562
Other Health	DHHS - FHM - Bone Marrow Screening	01410A096201	$0	$80,000	$80,000	$0	$79,845	$79,845	$0	$82,012	$82,012	$0	$93,712	$93,712	$0	$93,712	$93,712
Other Health	DHHS - FHM - Public Health Infrastructure	01410A095308	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$1,370,000	$1,370,000	$0	$1,470,000	$1,470,000
Other Health	DHA - FHM - Dirigo Health	01495DZ07001	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$5,000,000	$5,000,000
Totals - Other Health			**$77,349**	**$1,813,954**	**$1,891,303**	**$80,930**	**$1,814,612**	**$1,895,542**	**$82,069**	**$1,857,809**	**$1,939,878**	**$90,633**	**$3,493,137**	**$3,583,770**	**$92,238**	**$8,868,404**	**$8,960,642**
Child Care and Development	FAME - FHM - Quality Child Care	01494F095203	$0	$145,356	$145,356	$0	$146,958	$146,958	$0	$148,592	$148,592	$0	$167,792	$167,792	$0	$167,792	$167,792
Child Care and Development	Public Safety - FHM Fire Marshall	01416A096401	$191,542	$19,767	$211,309	$176,781	$19,750	$196,531	$188,327	$20,310	$208,637	$201,270	$12,120	$213,390	$210,198	$12,120	$222,318
Child Care and Development	DHHS - FHM - Home Visitation	01410A095306	$0	$4,600,000	$4,600,000	$0	$4,591,060	$4,591,060	$0	$4,715,713	$4,715,713	$0	$5,382,713	$5,382,713	$0	$5,432,713	$5,432,713
Child Care and Development	DHHS - FHM - Service Center	01410A095701	$571,899	$44,928	$616,827	$592,966	$44,841	$637,807	$634,384	$46,235	$680,619	$652,570	$46,438	$699,008	$657,596	$46,349	$703,945
Child Care and Development	DHHS - FHM - Head Start	01410A095901	$0	$1,350,000	$1,350,000	$0	$1,347,376	$1,347,376	$0	$1,383,960	$1,383,960	$0	$1,582,460	$1,582,460	$0	$1,582,460	$1,582,460
Child Care and Development	DHHS - FHM - Purchased Social Services	01410A096101	$0	$3,885,689	$3,885,689	$0	$3,878,137	$3,878,137	$0	$3,983,435	$3,983,435	$0	$4,555,435	$4,555,435	$0	$4,605,435	$4,605,435
Child Care and Development	Education - FHM - School Breakfast	01405AZ06801	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$213,925	$213,925
Totals - Child Care and Development			**$763,441**	**$10,045,740**	**$10,809,181**	**$769,747**	**$10,028,122**	**$10,797,869**	**$822,711**	**$10,298,245**	**$11,120,956**	**$853,840**	**$11,746,958**	**$12,600,798**	**$867,794**	**$12,060,794**	**$12,928,588**
Smoking Cessation/Prevention	DHHS-FHM-Tobacco Prevention, Control & Treat.	01410A095302	$293,267	$6,222,403	$6,515,670	$282,667	$6,488,260	$6,770,927	$269,111	$6,539,145	$6,808,256	$282,364	$6,493,345	$6,775,709	$291,596	$7,075,589	$7,367,185
Smoking Cessation/Prevention	DHHS-FHM-Commun./School Grants & SW Coord	01410A095307	$0	$7,690,000	$7,690,000	$0	$7,675,053	$7,675,053	$0	$7,883,443	$7,883,443	$0	$8,740,743	$8,740,743	$0	$9,059,743	$9,059,743
Smoking Cessation/Prevention	DHHS-FHM-Immunization	01410AZ04801	$0	$1,100,000	$1,100,000	$0	$1,100,000	$1,100,000	$0	$1,100,000	$1,100,000	$0	$1,258,000	$1,258,000	$0	$1,258,000	$1,258,000
Totals - Smoking Cessation/Prevention			**$293,267**	**$15,012,403**	**$15,305,670**	**$282,667**	**$15,263,313**	**$15,545,980**	**$269,111**	**$15,522,588**	**$15,791,699**	**$282,364**	**$16,492,088**	**$16,774,452**	**$291,596**	**$17,393,332**	**$17,684,928**
Medicaid Initiatives	DHHS - FHM - BFI - Central	01410A095401	$37,286	$941	$38,227	$42,528	$1,467	$43,995	$44,416	$4,450	$48,866	$51,051	$7,726	$58,777	$54,052	$7,846	$61,898
Medicaid Initiatives	DHHS - FHM - Bureau of Medical Services	01410A095501	$65,832	$55,443	$121,275	$67,003	$53,151	$120,154	$43,021	$51,837	$94,858	$66,075	$56,837	$122,912	$69,863	$56,837	$126,700
Medicaid Initiatives	DHHS-FHM-Medical Care	01410A096001	$0	$5,979,061	$5,979,061	$0	$5,864,512	$5,864,512	$0	$9,673,196	$9,673,196	$0	$9,365,708	$9,365,708	$0	$8,776,069	$8,776,069
Totals - Medicaid Initiatives			**$103,118**	**$6,035,445**	**$6,138,563**	**$109,531**	**$5,919,130**	**$6,028,661**	**$87,437**	**$9,729,483**	**$9,816,920**	**$117,126**	**$9,430,271**	**$9,547,397**	**$123,915**	**$8,840,752**	**$8,964,667**
Prescription Drugs	DHHS - FHM - DEL (non-Racino funds)	01410AZ01501	$0	$10,000,000	$10,000,000	$0	$8,324,040	$8,324,040	$0	$4,991,040	$4,991,040	$0	$8,005,450	$8,005,450	$0	$8,155,450	$8,155,450
	DHHS - FHM - DEL (Racino funds)	01410AZ01501					$1,340,369	$1,340,369		$3,359,020	$3,359,020	$0	$3,669,390	$3,669,390	$0	$5,757,277	$5,757,277
	DHHS - FHM - DEA Grant	01410A095309	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$150,000	$150,000	$0	$0	$0
Totals - Prescription Drugs			**$0**	**$10,000,000**	**$10,000,000**	**$0**	**$9,664,409**	**$9,664,409**	**$0**	**$8,350,060**	**$8,350,060**	**$0**	**$11,824,840**	**$11,824,840**	**$0**	**$13,912,727**	**$13,912,727**
Transfers to the General Fund/Other	Transfers to the General Fund	N/A	$0	$55,218	$55,218	$51,010	$0	$51,010	$74,921	$2,496,727	$2,571,648	$0	$225,000	$225,000	$0	$1,464,406	$1,464,406
Transfers to the General Fund/Other	DAFS - Fund for a Healthy Maine	01418F092101	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	-$5,000,000	-$5,000,000
Totals - Transfers to the General Fund			**$0**	**$55,218**	**$55,218**	**$51,010**	**$0**	**$51,010**	**$74,921**	**$2,496,727**	**$2,571,648**	**$0**	**$225,000**	**$225,000**	**$0**	**-$3,535,594**	**-$3,535,594**
Total- All Categories	**Total- All Categories**		**$1,379,808**	**$48,538,424**	**$49,918,232**	**$1,451,853**	**$48,342,084**	**$49,793,937**	**$1,503,152**	**$53,921,431**	**$55,424,583**	**$1,598,387**	**$59,710,528**	**$61,308,915**	**$1,644,683**	**$64,126,790**	**$65,771,473**

[1] All Other allocations include budgeted DI-CAP transfers when applicable

Fund for a Healthy Maine

Budgeted Allocations and Uses - By Department/By Account

(Reflects actions through the 123rd Legislature)

Use Category	Department/ Account	Acct. Number	FY 2007-08				FY 2008-09			
			Leg. Count	Pers. Svcs.	All Other	Total	Leg. Count	Pers. Svcs.	All Other	Total
Attorney General (Enforcement)	Attorney General - FHM - Attorney General	01426A094701	1.500	$159,616	$29,429	$189,045	1.500	$169,115	$29,569	$198,684
Totals - Attorney General (Enforcement)			**1.500**	**$159,616**	**$29,429**	**$189,045**	**1.500**	**$169,115**	**$29,569**	**$198,684**
Substance Abuse	DHHS - FHM - Substance Abuse	01414G094801	0.000	$0	$6,466,079	$6,466,079	0.000	$0	$6,554,080	$6,554,080
Substance Abuse	Judicial - FHM Judicial Department	01440A096301	1.000	$94,808	$2,726	$97,534	1.000	$100,025	$2,726	$102,751
Totals - Substance Abuse			**1.000**	**$94,808**	**$6,468,805**	**$6,563,613**	**1.000**	**$100,025**	**$6,556,806**	**$6,656,831**
Other Health	Education - FHM - School Nurse Consultant	01405A094910	1.000	$90,633	$9,134	$99,767	1.000	$92,238	$9,023	$101,261
Other Health	FAME - Health Education Centers	01494F095002	0.000	$0	$117,235	$117,235	0.000	$0	$117,235	$117,235
Other Health	FAME - Dental Education	01494F096101	0.000	$0	$277,735	$277,735	0.000	$0	$277,735	$277,735
Other Health	DHHS - FHM - Oral Health	01410A095301	0.000	$0	$1,113,797	$1,113,797	0.000	$0	$973,897	$973,897
Other Health	DHHS - FHM - Family Planning	01410A095601	0.000	$0	$468,962	$468,962	0.000	$0	$884,240	$884,240
Other Health	DHHS - FHM - Donated Dental	01410A095801	0.000	$0	$42,562	$42,562	0.000	$0	$42,562	$42,562
Other Health	DHHS - FHM - Bone Marrow Screening	01410A096201	0.000	$0	$93,712	$93,712	0.000	$0	$93,712	$93,712
Other Health	DHHS - FHM - Public Health Infrastructure	01410A095308	0.000	$0	$1,370,000	$1,370,000	0.000	$0	$1,470,000	$1,470,000
Other Health	DHA - FHM - Dirigo Health	01495DZ07001	0.000	$0	$0	$0	0.000	$0	$5,000,000	$5,000,000
Totals - Other Health			**1.000**	**$90,633**	**$3,493,137**	**$3,583,770**	**1.000**	**$92,238**	**$8,868,404**	**$8,960,642**
Child Care and Development	FAME - FHM - Quality Child Care	01494F095203	0.000	$0	$167,792	$167,792		$0	$167,792	$167,792
Child Care and Development	Public Safety - FHM Fire Marshall	01416A096401	3.000	$201,270	$12,120	$213,390	0.000	$210,198	$12,120	$222,318
Child Care and Development	DHHS - FHM - Home Visitation	01410A095306	0.000	$0	$5,382,713	$5,382,713	3.000	$0	$5,432,713	$5,432,713
Child Care and Development	DHHS - FHM - Service Center	01410A095701	10.000	$652,570	$46,438	$699,008	0.000	$657,596	$46,349	$703,945
Child Care and Development	DHHS - FHM - Head Start	01410A095901	0.000	$0	$1,582,460	$1,582,460	10.000	$0	$1,582,460	$1,582,460
Child Care and Development	DHHS - FHM - Purchased Social Services	01410A096101	0.000	$0	$4,555,435	$4,555,435	0.000	$0	$4,605,435	$4,605,435
Child Care and Development	Education - FHM - School Breakfast	01405AZ06801	0.000	$0	$0	$0	0.000	$0	$213,925	$213,925
							0.000			
Totals - Child Care and Development			**13.000**	**$853,840**	**$11,746,958**	**$12,600,798**	**13.000**	**$867,794**	**$12,060,794**	**$12,928,588**
Smoking Cessation/Prevention	DHHS-FHM-Tobacco Prevention, Control & Treat.	01410A095302	4.000	$282,364	$6,493,345	$6,775,709	4.000	$291,596	$7,075,589	$7,367,185
Smoking Cessation/Prevention	DHHS-FHM-Commun./School Grants & SW Coord	01410A095307	0.000	$0	$8,740,743	$8,740,743	0.000	$0	$9,059,743	$9,059,743
Smoking Cessation/Prevention	DHHS-FHM-Immunization	01410AZ04801	0.000	$0	$1,258,000	$1,258,000	0.000	$0	$1,258,000	$1,258,000
Totals - Smoking Cessation/Prevention			**4.000**	**$282,364**	**$16,492,088**	**$16,774,452**	**4.000**	**$291,596**	**$17,393,332**	**$17,684,928**
Medicaid Initiatives	DHHS - FHM - BFI - Central	01410A095401	1.000	$51,051	$7,726	$58,777	1.000	$54,052	$7,846	$61,898
Medicaid Initiatives	DHHS - FHM - Bureau of Medical Services	01410A095501	1.000	$66,075	$56,837	$122,912	1.000	$69,863	$56,837	$126,700
Medicaid Initiatives	DHHS-FHM-Medical Care	01410A095001	0.000	$0	$9,365,708	$9,365,708	0.000	$0	$8,776,069	$8,776,069
Totals - Medicaid Initiatives			**2.000**	**$117,126**	**$9,430,271**	**$9,547,397**	**2.000**	**$123,915**	**$8,840,752**	**$8,964,667**
Prescription Drugs	DHHS - FHM - DEL (non-Racino funds)	01410AZ01501	0.000	$0	$8,005,450	$8,005,450	0.000	$0	$8,155,450	$8,155,450
Prescription Drugs	DHHS - FHM - DEL (Racino funds)	01410AZ01501	0.000	$0	$3,669,390	$3,669,390	0.000	$0	$5,757,277	$5,757,277
Prescription Drugs	DHHS - FHM - DEA Grant	01410A095309	0.000	$0	$150,000	$150,000	0.000	$0	$0	$0
Totals - Prescription Drugs			**0.000**	**$0**	**$11,824,840**	**$11,824,840**	**0.000**	**$0**	**$13,912,727**	**$13,912,727**
Transfers to the General Fund/Other	Transfers to the General Fund	N/A	0.000	$0	$225,000	$225,000	0.000	$0	$1,464,406	$1,464,406
Transfers to the General Fund/Other	DAFS - Fund for a Healthy Maine	01418F092101	0.000	$0	$0	$0	0.000	$0	-$5,000,000	-$5,000,000
Totals - Transfers to the General Fund/Other			**0.000**	**$0**	**$225,000**	**$225,000**	**0.000**	**$0**	**-$3,535,594**	**-$3,535,594**
Total- All Categories	**Total- All Categories**		**22.500**	**$1,598,387**	**$59,710,528**	**$61,308,915**	**22.500**	**$1,644,683**	**$64,126,790**	**$65,771,473**

[1] All Other allocations include budgeted DI-CAP transfers when applicable

Fund for a Healthy Maine
Authorized Positions

Use Category	Department/ Account	Account Number	Position Title	Authorized Positions FY 2007-08	Authorized Positions FY 2008-09
Attorney General (Enforcement)	Attorney General - FHM - Attorney General	01426A094701	Assistant Attorney General	1.500	1.500
Substance Abuse	Judicial - FHM Judicial Department	01440A096301	Diversion & Rehabilitation Coordinator	1.000	1.000
Other Health	Education - FHM - School Nurse Consultant	01405A094910	Education Specialist III	1.000	1.000
Child Care and Development	Public Safety - FHM Fire Marshall [1]	01416A096401	Public Safety Inspector I	3.000	3.000
Child Care and Development	DHHS - FHM - Service Center	01410A095701	Community Care Worker	4.000	4.000
			Social Services Program Specialist I	4.000	4.000
			Social Services Program Specialist II	1.000	1.000
			Office Associate II	1.000	1.000
Smoking Cessation/Prevention	DHHS-FHM-Tobacco Prevention, Control & Treatment	01410A095302	Public Health Educator III	3.000	3.000
			Comprehensive Health Planner II	1.000	1.000
Medicaid Initiatives	DHHS - FHM - BFI - Central	01410A095401	Customer Representative Associate II	1.000	1.000
Medicaid Initiatives	DHHS - FHM - Bureau of Medical Services	01410A095501	Management Analyst II	1.000	1.000
Total Authorized Positions				22.500	22.500

[1] This account also pays for 50% of the cost of an Office Associate II position. The legislative headcount is assigned to another account within the Department of Public Safety

Fund for a Healthy Maine (FHM) Budgeted Allocations and Uses History

	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
Smoking Cessation/ Prevention [1]	$3,500,000	$12,526,011	$13,755,488	$15,571,085	$14,938,883	$15,305,670	$15,545,990	$15,791,699	$16,774,452	$17,684,928
Child Care and Development	$0	$11,714,999	$9,352,516	$7,290,437	$10,472,121	$10,809,181	$10,797,869	$11,120,956	$12,600,798	$12,928,588
Medicaid Initiatives	$0	$5,115,425	$5,503,666	$6,442,570	$6,777,827	$6,138,563	$6,028,661	$9,816,920	$9,547,397	$8,964,667
Prescription Drugs	$0	$10,000,000	$10,000,000	$10,000,000	$10,410,000	$10,000,000	$9,664,409	$8,350,060	$11,824,840	$13,912,727
Other Health Initiatives [2]	$0	$1,431,408	$1,688,873	$1,893,294	$1,890,374	$1,891,303	$1,895,542	$1,939,878	$3,583,770	$8,960,642
Substance Abuse	$0	$5,800,000	$4,317,725	$5,647,037	$5,653,108	$5,660,016	$5,741,915	$5,760,815	$6,563,613	$6,656,831
Attorney General	$0	$299,989	$49,372	$52,100	$57,024	$58,281	$68,551	$72,607	$189,045	$198,684
Unallocated Fund-wide Deallocation	$0	$0	$0	$0	$0	$0	$0	$0	$0	($5,000,000)
Subtotal Allocations	$3,500,000	$46,887,832	$44,667,640	$46,896,523	$50,199,337	$49,863,014	$49,742,937	$52,852,935	$61,083,915	$64,307,067
Advance to Maine Rx Dedicated Fund	$0	$0	$1,700,000	($1,700,000)	$0	$0	$0	$0	$0	$0
Transfers to the General Fund	$0	$24,055,000	$10,000,000	$43,244,794	$6,736,628	$55,218	($1,895,717)	$2,571,648	$225,000	$1,464,406
Allocation to Healthy Maine Trust Fund [3]	$0	$11,094,848	$0	$0	$0	$0	$0	$0	$0	$0
Subtotal Other Uses	$0	$35,149,848	$11,700,000	$41,544,794	$6,736,628	$55,218	($1,895,717)	$2,571,648	$225,000	$1,464,406
Totals Allocations and Other Uses [4]	$3,500,000	$82,037,680	$56,367,640	$88,441,317	$56,935,965	$49,918,232	$47,847,220	$55,424,583	$61,308,915	$65,771,473

[1] 1999-00 includes $3.5 million transferred from the FHM to the Bureau of Health for tobacco prevention and control initiatives.

[2] 2008-09 includes $5 million allocated for the Dirigo Health Program in PL 2007, c. 629.

[3] The $11,094,848 allocated to the Healthy Maine Trust Fund in 2000-01 was subsequently repealed and $11,099,592 was transferred to the General Fund in PL 2001, c. 358, Sec. Q-8.

[4] Does not include the $25,540,000 allocated to Biennial Reserve in 2000-01 and then subsequently deallocated in 2001-02 in PL 2001, c. 358, Sec. Q-12.

Fund for a Healthy Maine (FHM) Allocations History
Through 123rd Legislature, 1st Special Session
FY 2000-01 to FY 2008-09

	2000-01 *	2001-02 *	2002-03 **	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
DEPARTMENT OF ADMINISTRATION AND FINANCIAL SERVICES									
011-18F-0921-01 FUND FOR A HEALTHY MAINE									
All Other	0	0	0	0	0	0	0	0	(5,000,000)
Program Total	0	0	0	0	0	0	0	0	(5,000,000)
Annual % Increase		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	-100.00%
DEPARTMENT OF THE ATTORNEY GENERAL									
011-26A-0947-01 FHM - ATTORNEY GENERAL									
Pos. - Leg.	(1.000)	(1.000)	(1.000)	(0.000)	(0.000)	(0.000)	(0.000)	(1.500)	(1.500)
Pers. Serv.	39,989	49,372	52,000	53,778	55,223	62,382	66,054	159,616	169,115
All Other	260,000	0	100	3,246	3,058	6,169	6,553	29,429	29,569
Program Total	299,989	49,372	52,100	57,024	58,281	68,551	72,607	189,045	198,684
Annual % Increase		-83.54%	5.53%	9.45%	2.20%	17.62%	5.92%	160.37%	5.10%
DIRIGO HEALTH									
011-95D-Z070-01 FHM - DIRIGO HEALTH									
All Other	0	0	0	0	0	0	0	0	5,000,000
Program Total	0	0	0	0	0	0	0	0	5,000,000
Annual % Increase		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
DEPARTMENT OF EDUCATION									
011-05A-0949-01 FHM - SCHOOL NURSE CONSULTANT									
Pos. - Leg.	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)
Pers. Serv.	57,468	67,694	73,543	76,688	77,349	80,930	82,069	90,633	92,238
All Other	0	15,139	13,474	7,436	7,704	8,006	8,206	9,134	9,023
Program Total	57,468	82,833	87,017	84,124	85,053	88,936	90,275	99,767	101,261
Annual % Increase		44.14%	5.05%	-3.32%	1.10%	4.57%	1.51%	10.51%	1.50%
011-05A-Z068-01 FHM - SCHOOL BREAKFAST PROGRAM									
All Other	0	0	0	0	0	0	0	0	213,925
Program Total	0	0	0	0	0	0	0	0	213,925
Annual % Increase		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%
FINANCE AUTHORITY OF MAINE									
011-05A-0950-02 FHM - HEALTH EDUCATION CENTERS									
All Other	100,000	100,000	100,000	100,000	100,000	101,602	103,235	117,235	117,235
Program Total	100,000	100,000	100,000	100,000	100,000	101,602	103,235	117,235	117,235
Annual % Increase		0.00%	0.00%	0.00%	0.00%	1.60%	1.61%	13.56%	0.00%
011-05A-0951-02 FHM - DENTAL EDUCATION									
All Other	60,000	120,840	183,882	240,000	240,000	241,601	243,235	277,735	277,735
Program Total	60,000	120,840	183,882	240,000	240,000	241,601	243,235	277,735	277,735
Annual % Increase		101.40%	52.17%	30.52%	0.00%	0.67%	0.68%	14.18%	0.00%
011-05A-0952-02 FHM - QUALITY CHILD CARE									
All Other	145,356	145,356	145,356	145,356	145,356	146,958	148,592	167,792	167,792
Program Total	145,356	145,356	145,356	145,356	145,356	146,958	148,592	167,792	167,792
Annual % Increase		0.00%	0.00%	0.00%	0.00%	1.10%	1.11%	12.92%	0.00%

Fund for a Healthy Maine (FHM) Allocations History
Through 123rd Legislature, 1st Special Session
FY 2000-01 to FY 2008-09

	2000-01 *	2001-02 *	2002-03 **	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
DEPARTMENT OF HEALTH AND HUMAN SERVICES (formerly BDS)									
011-14G-0948-01	FHM - SUBSTANCE ABUSE								
All Other	5,745,005	4,245,005	5,570,005	5,570,005	5,570,005	5,643,669	5,657,240	6,466,079	6,554,080
Program Total	5,745,005	4,245,005	5,570,005	5,570,005	5,570,005	5,643,669	5,657,240	6,466,079	6,554,080
Annual % Increase		-26.11%	31.21%	0.00%	0.00%	1.32%	0.24%	14.30%	1.36%
DEPARTMENT OF HEALTH AND HUMAN SERVICES (formerly DHS)									
011-10A-0953-01	FHM - BUREAU OF HEALTH - ORAL HEALTH								
All Other	530,000	950,000	950,000	950,000	950,000	948,155	973,897	1,113,797	973,897
Program Total	530,000	950,000	950,000	950,000	950,000	948,155	973,897	1,113,797	973,897
Annual % Increase		79.25%	0.00%	0.00%	0.00%	-0.19%	2.71%	14.36%	-12.56%
011-10A-0953-02	FHM - BUREAU OF HEALTH - TOBACCO PREVENTION AND CONTROL								
Pos. - Leg.	(5.000)	(5.000)	(5.000)	(5.000)	(5.000)	(4.000)	(4.000)	(4.000)	(4.000)
Pers. Serv.	226,011	265,488	256,086	273,884	293,267	282,677	269,111	282,364	291,596
All Other	6,390,000	4,700,000	6,524,999	6,524,999	6,222,403	6,488,260	6,539,145	6,493,345	7,075,589
Program Total	6,616,011	4,965,488	6,781,085	6,798,883	6,515,670	6,770,937	6,808,256	6,775,709	7,367,185
Annual % Increase		-24.95%	36.56%	0.26%	-4.17%	3.92%	0.55%	-0.48%	8.73%
011-10A-0953-06	FHM - BUREAU OF HEALTH - HOME VISITS								
All Other	3,465,000	3,300,000	3,300,000	4,300,000	4,600,000	4,591,060	4,715,713	5,382,713	5,432,713
Program Total	3,465,000	3,300,000	3,300,000	4,300,000	4,600,000	4,591,060	4,715,713	5,382,713	5,432,713
Annual % Increase		-4.76%	0.00%	30.30%	6.98%	-0.19%	2.72%	14.14%	0.93%
011-10A-0953-07	FHM - BUREAU OF HEALTH - COMMUNITY SCHOOL GRANTS								
All Other	4,110,000	7,690,000	7,690,000	7,690,000	7,690,000	7,675,053	7,883,443	8,890,743	9,059,743
Program Total	4,110,000	7,690,000	7,690,000	7,690,000	7,690,000	7,675,053	7,883,443	8,890,743	9,059,743
Annual % Increase		87.10%	0.00%	0.00%	0.00%	-0.19%	2.72%	12.78%	1.90%
011-10A-0953-08	FHM - PUBLIC HEALTH INFRASTRUCTURE								
All Other	0	0	0	0	0	0	0	1,370,000	1,470,000
Program Total	0	0	0	0	0	0	0	1,370,000	1,470,000
Annual % Increase		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	7.30%
011-10A-0954-01	FHM - BFI - CENTRAL								
Pos. - Leg.	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)
Pers. Serv.	29,587	29,587	32,130	34,762	37,286	42,528	44,416	51,051	54,052
All Other	0	0	1,094	902	941	1,467	4,450	7,726	7,846
Program Total	29,587	29,587	33,224	35,664	38,227	43,995	48,866	58,777	61,898
Annual % Increase		0.00%	12.29%	7.34%	7.19%	15.09%	11.07%	20.28%	5.31%
011-10A-0955-01	FHM - BUREAU OF MEDICAL SERVICES								
Pos. - Leg.	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)
Pers. Serv.	23,794	51,221	62,497	64,778	65,832	67,003	43,021	66,075	69,863
All Other	50,000	50,000	37,994	55,440	55,443	53,151	51,837	56,837	56,837
Program Total	73,794	101,221	100,491	120,218	121,275	120,154	94,858	122,912	126,700
Annual % Increase		37.17%	-0.72%	19.63%	0.88%	-0.92%	-21.05%	29.57%	3.08%
011-10A-0956-01	FHM - FAMILY PLANNING								
All Other	400,000	400,000	400,000	400,000	400,000	399,223	410,062	468,962	884,240
Program Total	400,000	400,000	400,000	400,000	400,000	399,223	410,062	468,962	884,240
Annual % Increase		0.00%	0.00%	0.00%	0.00%	-0.19%	2.72%	14.36%	88.55%

Fund for a Healthy Maine (FHM) Allocations History
Through 123rd Legislature, 1st Special Session
FY 2000-01 to FY 2008-09

	2000-01 *	2001-02 *	2002-03 **	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
011-10A-0957-01	FHM - SERVICE CENTER								
Pos. - Leg.	(10.000)	(10.000)	(10.000)	(10.000)	(10.000)	(10.000)	(10.000)	(10.000)	(10.000)
Pers. Serv.	444,601	475,398	461,713	545,674	571,899	592,966	634,384	652,570	657,596
All Other	0	0	41,910	44,853	44,928	44,841	46,235	46,438	46,349
Program Total	444,601	475,398	503,623	590,527	616,827	637,807	680,619	699,008	703,945
Annual % Increase		6.93%	5.94%	17.26%	4.45%	3.40%	6.71%	2.70%	0.71%
011-10A-0958-01	FHM - DONATED DENTAL								
All Other	33,940	35,200	36,250	36,250	36,250	36,180	37,162	42,562	42,562
Program Total	33,940	35,200	36,250	36,250	36,250	36,180	37,162	42,562	42,562
Annual % Increase		3.71%	2.98%	0.00%	0.00%	-0.19%	2.71%	14.53%	0.00%
011-10A-0959-01	FHM - HEAD START								
All Other	1,950,000	1,350,000	1,350,000	1,350,000	1,350,000	1,347,376	1,383,960	1,582,460	1,582,460
Program Total	1,950,000	1,350,000	1,350,000	1,350,000	1,350,000	1,347,376	1,383,960	1,582,460	1,582,460
Annual % Increase		-30.77%	0.00%	0.00%	0.00%	-0.19%	2.72%	14.34%	0.00%
011-10A-0960-01	FHM - MEDICAL CARE								
All Other	16,812,044	16,472,858	17,408,855	17,481,945	17,079,061	6,964,512	10,773,196	9,365,708	8,776,069
Program Total	16,812,044	16,472,858	17,408,855	17,481,945	17,079,061	6,964,512	10,773,196	9,365,708	8,776,069
Annual % Increase		-2.02%	5.68%	0.42%	-2.30%	-59.22%	54.69%	-13.06%	-6.30%
011-10A-0961-01	FHM - PURCHASED SOCIAL SERVICES								
All Other	5,559,074	3,885,689	1,785,689	3,885,689	3,885,689	3,878,137	3,983,435	4,555,435	4,605,435
Program Total	5,559,074	3,885,689	1,785,689	3,885,689	3,885,689	3,878,137	3,983,435	4,555,435	4,605,435
Annual % Increase		-30.10%	-54.04%	117.60%	0.00%	-0.19%	2.72%	14.36%	1.10%
011-10A-0962-01	FHM - BONE MARROW SCREENING								
All Other	250,000	0	136,145	80,000	80,000	79,845	82,012	93,712	93,712
Program Total	250,000	0	136,145	80,000	80,000	79,845	82,012	93,712	93,712
Annual % Increase		-100.00%	0.00%	-41.24%	0.00%	-0.19%	2.71%	14.27%	0.00%
011-10A-Z015-01	FHM - DRUGS FOR THE ELDERLY & DISABLED								
All Other	0	0	0	0	0	9,664,409	8,350,060	11,674,840	13,912,727
Program Total	0	0	0	0	0	9,664,409	8,350,060	11,674,840	13,912,727
Annual % Increase		0.00%	0.00%	0.00%	0.00%	0.00%	-13.60%	39.82%	19.17%
011-10A-Z048-01	FHM - IMMUNIZATION								
All Other	0	0	0	0	0	0	0	1,258,000	1,258,000
Program Total	0	0	0	0	0	0	0	1,258,000	1,258,000
Annual % Increase		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	100.00%	100.00%
DEPARTMENT OF HEALTH AND HUMAN SERVICES (formerly DHS)									
Pos. - Leg.	**(17.000)**	**(17.000)**	**(17.000)**	**(17.000)**	**(17.000)**	**(16.000)**	**(16.000)**	**(16.000)**	**(16.000)**
Pers. Serv.	**723,993**	**821,694**	**812,426**	**919,098**	**968,284**	**985,174**	**990,932**	**1,052,060**	**1,073,107**
All Other	**39,550,058**	**38,833,747**	**39,662,936**	**42,800,078**	**42,394,715**	**42,171,669**	**45,234,607**	**52,403,278**	**55,278,179**
Dept. Total	**40,274,051**	**39,655,441**	**40,475,362**	**43,719,176**	**43,362,999**	**43,156,843**	**46,225,539**	**53,455,338**	**56,351,286**
Annual % Increase		**-1.54%**	**2.07%**	**8.01%**	**-0.81%**	**-0.48%**	**7.11%**	**15.64%**	**5.42%**

Fund for a Healthy Maine (FHM) Allocations History
Through 123rd Legislature, 1st Special Session
FY 2000-01 to FY 2008-09

	2000-01 *	2001-02 *	2002-03 **	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
JUDICIAL DEPARTMENT									
011-40A-0963-01	FHM - JUDICIAL DEPARTMENT								
Pos. - Leg.	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)	(1.000)
Pers. Serv.	54,995	70,220	76,232	80,553	87,410	95,586	100,849	94,808	100,025
All Other	0	2,500	800	2,550	2,601	2,660	2,726	2,726	2,726
Program Total	54,995	72,720	77,032	83,103	90,011	98,246	103,575	97,534	102,751
Annual % Increase		32.23%	5.93%	7.88%	8.31%	9.15%	5.42%	-5.83%	5.35%
DEPARTMENT OF PUBLIC SAFETY									
011-16A-0964-01	FHM - FIRE MARSHAL								
Pos. - Leg.	(3.500)	(3.500)	(3.500)	(3.500)	(3.500)	(3.500)	(3.500)	(3.000)	(3.000)
Pers. Serv.	150,968	196,073	186,769	181,169	191,542	176,781	188,327	201,270	210,198
All Other	0	0	19,000	19,380	19,767	19,750	20,310	12,120	12,120
Program Total	150,968	196,073	205,769	200,549	211,309	196,531	208,637	213,390	222,318
Annual % Increase		29.88%	4.95%	-2.54%	5.37%	-6.99%	6.16%	2.28%	4.18%
GRAND TOTALS - ALL DEPARTMENTS									
Pos. - Leg.	**(23.500)**	**(23.500)**	**(23.500)**	**(22.500)**	**(22.500)**	**(21.500)**	**(21.500)**	**(22.500)**	**(22.500)**
Pers. Serv.	**1,027,413**	**1,205,053**	**1,200,970**	**1,311,286**	**1,379,808**	**1,400,853**	**1,428,231**	**1,598,387**	**1,644,683**
All Other	**45,860,419**	**43,462,587**	**45,695,553**	**48,888,051**	**48,483,206**	**48,342,084**	**51,424,704**	**59,485,528**	**62,662,384**
Grand Total	**46,887,832**	**44,667,640**	**46,896,523**	**50,199,337**	**49,863,014**	**49,742,937**	**52,852,935**	**61,083,915**	**64,307,067**
Annual % Increase		**-4.74%**	**4.99%**	**7.04%**	**-0.67%**	**-0.24%**	**6.25%**	**15.57%**	**5.28%**

* For 2000-01 does not include the $25,540,000 allocated to Biennial Reserve in 2000-01 and then subsequently deallocated in 2001-02, and does not include $11,094,948 allocated to the Trust Fund for a Healthy Maine -- $11,099,592 was actually transferred.

** History reflects changes to FHM program names made in PL 2001, c559, Part AA, that allowed for a better accounting of FHM funds.

Office of the State Treasurer

September 16, 2008

Fund for a Healthy Maine

014-18F-0921-01/02

Fiscal year	2000	2001	2002	2003	2004	2005	2006	2007	2008	Total
Beginning Balance		61,280,943.47	43,892,729.82	43,464,807.61	8,674,690.40	4,045,267.98	5,081,372.87	5,260,296.31	3,619,945.83	
Add: Tobacco Settlement	63,176,643.10	47,819,279.67	56,317,761.88	55,807,032.71	48,952,964.09	49,033,128.97	45,011,759.20	47,113,686.77	58,219,190.19	471,451,446.58
Investment Earnings	1,604,300.37	3,605,927.00	1,233,998.17	681,756.36	54,829.63	78,206.67	123,344.76	277,544.32	64,695.20	7,724,602.48
Racino Revenue							1,771,172.71	3,538,804.60	3,735,773.78	9,045,751.09
Less: Legislative Transfer of Revenue/Others	3,500,000.00	68,813,420.32	57,979,682.26	91,278,906.28	53,637,216.14	48,075,230.75	46,727,353.23	52,570,386.17	57,679,950.56	480,262,145.71
Ending Balance	61,280,943.47	43,892,729.82	43,464,807.61	8,674,690.40	4,045,267.98	5,081,372.87	5,260,296.31	3,619,945.83	7,959,654.44	7,959,654.44
General Fund Cash Flow Support					24,700,000.00	20,000,000.00	24,700,000.00	20,000,000.00	33,000,000.00	

APPENDIX E

Fund Oversight – Examples in Maine Law

FUND OVERSIGHT - EXAMPLES IN MAINE LAW

Fund Name	Fund Description	Oversight Structure	Oversight Functions/Duties	Cite
Energy and Carbon Savings Trust Fund	The fund consists of revenue from from the sale of carbon dioxide allowances under RGGI (Regional Greenhouse Gas Initiative) and forward capacity market payments administered by ISO-New England. *(Note: no revenue yet; first auction in Fall 2008)*	**Energy and Carbon Savings Trust:** 3 trustees appointed by the Public Utilities Commission; program administrator hired by the trustees	**Trust:** Administer the Fund in support of the goals the RGGI program; provide funding to energy conservation and carbon reduction programs and projects in accordance with statutory requirements on allocation of funds (project types), selection of projects (bid process) and expenditures on administrative costs; to represent the trust in the development of the triennial energy efficiency and conservation plan	35-A MRSA §10008
Maine Outdoor Heritage Fund	The fund consists of revenues received from sale of lottery tickets and other contributions from private and public sources; fund supplements sources and levels of funding appropriated and allocated by the Legislature to natural resources agencies.	**Maine Outdoor Heritage Fund Board:** 7 members: IFW Cmsr, DOC Cmsr; Natural Areas Program Coord; 4 citizen members appointed by the governor subject to confirmation by the Senate; Executive Director hired by the board	**Board:** Administer the Fund; adopt a strategic plan for each of the statutory categories of allowed expenditure for the Outdoor Heritage Fund; review and award funding requests for projects in accordance with statutory criteria for fund distribution; required to meet at least 3 times per year	12 MRSA c.903, subc.6
Land for Maine's Future Fund	The funds consist of proceeds from sale of bonds authorized for specific purposes and contributions from public or private sources; the fund is available to state agencies and cooperating entities upon authorization of the board for specific purposes set forth in statute	**Land for Maine's Future Board:** 11 members; 6 private citizens and 5 permanent members (Commissioners of DIFW, DMR, DAFRR, DOC) and Director of SPO; private citizens are appointed by the Governor and subject to confirmation by the Senate	**Board:** Administer the LMF Fund; assess public land acquisition needs and develop strategy/guidelines for allocating LMF Fund proceeds; review funding requests from state agencies and cooperating entities for projects meeting the guidelines; authorize distribution of proceeds from the Fund for property acquisitions; report to the Legislature on expenditures from the Funds and the Board's strategy/guidelines; required to meet at least 4 times per year	5 MRSA c.353
Aquaculture Management Fund	The fund consists of revenue from aquaculture lease rents and aquaculture application fees to be used for development of water quality licensing and monitoring criteria, process lease applications and provide information about aquaculture.	**1) DMR Commissioner** **2) Aquaculture Advisory Council:** 5 members, 4 members appointed by the DMR Commissioner, 5th member is the commissioner or designee	**1) Commissioner:** authorized to make expenditures from the fund for specific purposes outlined in statute **2) Advisory Council:** Make recommendations to the Commissioner concerning expenditures from the Aquaculture Management Fund and other matters of interest to the industry; meet at least once each year	12 MRSA §6072-D

Note: This chart describes a very small sample of the many fund/board relationships that exist in Maine law and is not meant to be representative in anyway.

FUND OVERSIGHT - EXAMPLES IN MAINE LAW

Fund Name	Fund Description	Oversight Structure	Oversight Functions/Duties	Cite
Maine Learning Technologies Initiative Fund	The fund consists of certain funds dedicated by the Legislature and other private and public sources for the advancement of learning technology for K-12 consistent with a the learning technology plan.	**1) Commissioner of DOE** **2) Commissioner of DAFS** **3) Advisory Board of the Maine Learning Technology Fund:** 12 voting members, appointed by Governor, President of Senate, Speaker of the House, State Board of Education; Director of Maine State Library, Chair of the PUC	**1) Commissioner of DOE**: Develop the annual learning technology plan; develop fundraising plan; recommend to the Governor and Bureau of the Budget the funding level for implementing the plan; develop the annual budget and exercise budgetary responsibility to carry out the plan; present operating budget to Governor and Legislature **2) Commissioner of DAFS:** act as fiduciary and fiscal agent for management and administration of the fund; develop fundraising plan; ensure adequate audit of the investment management of the fund and expenditures of the fund each fiscal year **3) Advisory Board:** Advise the DOE commissioner in developing the annual learning technology plan; advise Commissioner of DOE on use of endowment proceeds from the fund to implement the plan, including the development of the annual budget necessary to implement the plan; measure effectiveness/impacts of the plan	20-A MRSA c.801
Maine Coastal and Inland Surface Oil Spill Clean-up Fund	The fund consists of license fees per barrel of oil collected by the DEP and is used for costs related to oil spill response and remediation.	**Oil Spill Advisory Committee:** 9 members, 5 appointed by the Governor, 2 by the Speaker and 2 by the President of the Senate	**Committee:** Make recommendations to the Commissioner on how the fund should be allocated; review expenditures of the Maine Coastal and Inland Surface Oil Clean-up Fund; track implementation of and regulations related to the Federal Oil Pollution Act of 1990; monitor adequacy of the federal Oil Spill Liability Trust Fund, oil spill related activities, prevention, and response, and related issues and make	38 MRSA §551-A
Riverfront Community Development Bond Program	The fund consists of a bond issue and matching funds to make investments in river-based community and economic revitalization projects. *Note: This is a $5,000,000 bond issue (required match of at least $10,000,000)*	**1) DECD** **2) Riverfront Community Development Review Panel:** 7 members - DECD cmsr, DOC cmsr, SPO director, 4 public members (2 apptd by Speaker and 2 apptd by President of Senate)	**1) DECD:** administer the program; adopt implementing rules; develop a scoring system for use by the panel in evaluating proposals; conduct initial review and preliminary scoring of proposals **2) Review Panel:** review proposals submitted, select finalists and allocate funding.	5 MRSA §13083-T

Note: This chart describes a very small sample of the many fund/board relationships that exist in Maine law and is not meant to be representative in anyway.

Fund Oversight - Examples in Maine Law
FINANCIAL INFORMATION

		FY 07 Closing Balance	FY 08 Budget	FY 08 Expenditures	FY 08 Closing Balance
Maine Outdoor Heritage Fund	014-09A-082901	$862,312	$2,007,238	$382,455	$1,601,028
Land for Maine's Future Fund	014-07B-006001	$2,872,365	$2,927,850	$2,798	$2,925,052
Aquaculture Management Fund	014-13A-002713	$192,026	$380,791	$103,682	$273,438
Maine Learning Technologies Initiative	014-05A-030481	$976,411	$976,411	$0	$976,411
Maine Coastal and Inland Surface Oil Spill Clean-up Fund	014-07B-024734	$4,617,176	$11,620,312	$5,694,777	$5,785,520

APPENDIX F

Examples – Other States' Tobacco Settlement Funding Structures

Examples - Other States' Tobacco Settlement Funding Structures

State, *US CDC ranking on tobacco control spending*	**Advisory Entity**	**Functions/Duties**	**Organizational Structure**	**Notes**
Arkansas, *#8*	Arkansas Tobacco Settlement Commission	Arkansas TSC **monitors and evaluates and recommends** expenditures from Tobacco Settlement Program Fund .	Arkansas TSC consists of state agency heads, 2 health care professionals and 2 citizens.	Arkansas TSC monitors and evaluates and recommends expenditures.
California, *#25*	California was estimated to receive $912million in 2008 for distribution to 58 counties (90%) and 4 cities (Los Angeles, San Diego, San Francisco and San Jose (10% for all 4 combined).			
Mendocino County	Mendocino County Tobacco Settlement Oversight Committee	Mendocino County TSOC **advises** the Public Health Advisory Board and Health and Human Services Agency on the distribution of the non-debt management portion of the Tobacco Settlement Revenue funds received by the County - particularly the technical assistance and community project grants.	MCTSOC consists of 5 to 7 members: 2 from the Public Health Advisory Board, one from the Community Foundation, the Public health Branch director and at-large community members.	MCTSOC advises on annual community project grants go to 4 priority areas of the Community Health Strategic Plan: access to care, aging, alcohol and other drugs, and healthy lifestyles.
Orange County	Orange County Tobacco Settlement Advisory Group	Orange County TSAG provides community **recommendations** to the Orange County Health Care Agency. OTSAG and its subcommittees make recommendations on program outcomes and guiding principles, have input into health plan, advise on spending, assist in implementation, review outcomes and provide input on the annual report to the Board of Supervisors.	OCTSAG consists of representatives of physicians, hospitals, county health care council, county community clinics, mental health community, senior community, alcohol and drug community, tobacco use prevention community, disabled persons community, faith community and health care agency.	OTSAG recommendations re: spending must distribute funds as follows: 19% for health care services for elderly and disabled persons, 12% for tobacco prevention and control, 20% to certain clinics for immunizations, primary and specialty services and dental services, 23% for emergency room services, 6% to hospitals for charity care, and 20% to Sheriff's Dept for public safety programs, including mental health, drug and alcohol abuse programs.
Santa Barbara County	Tobacco Settlement Advisory Committee	Santa Barbara County TSAC makes **recommendations** every year to the Santa Barbara County Board of Supervisors, which distributes the $4million in funds annually for county-related needs and programs.	SBCTSAC membership represents public health department, director of alcohol, drug and mental health programs, county executive office, county supervisor's office, smoke-free coalition, county medical society, American Lung Assoc., mental health, community clinics and student-youth organizations.	SBCTSAC makes recommendations for funding. Board of Supervisors set health-related programs as a priority. 25% of program funding goes to tobacco cessation, prevention and education. SBCTSAC holds public meeting for input.

Examples - Other States' Tobacco Settlement Funding Structures

State, *US CDC ranking on tobacco control spending*	**Advisory Entity**	**Functions/Duties**	**Organizational Structure**	**Notes**
Connecticut, #51	Connecticut Tobacco and Health Trust Fund Board of Trustees	Connecticut THTF Board **establishes criteria, processes and procedures for funding decisions and makes recommendations**.	CTTHF Board consists of 17 trustees, appointed.	CTTHF Board makes recommendations that may be overridden by a conference committee and legislative process. Law directs funding to tobacco prevention, education and cessation, substance abuse and physical and mental health and requires priority to programs that address tobacco and substance abuse and serve minors, pregnant women and parents of young children and that give consideration to matching funds and prohibits supplantation of resources that would otherwise be appropriated. Law has been overridden.
Delaware, #2	Delaware Health Fund Advisory Committee	DHF Advisory Committee **makes recommendations** to Governor and General Assembly and holds public hearings.	DHF Advisory Committee consists of 12 members, including assembly persons, agency heads, members of the public and technical advisory legislative staff.	Advisory Committee makes recommendations. Law specifies 8 health-related purposes and that funding must not supplant state expenditures appropriated in 1999.
Massachu-setts, #33	Advisory Committee on Health Care and Tobacco Control	MassACHCTC makes **recommendations** to Governor and Legislature, by 2/3 vote, with priority to programs funded in prior years.	MassACHCTC membership consists of 29 members.	MassACHCTC makes recommendations to Governor and Legislature.
Michigan, #47	Michigan Tobacco Settlement Advisory Council.	Michigan TSAC was established in the process that the state used to securitize a portion of their tobacco settlement funds. Michigan TSAC **makes recommendations**.	(Not available)	MTSAC makes recommendations. Of the $400million proceeds that went in FY2005-07 into the 21st Century Jobs Trust Fund, $115.5million went to specific earmarked projects and the Strategic Fund Board allocated $284.5million to technology and investments in businesses.

Examples - Other States' Tobacco Settlement Funding Structures

State, *US CDC ranking on tobacco control spending*	**Advisory Entity**	**Functions/Duties**	**Organizational Structure**	**Notes**
Nevada, #38	Task Force for the Fund for a Healthy Nevada	Nevada Trust Fund for the Public Health develops policies for the use of income, **works with Task Force for the Fund for a Healthy Nevada, which oversees the use of Fund monies**.	TFFHN members are appointed by Governor and legislative leaders. Members include persons from the public health community.	Legisilative funding decisions are required to be based on the TFFHN recommendations, according to statutory formula: up to 30% for senior drug program, up to 30% for Dep of Human Resources for senior independent living, up to 20% for tobacco programs and up to 20% for improving health services for children and health and well-being of persons with disabilities.
North Carolina, #28	North Carolina Health and Wellness Trust Fund Commission	North Carolina HWTF Commission **was authorized to determine funding grants for the first 3 years, then to determine half of the funding grants thru 2025 and to determine funds from investment earnings**.	NCHWTF Commission has 18 members, appointed by Governor, Speaker and Senate President. Appointees represent providers, public, public health, health research, health policy, child health, health care delivery systems, health care for underserved populations, health and disease promotion and tobacco-related health care issues.	NCHWTF Commission determines some funding according to statutory purposes: promotion of public health, limiting youth access to tobacco and reducing the health consequences of tobacco use, and may give funding for administrative purposes.
Oklahoma, #17	Oklahoma Tobacco Settlement Endowment Trust Board of Directors	OTSET Board of Directors directs the earnings from the trust fund to fund programs to improve the health and well-being of Oklahomans, especially seniors and children. Board **sets strategic direction, oversees program evaluations and directs the earnings from the trust** to programs.	OTSET Board members represent Congressional districts. Oklahoma amended its Constitution to place a portion of the tobacco proceeds into an endowment fund and to create a 5-member Board of Directors.	OTSET Board directs funding. Approved purposes for expenditure of tobacco funds include clinical and basic research and treatment for cancer and other tobacco-related diseases, tobacco prevention and control, programs to maintain or improve health and enhance the provision of health care services, particularly children, programs and services for children, including education, before- and after-school programs, substance abuse prevention and treatment and programs to enhance the health and well-being of senior adults.

Examples - Other States' Tobacco Settlement Funding Structures

State, *US CDC ranking on tobacco control spending*	**Advisory Entity**	**Functions/Duties**	**Organizational Structure**	**Notes**
Vermont, #16	Vermont Tobacco Evaluation and Review Board	VTER Board **works with Agency on Human Services and Dept of Health** on budget, program criteria, policy development and review and evaluation of tobacco prevention and treatment programs.	VTER Board has 14 members, including commissioners, legislators, tobacco prevention agency, low-income community, youth, prevention educator, tobacco use researcher, health care community and tobacco counter-marketing expert.	VTER Board works with Agency on Human Services and Dept of Health. State law that provides that largest share of funds goes to Medicaid and low-income health care and 1/3 or at least $6million to tobacco prevention and tobacco trust fund has been overridden.
Virginia, #32	Virginia Tobacco Settlement Foundation Board of Trustees	**VTSF Board determines funding**, assists in efforts to restrict use of tobacco by minors, educating youth and parents on adverse health effects of tobacco, advocating for prevention of youth tobacco use, researching deleterious effects of tobacco and ways to reduce effects of tobacco on youth and encouraging private-public partnerships.	VTSF Board consists of 23 members: legislators, representatives of public health organizations, health professionals, citizens (including youth), Commissioner of Dept of Health and Chairman of Alcoholic Beverage Control Board.	VTSF Board makes funding decisions. VTSF was established to receive 10% of tobacco settlement revenues. VTSF Board decisions have been overridden and funds taken for other purposes for budget deficits.

APPENDIX G

Public Records Proceedings, Exceptions to Public Records, Title 1, Chapter 13, Section 434

Title 1, Chapter 13

Public Records and Proceedings, Exceptions to Public Records

§434. Review of proposed exceptions to public records

1. Procedures before legislative committees. Whenever a legislative measure containing a new public records exception is proposed, the joint standing committee of the Legislature having jurisdiction over the proposal shall hold a public hearing and determine the level of support for the proposal among the members of the committee. If there is support for the proposal among a majority of the members of the committee, the committee shall request the review committee to review and evaluate the proposal pursuant to subsection 2 and to report back to the committee of jurisdiction. A proposed exception may not be enacted into law unless review and evaluation pursuant to subsection 2 have been completed.

2. Review and evaluation. Upon referral of a proposed public records exception from the joint standing committee of the Legislature having jurisdiction over the proposal, the review committee shall conduct a review and evaluation of the proposal and shall report in a timely manner to the committee to which the proposal was referred. The review committee shall use the following criteria to determine whether the proposed exception should be enacted:

A. Whether a record protected by the proposed exception needs to be collected and maintained;

B. The value to the agency or official or to the public in maintaining a record protected by the proposed exception;

C. Whether federal law requires a record covered by the proposed exception to be confidential;

D. Whether the proposed exception protects an individual's privacy interest and, if so, whether that interest substantially outweighs the public interest in the disclosure of records;

E. Whether public disclosure puts a business at a competitive disadvantage and, if so, whether that business's interest substantially outweighs the public interest in the disclosure of records;

F. Whether public disclosure compromises the position of a public body in negotiations and, if so, whether that public body's interest substantially outweighs the public interest in the disclosure of records;

G. Whether public disclosure jeopardizes the safety of a member of the public or the public in general and, if so, whether that safety interest substantially outweighs the public interest in the disclosure of records;

H. Whether the proposed exception is as narrowly tailored as possible; and

I. Any other criteria that assist the review committee in determining the value of the proposed exception as compared to the public's interest in the record protected by the proposed exception.

2-A. Accountability review of agency or official. In evaluating each proposed public records exception, the review committee shall, in addition to applying the criteria of subsection 2, determine whether there is a publicly accountable entity that has authority to review the agency or official that collects, maintains or uses the record subject to the exception in order to ensure that information collection, maintenance and use are consistent with the purpose of the exception and that public access to public records is not hindered.

3. Report. The review committee shall report its findings and recommendations on whether the proposed exception should be enacted to the joint standing committee of the Legislature having jurisdiction over the proposal.