

Sec. 1. Commission established. Resolved: That the Commission to Study Public Health, referred to in this resolve as "the commission," is established to study the causes of obesity and methods to decrease the cost of health care and increase the public health; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 14 members appointed as follows:

1. Five members appointed by the President of the Senate as follows: 2 Senators, at least one of whom serves on the Joint Standing Committee on Health and Human Services; 2 representatives of statewide nutrition or health advocacy organizations; and one representative of a statewide organization of secondary school administrators;

2. Six members appointed by the Speaker of the House as follows: 2 Representatives, at least one of whom serves on the Joint Standing Committee on Health and Human Services; one representative of a statewide organization of school principals; one representative of a statewide organization of physicians; one representative of a statewide public health advocacy organization; and one representative of a statewide association of providers of oral health care; and

3. The following persons or their designees: the Attorney General; the Commissioner of Education; and the Director of the Bureau of Health within the Department of Human Services; and be it further

Sec. 3. Appointments; chairs; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The first-named Senate member and the first-named House of Representatives member shall serve as cochairs of the commission. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. The cochairs shall convene the first meeting of the commission no later than 15 days after appointment of all members; and be it further

Sec. 4. Duties; report. Resolved: That the commission shall study obesity in the State and methods to decrease the cost of health care and improve the public health. After examining these issues, the commission shall provide a report to the Legislature that includes legislation by December 1, 2003 on the following:

1. Strategies for assisting schools in meeting modern nutrition standards for school meals and food and drink offered on school property;

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2. Options for the adoption of a new nutrition pyramid, with attention to the food pyramid recommendations published by the Harvard School of Public Health and emphasis on increased consumption of vegetables, whole grains, fat-free milk, beans, soy products and nuts;

3. Analysis of physical education standards in Maine schools from 1970 forward, including review of the Maine system of learning results and standards in other states;

4. Review of possible methods for restricting advertising to students while in school or at school-related activities or school-sponsored activities, including actions taken in other states and legislation restricting advertising and contracts that result directly or indirectly in advertising or promotional information or displays;

5. Options for labeling fats in all packaged foods sold in the State, with attention given to information on unsaturated fats, trans fats and saturated fats;

6. Methods of encouraging healthy food purchasing by families using cash and under public benefit programs, including the possibility of restricting purchases under a public benefit program to certain categories of foods;

7. Analysis of discrimination based on personal size, using the Michigan human rights law as an example and consulting with the Attorney General regarding legal issues;

8. Analysis of the potential savings in health care costs and decreases in lost work time from the creation of fitness centers in major centers of state employment, and the savings over time from the fitness centers;

9. Analysis of the nutritional value of food for sale in places of state employment in cafeterias and snack bars and by vending machines; and

10. Analysis of the benefits and costs of providing insurance or health coverage for obesity prevention and nutrition counseling for state employees, retirees and MaineCare enrollees and for health coverage by carriers licensed under the Maine Revised Statutes, Title 24 or Title 24-A; and be it further

Sec. 5. Staff assistance. Resolved: That the commission may request staffing and clerical assistance from the Legislative Council and from the Department of Human Services; and be it further

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Sec. 6. Compensation. Resolved: That the legislative members of the commission are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at meetings of the commission. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses for their attendance at authorized meetings of the commission; and be it further

Sec. 7. Report. Resolved: That the commission shall submit its report with any accompanying legislation to the Second Regular Session of the 121st Legislature by December 1, 2003. The commission is authorized to introduce legislation related to its report to the Second Regular Session of the 121st Legislature. The report and legislation must have as goals improving public health, including cardiovascular health, decreasing rates of obesity, decreasing the cost of health care, increasing physical activity of youth and increasing awareness of healthy eating choices; and be it further

Sec. 8. Extension. Resolved: That, if the commission requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension; and be it further

Sec. 9. Commission budget. Resolved: That the chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for its approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget.

Upon request from the commission, the Executive Director of the Legislative Council or the executive director's designee shall promptly provide the commission chair and staff with a status report on the budget, expenditures incurred and paid and available funds.

SUMMARY

This resolve establishes the Commission to Study Public Health to study the causes of obesity and methods to decrease the cost of health care and improve public health. The commission is charged with submitting a report, together with legislation, to the Second Regular Session of the 121st Legislature by December 1, 2003.

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