

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
New Draft of: S. P. 717, L. D. 1697  
SECOND SPECIAL SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 1702**

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S. P. 718

In Senate, September 25, 1981

Reported by Senator Huber of Cumberland from the Committee on Appropriations and Financial Affairs and ordered printed under Joint Rules No. 2.

MAY M. ROSS, Secretary of the Senate

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT Making Appropriations, Authorizations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Relating to Federal Grants Necessary to the Proper Operation of State Government for the Fiscal Years Ending June 30, 1982 and June 30, 1983.**

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

Whereas, the Federal Government has changed its method of distributing certain funds from categorical grants to block grants effective October 1, 1981; and

Whereas, the 110th Legislature in the First Regular Session enacted legislation requiring legislative approval prior to the state implementation of federal block grants; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable on or after October 1, 1981; and

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

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

## PART A

**Sec. 1. Appropriations from General Fund.** In order to provide for necessary expenditures of State Government and other purposes for the fiscal year ending June 30, 1982, the following sums, as designated in the following tabulations, are appropriated out of any moneys in the General Fund not otherwise appropriated.

**APPROPRIATIONS FROM  
GENERAL FUND**

1981-82

HUMAN SERVICES, DEPARTMENT OF

Health — Bureau of

All Other	\$	31,500
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Provides funds to continue grants to community agencies for operation of public health nursing services such as home visits to the ill and services to high risk mothers and children.

All Other		67,500
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Provides funds to purchase laboratory supplies to continue such services as gonorrhea screening, lead testing, rabies testing and management of vaccine supplies.

Preventive Health Services

All Other		70,000
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Provides funds to continue community based family planning services which include physical exams, contraceptive counseling and provision of contraceptives.

Resource Development — Bureau of  
Purchased Social Services

All Other		533,250
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These funds shall be used in the following areas and in the amounts indicated.

Day Care		\$255,750
Mental Health		51,000

**APPROPRIATIONS FROM  
GENERAL FUND**

Mental Retardation	49,500
Nutrition/Adult Day Care	52,500
Transportation	86,250
Homemaker	38,250

533,250

Provides funds to replace loss of federal funding to continue grants to community agencies for social service programs.

All Other 519,750

These funds shall be used in the following areas and in the amounts indicated.

Blind	\$2,922
Day Care	167,868
Deaf	1,560
Family Planning	35,702
Homemaker	77,770
Mental Health	43,770
Mental Retardation	87,043
Nutrition	27,820
Support Services	28,769
Transportation	46,526

519,750

Provides funds for an increase in payments to maintain current service levels for community service providers.

Aid to Families with Dependent Children

All Other (2,200,000)

Deappropriates funds not needed due to changes in federal rules and regulations.

Aid to Families with Dependent Children

All Other 1,200,000

Provides funds to implement a work incentive program in accordance with Part E of this bill.

TOTAL PART A

\$ 222,000

## PART B

**Sec. 1. Block grant authorization.** In accordance with the Revised Statutes, Title 5, section 1670, the agencies listed in this section are authorized effective October 1, 1981, to accept and expend federal block grants in the following total amounts:

	STATE FISCAL YEAR 1982 DEPARTMENT ESTIMATE	STATE FISCAL YEAR 1983 DEPARTMENT ESTIMATE	FEDERAL FISCAL YEAR 1982 TOTAL FEDERAL BLOCK GRANT
<b>EXECUTIVE DEPARTMENT</b>			
Division of Community Services			
Community Services	\$ 1,800,440	\$ 360,175	\$ 2,160,615
Low Income Home Energy Assistance	23,681,773	151,940	23,833,713
<b>HUMAN SERVICES, DEPARTMENT OF</b>			
Maternal and Child Health	1,695,017	372,983	2,068,000
Preventive Health	527,854	141,146	669,000
Title XX Social Services	10,705,303	1,148,943	11,854,246
Alcohol, Drug Abuse and Mental Health	1,650,000	550,000	2,200,000
<b>MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF</b>			
Alcohol, Drug Abuse and Mental Health	<u>1,723,969</u>	<u>574,656</u>	<u>2,298,625</u>
<b>TOTAL BLOCK GRANTS</b>	<b>\$41,784,356</b>	<b>\$ 3,299,843</b>	<b>\$45,084,199</b>

**Sec. 2. Block grant allocations.** In order to provide for necessary expenditures of State Government and other purposes for the fiscal year ending June 30, 1982, the following sums, as designated in the following tabulations, are allocated from the revenues derived from federal block grants. Notwithstanding any other provision of law, all federal block grant allocations included in this Part shall be subject to Revised Statutes Title 5, section 1585.

**Allocations  
State  
Fiscal Year 1982**

**EXECUTIVE DEPARTMENT**

Division of Community Services

Community Services

Positions	(2)
Personal Services	\$ 59,048
All Other	1,741,392

Provides for the administration of  
Maine's 12 community action agencies.

Low Income Home Energy Assistance

Positions	(14)
Personal Services	\$ 318,022
All Other	23,363,751

It is the intent of the Legislature that  
15% of the funds received for this  
program shall be used for the  
Weatherization Program.

Provides assistance to low income  
households to pay for fuel and for part  
of the funds to be used for the  
Weatherization Program.

<b>TOTAL EXECUTIVE DEPARTMENT</b>	<b>\$25,482,213</b>
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**HUMAN SERVICES, DEPARTMENT OF**

Maternal and Child Health Block Grant

Crippled Children Services

Positions	(13)
Personal Services	203,485
All Other	293,316

	<b>Allocations State Fiscal Year 1982</b>
Provides medical care and services to handicapped children.	
<b>Maternal and Child Health</b>	
Positions	(31)
Personal Services	469,333
All Other	450,438
Capital	1,990
Provides funds for health services to mothers and children.	
<b>Federal Project Grants</b>	
Positions	(2)
Personal Services	26,305
All Other	14,700
Provides funds for SSI disabled children program.	
All Other	55,200
Provides funds for genetic disease projects.	
All Other	22,500
Provides funds for Sudden Infant Death Syndrome project.	
All Other	6,000
Provides funds to help individuals suffering from hemophilia.	
All Other	2,000
Provides funds for a lead-based paint poisoning prevention program.	
<b>Preventive Health Services</b>	
All Other	149,750
Provides funds for the adolescent pregnancy project.	
<b>TOTAL MATERNAL CHILD HEALTH SERVICES BLOCK GRANT</b>	<hr/> <b>\$1,695,017</b>

PREVENTIVE HEALTH AND HEALTH SERVICES  
BLOCK GRANT

Preventive Health and Health Services

Federal Project Grants

Positions	(3)
Personal Services	\$ 53,793
All Other	190,320

Provides funds for emergency medical services

Positions	(3)
Personal Services	40,530
All Other	36,500
Capital	18,152

Provides funds for dental disease prevention

Positions	(1)
Personal Services	18,906
All Other	91,841

Provides funds for hypertension control programs

All Other	12,000
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Provides funds for rape crisis intervention

Positions	(3)
Personal Services	39,715
All Other	26,097

Provides funds for risk reduction program

TOTAL PREVENTIVE HEALTH AND HEALTH SERVICES  
BLOCK GRANT

\$527,854

SOCIAL SERVICES

Purchased Services

Positions	(6)
Personal Services	\$ 72,257



## All Other

4,215,101

These funds shall be used in the following areas and in the amounts indicated.

Blind services	\$ 24,438
Day care	1,414,399
Deaf services	13,291
Emergency shelter	93,893
Family planning	240,950
Group homes	20,150
Homemaker	679,546
Mental health	404,727
Mental retardation	715,989
Nutrition/adult day service	194,646
Residential treatment	27,868
Special needs	60,023
Transportation	397,438

Total \$4,287,358

It is the legislative intent that the 5% administration charge that traditionally has been assessed against service providers under this program shall cease to be assessed beginning with the State's 1982-83 fiscal year. In the current fiscal year such assessments will amount to approximately \$231,000.

Provides funds for contracted community social services and ceases the 5% administration charge beginning with the 1982-83 fiscal year.

## Social Services — Regional

Positions	(225)
Personal Services	\$ 3,121,382
All Other	308,708

Provides funds for direct social services

## Bureau of Social Services

Positions	(31)
Personal Services	403,642

All Other	181,347
Provides funds for administrative services.	
Homemaker Services	
Positions	(23)
Personal Services	274,153
All Other	37,385
Provides funds for homemaker services.	
Administration — Regional	
Unallocated	\$1,043,562
Provides for administration of regional social service programs as determined by cost allocation plan.	
Bureau of Administration	
Unallocated	619,685
Provides for Title XX's share of departmental operating costs as determined by cost allocation plan.	
Positions	(9)
Personal Services	120,363
All Other	253,212
Provides for training programs for staff and community providers.	
Legal Services	
Unallocated	54,506
Provides for Title XX's share of legal costs.	
<b>TOTAL SOCIAL SERVICES BLOCK GRANT</b>	<b>\$10,705,303</b>
Alcohol and Drug Abuse	
Alcohol and Drug Abuse Prevention	
Positions	(12)
Personal Services	\$ 155,565

All Other	1,494,435
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Provides funds to support substance abuse services related to prevention and treatment. Approximately 8,000 people participate or benefit from activities of 17 community-based agencies supported by this program.

TOTAL ALCOHOL AND DRUG ABUSE BLOCK GRANT	\$1,650,000
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MENTAL HEALTH AND MENTAL RETARDATION,  
DEPARTMENT OF

Alcohol, Drug Abuse and Mental Health

Positions	(7)
Personal Services	\$ 101,638
All Other	1,609,956
Capital	12,375

Provides for services to chronic mentally ill persons and severely emotionally disturbed children and adolescents located throughout the 8 mental health geographic service areas in Maine. These services will include: Identification, assessment and treatment.

TOTAL ALCOHOL, DRUG ABUSE AND MENTAL HEALTH BLOCK GRANT	\$17,23,969
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**Sec. 3. Additional funds.** Any additional funds that might become available due to the implementation of the maternal and child health and preventive health block grants and the possible overlapping of other grants shall be carried forward for future allocation by the Legislature or may be used to offset any possible reduction in the above mentioned block grants.

TOTAL ALLOCATIONS PART B	\$41,784,356
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**PART C**

**Sec. 1. Allocation.** The following funds are allocated from the Alcoholism Prevention, Education Treatment and Research Fund for the fiscal year ending June 30, 1982.

**ALLOCATIONS**  
1981-82

EDUCATIONAL AND CULTURAL SERVICES,  
DEPARTMENT OF

All Other	\$ 150,000
Provides funds for alcohol and drug education programs.	

HUMAN SERVICES, DEPARTMENT OF

All Other	53,000
Provides for statewide prevention and intervention projects.	
All Other	978,000
Provides for grants to community service providers.	

MENTAL HEALTH AND MENTAL  
RETARDATION,  
DEPARTMENT OF

All Other	89,000
Provides for alcohol and drug abuse services.	

TOTAL PART C	\$1,270,000
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**PART D**

5 MRSA § 1670, as enacted by PL 1981, c. 316, Pt. K, is repealed and the following enacted in its place:

**§ 1670. Block grants**

1. **Procedure for changes.** Any change from federal categorical grants to federal block grants shall not be implemented on the state level without recommendations from the committee having jurisdiction over Appropriations and Financial Affairs and approval by the Legislative Branch of State Government.

2. **Allocation.** No expenditure shall be made from any block grants unless allocation of such funds is recommended by the committee having jurisdiction over Appropriations and Financial Affairs and approved by the Legislature.

3. **Reductions.** If actual receipt of funds from any block grants is less or is anticipated to be less than the amount allocated, such reduction shall immediately

be reported to the committee having jurisdiction over Appropriations and Financial Affairs which shall recommend any necessary changes in the allocations and appropriations to a special session of the Legislature, or if such reductions are deemed to be manageable in the time between sessions to the next regular session of the Legislature.

#### PART E

**Sec. 1. Work incentives.** Pursuant to the Private and Special Laws of 1981, chapter 43, the Legislature approves the Department of Human Services' plan to implement work incentives in the Aid to Families with Dependent Children Program. It is further understood that the Department of Human Services will present to the Second Regular Session of the 110th Legislature any further plans which provide maximum work incentive to the Aid to Families with Dependent Children grant calculation formula consistent with federal law and regulations. The plan shall insure no reduction in grants in the Aid to Families with Dependent Children recipients with no outside income.

#### PART F

It is the intent of this Legislature that those programs and functions relating to mental health and mental retardation that are presently funded under Title XX and located in the Department of Human Services shall be transferred to the Department of Mental Health and Mental Retardation effective February 1, 1982. The 2 departments involved shall study how this can best be implemented without any disruption of services and submit a joint report, together with any necessary legislation, to the Second Regular Session of the 110th Legislature no later than the end of the first week of the session, and such legislation shall be enacted on or before February 1, 1982. If the Federal Government requires that notification of such change in the block grant administration shall be submitted to them before the actual change can take place such notice shall be submitted by the party responsible in due time for implementation of legislative intent as established by this Part.

**Emergency clause.** In view of the emergency cited in the preamble this Act shall take effect when approved.

#### FISCAL NOTE

Part A appropriates funds from the General Fund for programs listed. These appropriations provide 9-month funding for the first year of the biennium.

	Fiscal year 1982
TOTAL PART A	\$222,000

PART B, section 1, authorizes the agencies to accept the block grants listed. The amounts included for fiscal year 1982 are for 3 quarters. The amounts included for fiscal year 1982 are for the first quarter only.

PART B, section 2, allocates block grant funds for the last 3 quarters of the state fiscal year, 1981-82.

	Fiscal year 1982
TOTAL PART B, SECTION 2	\$41,784,356

PART C allocates funds from the Alcoholism Prevention, Education Treatment and Research Fund for fiscal year 1982 only.

	Fiscal year 1982
Total Part C	\$1,270,000

**STATEMENT OF FACT**

The primary purpose of this bill is to obtain necessary legislative approval to accept federal funds which are required to satisfy certain program funding needs of State Government. This approval is required as a result of changes to the procedures whereby the Federal Government has provided such funding to State Government in the past.

Part A of this bill appropriates General Fund dollars which are required to enable the State to continue to provide necessary health and social services programs. The majority of these funds will replace federal funds which formerly provided for these services but which will no longer be received.

Part B of this bill authorizes specific agencies to accept certain federal block grants as required in the Revised Statutes, Title 5, section 1670 and makes allocations of such funds for the 1981-82 state fiscal year only.

The federal Omnibus Budget Reconciliation Act of 1981 contains provisions for the establishment of 9 block grants. This bill also reduced federal spending authorization for the programs involved by approximately 25%. Although some of the block grants simply replace one or 2 existing programs, others are more far reaching and consolidate a number of existing programs. Six of the 9 block grants require legislative approval prior to October 1, 1981 if the State is to administer the federal funds for the 1982 federal fiscal year.

State administration of the 6 block grants included in this bill will: Maintain continuity of funding and the delivery of services or assistance; give the Legislature and the Executive Branch greater ability within each block grant to tailor programs to local needs and enable the State to simplify program regulations and achieve administrative efficiencies.

**Community Services Block Grant**

These funds provide core administrative funding to Maine's 12 community action agencies for the following purposes: Mobilizing available resources in each county for residents at or below the federal poverty level; involving low-income citizens in the development of programs and policies which have a measurable impact on the causes of poverty in their communities and providing for uniform

fiscal accounting and personnel classification systems. The Division of Community Services retains 5% of these funds or \$90,022 for its administration of sub-grants to all community action agencies which have been designated eligible in fiscal year 1981. Another 5% will stay with the division for discretionary funding of innovative programs which have a measureable impact on the causes of poverty in the State. Only nonprofit agencies whose boards of directors consist of 1/3 elected or appointed public officials, 1/3 elected low income representatives and 1/3 private sector representatives are eligible to receive funds under this block grant.

#### **Low Income Home Energy Assistance Block Grant**

The purpose of this grant is to provide assistance to eligible low-income households to meet the costs of home energy. The money provided by this block grant enables eligible households to receive fuel deliveries. This fuel assistance is designed to help low income Maine citizens survive when they can no longer pay for fuel. This block grant is administered by the Division of Community Services through contracts with approved local program operators. The total federal share of administrative costs may not exceed 10%. Also 15% of the funds received for this program shall be used for the weatherization program.

#### **Maternal and Child Health Block Grant**

This block grant will provide funds for health services for mothers and children, medical care and services to handicapped children, the supplemental security income disabled children program, genetic disease projects, the sudden infant death project, to help individuals suffering from hemophilia, a lead-based paint poisoning prevention program and the adolescent pregnancy project. The State must match every 4 federal dollars with 3 state dollars.

#### **Preventive Health and Health Services Block Grant**

This block grant provides funds for preventive health services for individuals and families, especially those of limited means and for a variety of public health services to reduce morbidity and mortality and improve quality of life. Programs to be funded are emergency medical services, dental disease prevention, hypertension control programs, rape crisis intervention and the risk reduction program. No more than 10% of block grant funds can be used for state administration costs. No matching requirement is made, but block grant funds must supplement state or local spending and not supplant such spending.

#### **Social Services Block Grant**

This block grant contains the Title XX Social Services Program, the Title XX Day Care Program and the Title XX State and Local Training Program. Of the human services block grants, the Social Services Block Grant involves the least change from the status quo. The Title XX program has been administered by the State in the past and the activities and direction of the program have not significantly changed. Under block grant provisions the State has flexibility in determining who is eligible to receive services. Otherwise, since there is little change from the

previous Title XX program, there will be no appreciable change in program services because of the transition to block grant status. Expenditure of funds is governed by the Title XX plan which has provided extensive opportunity for public comment.

### **Alcohol, Drug Abuse and Mental Health Block Grant**

This block grant provides funds to establish and maintain programs to combat alcohol and drug abuse, to care for the mentally ill and to promote mental health. Administrative responsibility for block grant funds will be divided between the Departments of Human Services and Mental Health and Corrections. Only 10% of the funds may be used for administrative costs. No matching requirement is made, but block grant funds must supplement state or local spending and not supplant such spending.

Part C of this bill allocates funds from the Alcoholism Prevention, Education Treatment and Research Fund. These allocations, in conjunction with other funds, will allow the State to maintain the current level of alcoholism services.

Part D of this bill amends the block grant law to allow for future allocation of funds by the Legislature and for legislative action if cuts in funding should be experienced.

Part E of this bill allows for changes in the Aid to Families with Dependent Children program to implement work incentives.

Part F of this bill mandates that mental health and mental retardation services now delivered by the Department of Human Services shall be transferred to the Department of Mental Health and Mental Retardation by February 1, 1982.