

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
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SUBSECTION 4.

J.S. McCarthy Co., Inc.
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

CHAPTER 229

H.P. 266 - L.D. 336

AN ACT to Amend the Maine Community Services Act.

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

Sec. 1. 5 MRSA §3514, as enacted by PL 1983, c. 176, Pt. A, §3, is amended to read:

§3514. Division of Community Services

There is established, to carry out the purposes of this chapter, the Division of Community Services in the Executive Department, which shall carry out the responsibilities of State Government relating to planning and financing community services and community action agencies and shall administer state and federal community services' programs and other block grants that may be available, including, but not limited to, energy assistance and, weatherization, food assistance and Head Start.

Sec. 2. 5 MRSA §3518, sub-§1, as amended by PL 1983, c. 480, Pt. B, §4, is further amended to read:

1. Federal, state and other funds. Through plans and contracts developed with advice from the board, the division shall obtain, distribute and administer federal, state and other community services' funds, including block grants, energy assistance, weatherization, food assistance, Head Start and other ~~federal~~ funds as may become available. Any balances of funds appropriated to the Division of Community Services remaining at the end of a fiscal year shall not lapse, but shall be carried forward from year to year to be expended for the same purpose.

Sec. 3. 5 MRSA §3518, sub-§3, ¶C, as enacted by PL 1983, c. 176, Pt. A, §3, is amended to read:

C. The division shall evaluate community action agencies every ~~2~~ 3 years.

Sec. 4. 5 MRSA §3520, sub-§2, ¶A, as amended by PL 1983, c. 480, Pt. B, §5, is further amended to read:

A. Overall direction, oversight and development of policies of the agency;

Sec. 5. 5 MRSA §3521, as enacted by PL 1983, c. 176, Pt. A, §3, is amended to read:

§3521. Programs

All programs administered by community action agencies shall be in conformance with federal and state laws and regulations. ~~Recipients of Applicants~~ for programs and assistance shall be promptly notified of their rights and responsibilities when they qualify for or are denied services.

Sec. 6. 5 MRSA §3522, as amended by PL 1983, c. 480, Pt. B, §§6 and 7, is further amended to read:

§3522. Allocation of Community Services Block Grant funds

1. Distribution of Community Services Block Grant funds. The Division of Community Services shall administer and distribute to community action agencies, according to Title 5, section 1670, ~~block grant~~ Community Services Block Grant funds received from the Federal Government.

2. Community action agencies; priority. Of the 90% passed through to local agencies, community action agencies shall receive first priority in the allocation of ~~community services block grant~~ Community Services Block Grant funds. These funds shall be distributed according to a formula determined annually as follows.

A. Twenty percent of this 90% of the ~~community services block grant~~ Community Services Block Grant funds shall be divided equally among all designated agencies.

B. The balance of these funds shall be distributed according to rules as promulgated by the division with advice from the board.

3. Block grant proposals. Proposals for ~~community services block grant~~ Community Services Block Grant funds, submitted to the Legislature by the division in accordance with section 1670, shall be developed with advice from the board and shall:

A. Include a description of current usages of ~~community services block grant~~ Community Services Block Grant funds and how the plan proposes to change that distribution;

B. Retain the absolute minimum necessary for state administrative costs; and

C. Provide for maximum flexibility within community action agencies for the usage of community services block grant Community Services Block Grant funds.

Sec. 7. 5 MRSA §3523 is enacted to read:

§3523. Confidentiality of records

1. Confidentiality. Records containing the following information shall be deemed confidential and shall not be considered public records for the purpose of Title 1, section 402, subsection 3, or any amendment thereto:

A. Any information acquired by a state agency, municipality, district, private corporation, co-partnership, association, fuel vendor, private contractor, individual or an employee or agent of any of those persons or entities, providing services relating to authorized programs of the Division of Community Services or programs administered by community action agencies, when that information was provided by the applicant for those services or by any 3rd person; and

B. Any statements of financial condition or information pertaining thereto submitted to any of the persons or entities set forth in paragraph A in connection with an application for services relating to authorized programs of the Division of Community Services or programs administered by community action agencies.

2. Exceptions. Notwithstanding subsection 1, any person or agency directly involved in the administration or auditing of those programs and any agency of the State with a legitimate reason to know shall be given access to those records.

3. Waiver of protection. Nothing in this section may be construed to limit in any way the right of any person whose interest is protected by this section to waive in writing the benefits of protection.

4. Reports to State Government or Federal Government. Notwithstanding subsection 1, the Division of Community Services may make such full and complete reports concerning its administration of authorized programs as may be required by the Legislature, the

Federal Government or any agency or department there-
of.

Effective September 19, 1985.

CHAPTER 230

H.P. 268 - L.D. 338

AN ACT Authorizing the Department of Inland
Fisheries and Wildlife to Continue to
Regulate the Harvest of Antlerless
Deer.

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

12 MRSA §7457, sub-§1, ¶H, as enacted by PL 1981, c. 624, is repealed and the following enacted in its place:

H. The commissioner may regulate the taking of antlerless deer within any area of the State, as necessary, to maintain deer populations in balance with available habitat, provided that:

(1) The demarcation of each area shall follow recognizable physical boundaries such as rivers, roads and railroad rights-of-way;

(2) The determination is made and published prior to August 1st of each year;

(3) The commissioner may implement an antlerless deer permit system, provided that, by March 1st of the year of implementation, the department shall submit the rules necessary for the system to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife for review, comment and submission of any necessary legislation;

(4) If an antlerless deer permit system is implemented, the application fee for a permit to take an antlerless deer shall not exceed \$1;

(5) The commissioner may adopt rules necessary for the administration, implementation,