

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
(NEW DRAFT OF S. P. 40, L. D. 79)

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# ONE HUNDRED AND SIXTH LEGISLATURE

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**Legislative Document**

**No. 394**

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S. P. 190

In Senate, January 30, 1973

Reported by the Majority from Committee on Appropriations and Financial Affairs, and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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### **AN ACT Making Additional Appropriations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1973.**

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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 said 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, Public Law 92-512 (Revenue Sharing Act) recently passed by Congress contains provisions restricting the use of federal funds for social services resulting in the curtailment of certain services for the elderly and for children; 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:

**Sec. 1. Statement of intent.** This legislation provides for funding of certain social services programs through March 15, 1973. The federal funds for these programs were cut back by an amendment to the Revenue Sharing Act recently passed by Congress. This Legislature has been requested to fund these services for the remainder of this fiscal year ending June 30, 1973. The purpose in funding this legislative Act for only 2½ months is to enable this Legislature to study and thus intelligently evaluate the many

social services programs which have been curtailed and to determine those which should be financed by the State, which by local municipalities or terminated altogether. The Legislature is eminently aware that substantial moneys are now available to municipalities through recently enacted federal and state revenue sharing measures. The Revenue Sharing Act, in fact, specifically includes language authorizing the use of federal funds for 8 "priority areas," one of which is "social services to the poor and aged." The Legislature urges each municipality in the State and any welfare agency affected to examine its budgetary commitments and limitations in light of these additional available funds and to set up its priorities in the event that this Legislature determines not to fund some or all such quasi-welfare programs.

In other words, municipalities should clearly understand that the decision of this Legislature to fund the programs encompassed herein is no indication or commitment that further appropriations will be forthcoming from the State after March 15, 1973 and they should be prepared to fund any that, in their judgment, have merit.

**Sec. 2. Appropriations for necessary expenditures of government.** In order to provide for the continuation of services to nonwelfare recipients who were receiving services under Title IV-A and XVI of the Social Security Act of 1935 as amended prior to implementation of the aforementioned restrictions, the following sum or as much thereof as shall be found necessary is appropriated for the fiscal year ending June 30, 1973 out of any moneys in the General Fund not otherwise appropriated or provided by law. Upon receipt of allotments duly approved by the Governor and Council based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures of these appropriations and revenues accruing thereto, together with expenditures for other purposes necessary to the conduct of State Government on the basis of such allotments and not otherwise.

**Sec. 3. Appropriation.** There is appropriated from the General Fund to the Department of Health and Welfare the sum of \$350,000 to carry out the purposes of this Act. The breakdown shall be as follows:

HEALTH AND WELFARE, DEPARTMENT OF		1972-73
Supplemental Social Services		
All Other		\$350,000
Provides emergency funds for continuation of Social Services curtailed due to federal restrictions.		

The commissioner is authorized to establish rules and procedures to implement the intent of this legislation.

In the event the appropriation is not adequate, each grant shall be reduced by an equal proportion of the demonstrated need.

It is the intent of the Legislature that funds appropriated by this Act shall be used solely and exclusively to sustain for a period of time ending March

15, 1973 social services previously provided by certain Title IV-A and Title XVI contracts between the Department of Health and Welfare and selected human services agencies. These funds shall be used only to maintain a level of service to people not receiving welfare who formerly were eligible for benefits under Titles IV-A and XVI of the United States Social Security Act and who are no longer eligible or would be denied such benefits in accordance with any federal laws enacted as amendments to the so-called Revenue Sharing Act of 1972. The level of service to be maintained, i.e., the type of client served and the kind, scope and quantity of service, shall not exceed that specified in such contracts that were in force between the department and such agencies during the 4th quarter of calendar year 1972.

These funds shall not be used to initiate new or expand existing services in any way.

Any unused balances of this appropriation remaining with the Department of Health and Welfare or with human services agencies on or after March 15, 1973 shall be returned to the General Fund by appropriate fiscal procedures.

If any human services agency uses any portion of the funds herein appropriated for any other purpose than that authorized by this Act, they shall forfeit to the Treasurer of the State of Maine, to be deposited in the General Fund, an amount equal to those funds used contrary to the dictates of this Act.

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