

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SEVENTH LEGISLATURE

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**Legislative Document**

**No. 1768**

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H. P. 1187

House of Representatives, March 25, 1975

Referred to Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. LaPointe of Portland.

Cosponsor: Mrs. Goodwin of Bath.

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## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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### AN ACT to Clarify the Priority Social Services Program to Assure Effective Utilization of State and Federal Resources for Human Services.

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

Sec. 1. 22 MRSA § 5104, sub-§§ 10 and 11 are enacted to read:

10. Rural area. "Rural area" means a geographical area or place of less than 10,000 inhabitants. "Rural population" consists of all persons living in places of less than 10,000 inhabitants incorporated as cities, villages, boroughs and towns, including those persons living in the rural portions of extended cities, unincorporated places of less than 10,000 inhabitants and other territory, incorporated or unincorporated.

11. Extended city. "Extended city" means a city containing one or more areas, each of at least 5 square miles in extent and with a population density of less than 100 persons per square mile according to the 1970 census. The area or areas shall constitute at least 25% of the land area of the legal city or total 5 square miles or more.

Sec. 2. 22 MRSA § 5304, sub-§§ 18 and 19 are enacted to read:

18. Rural area. "Rural area" means a geographical area or place of less than 10,000 inhabitants. "Rural population" consists of all persons living in places of less than 10,000 inhabitants incorporated as cities, villages, boroughs and towns, including those persons living in the rural portions of extended cities, unincorporated places of less than 10,000 inhabitants and other territory, incorporated or unincorporated.

19. Extended city. "Extended city" means a city containing one or more areas, each of at least 5 square miles in extent and with a population density

of less than 100 persons per square mile according to the 1970 census. The area or areas shall constitute at least 25% of the land area of the legal city or total 5 square miles or more.

Sec. 3. 22 MRSA § 6105, as enacted by P&SL 1973, c. 38, § 1, is amended to read:

§ 6105. Priority Social Services Program

There is established the "Priority Social Services Program." This program shall provide certain priority social services, with an emphasis placed on the development of human services in rural areas of Maine, to residents of the State by encouraging and assisting qualified community, regional and state level, private nonprofit and public nonstate government social agencies to develop greater capacity, to foster the development and provision of priority social services programs by entering into coordinated, cooperative agreements between the State of Maine and such agencies. The program shall begin effective July 1, 1973, except that prior to that date the Department of Health and Welfare is authorized to perform, within the limits of available funds, any and all actions necessary to initiate a properly administered program.

Sec. 4. 22 MRSA § 6111, as enacted by P&SL 1973, c. 38, § 1, is repealed and the following enacted in place thereof:

§ 6111. Cost sharing of expenditures

1. Development of resources, cooperation and funding. To encourage and assist development of more effective and more coordinated use of existing and new resources and interagency cooperation as well as combined, joint funding of social services; expenditures for priority social services shall be shared either by the beneficiary of each service to extent possible within the resources available to the beneficiary in accordance with subsection 2; or by the agency providing the social service; by available federal resources as discussed in subsection 3; or by the State of Maine in total amount not to exceed that specified in each agreement and in a proportion not to exceed the percent of expenditures for each type of service specified in subsection 4.

2. Fees for services. Private, nonprofit and public agencies operating social services as authorized and funded in part under the Priority Social Services Program may charge fees or accept contributions to the agency for beneficiaries for actual provision of priority social services. Fee charges will be in accordance with a graduated fee scale. This scale shall not require charges to lower income beneficiaries.

The Department of Health and Welfare may establish and enforce adherence to a graduated fee scale that applies uniformly throughout the State of each type of service and based upon a resident's ability to pay. Social agencies making charges for priority social services shall do so in accordance with the graduated fee scale established by the department.

3. Use of Federal Government resources. All resources available for the United States Government to support all or part of the cost of a priority social service shall be utilized to the fullest extent reasonably feasible with

their limiting constraints, prior to obligation of state funds. State funds appropriated for the Priority Social Services Program shall be expended only for types of social services and only for providing social services to classes of beneficiaries of priority social services which do not qualify for funding from Federal Government resources, especially Titles IV-A and XVI of the Social Security Act or their successors. Failure to qualify may be due to constraints on federal programs limiting use of federal funds to certain segments of the population or certain definitions of types of service or due to the absence of available federal funds, or other reasonable causes.

4. Maximum state share of cost. State funds appropriated for priority social services may be used to pay a portion of expenditures under each agreement for each type of social service in an amount not to exceed the maximum percentage for state funds of 100% of the total expenditures for each type of priority social service as specified below. 100% funding shall be available for not more than 3 years consecutively or in total.

State funds appropriated for priority social services may be used to pay a portion of expenditures under each agreement for each type of social service in an amount not to exceed the maximum percentage for state funds of the total expenditures for each type of priority social service as specified below when programs have been funded for a total of 3 years, consecutively or in total. The maximum percentage of state funds of the total expenditures for each type of service shall not exceed:

- 75% for homemaker service;
- 75% for developmental day care;
- 75% for services for the mentally retarded;
- 75% for meals for older people;
- 75% for mental health services;
- 75% for transportation services;
- 75% for coordinated elderly programs.

State funds shall be expended by a contractee only when the nonstate share of total expenditures under each agreement includes expenditures of an amount of funds which are equal to 25% of the nonstate share and which are provided by municipal, county or other political subdivisions other than the State or Federal Government.

5. Maximum use of nonstate resources. State funds paying a portion only of expenditures for priority social services shall be valid only when "earned" or "matched" by expenditure of nonstate resources which may be cash or in-kind. The expenditure of such resource shall be in an amount at least equal to the minimum percentage for nonstate resources of the total expenditures for each type of priority social services as specified below. The minimum percentage for nonstate resources of the total expenditures for each type of service shall be:

- 25% for homemaker service;
- 25% for developmental day care;
- 25% for services for mentally retarded;
- 25% for meals for older people;
- 25% for mental health services;
- 25% for coordinated elderly programs;
- 25% for transportation services.

Nonstate resources authorized to qualify to earn or match state funds shall include private funds such as gifts, grants, fees for service or contributions; in-kind resources that are actual out of pocket expenditures or actual loss of revenue related directly and essentially as an integral part of the operation of a priority social service; and public revenues such as municipal taxes, a municipal or county amount of federal revenue sharing funds, other appropriate federal resources and state revenue sharing funds and such other public resources as may be received by, generated by or available to a municipal or county government or other political subdivision or quasi-governmental bodies.

Any portion of state funds appropriated for priority social services may be used to earn federal funds to offer social services to residents who do not qualify for social services payable under Titles IV-A and XVI of the Social Security Act.

**Sec. 5. Amendatory provision.** Wherever in Title 22, chapters 1451 to 1503 there appears reference to Title IV or Title VI of the United States Social Security Act, as amended, there shall be substituted: "Title IV or Title VI, or their successors or amendments or additions thereto, of the United States Social Security Act, as amended."

**Sec. 6. Appropriation.** There is appropriated from the General Fund to the Department of Health and Welfare the sum of \$2,511,612 to carry out the purposes of this Act. The breakdown shall be as follows:

	1975-76	1976-77
HEALTH AND WELFARE, DEPARTMENT OF		
Priority Social Services		
Personal Services	(5) \$ 65,522	(5) \$ 66,831
All Other:		
Elderly	288,500	288,500
Nonelderly	856,299	945,960
	\$1,210,321	\$1,301,291

## STATEMENT OF FACT

The Priority Social Services Program was created by the 106th Legislature to assure maximum utilization of existing resources at the federal, state and local levels for certain priority social services.

The program is designed to provide said services to Maine residents who do not qualify for social services provided for by federal legislation, particularly Title IV and VI of the Social Security Act or their successors. During the special session of the 106th Legislature, the Priority Social Services Program was further clarified. This bill provides further clarification of the Priority Social Services Program guidelines to insure maximum use by those in greatest need of Priority Social Services.

First, this bill creates a priority for providing human services in rural areas of the State. Secondly, this bill changes the requirements concerning percentages of state and local matching shares, in order to allow human services providers necessary funding for essential services without the need to generate large nonstate moneys, a difficult task in many of the poor rural areas of the State. Specifically this bill allows the State to fund up to 100% of the total expenditures for each type of priority social service for not more than 3 years either consecutively or in total. After that time, the State can provide not more than 75% of funding.

The bill further states that nonstate matching shares may be in cash or donated services and must support at least 25% of the costs of the program.