

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 849

S. P. 281

In Senate, March 1, 1979

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

Presented by Senator Najarian of Cumberland

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Expand the Availability of Certain Social Services by Increasing
Income Eligibility.**

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

Sec. 1. 22 MRSA § 9, sub-§ 1, last sentence, as enacted by PL 1977, c. 574, is amended to read:

Any fees thus received shall constitute a permanent fund for use by the department as special revenue income ~~and shall be used to defray the expenses of the services charged for~~ and shall not become part of the General Fund.

Sec. 2. 22 MRSA § 9, sub-§ 1, as enacted by PL 1977, c. 574, is amended by adding at the end the following new sentences:

Funds so generated shall be used for additional services and shall be used for the same social services for which the fees were paid. The services provided to recipients whose income is between 80% and 115% of the state's median income shall not exceed 20% of the service units provided in each category of service.

Sec. 3. 22 MRSA § 9, sub-§ 2, ¶ A, first sentence, as enacted by PL 1977, c. 574, is amended to read:

Any fees which are paid pursuant to this subsection shall be paid to the agency which directly provides the service; ~~and, notwithstanding any provision in~~

~~subsection 1, these fees shall be used by the agency to defray the expenses of services charged for and shall proportionately reduce reimbursements to the agency by the department for those services.~~

Sec. 4. 22 MRSA § 9, sub-§ 3, ¶ B, including the Fee Scale, as enacted by PL 1977, c. 574, is repealed.

Sec. 5. 22 MRSA § 9, sub-§§ 4 and 5 are enacted to read:

4. Review annually. The Department of Human Services shall review the day care fee scale at least annually and adjust the fee as the median income used as a basis in determining eligibility for service is adjusted. Fees shall be charged those persons between 60% and 115% of the state median income.

The sliding fee scale for child day care shall be a progressive fee schedule and positively relate to the person's ability to pay.

5. Formula for 1979-80 income guidelines. The formula to be applied to the 1979-80 income guidelines and all subsequent annual revisions of the state median income shall be:

A. The amount of the fee as a percentage of the person's income shall increase with income. The amount of increase in percentage shall be limited to 1% of the gross weekly income of a family of 4 between 60% and 115% of state median income, not to exceed 11%. The state median income shall be divided into 12 income increments.

STATEMENT OF FACT

The intent of this legislation is to amend the original child care fee scale to reflect the use of a fee scale formula. The inclusion of a formula allows for simplification of the process of determining the fee scale at such time that the state median income is adjusted. This is in keeping with the intent of the original fee scale legislation. A sliding fee scale will proportionately expand services by having the recipient pay a portion of the cost of day care services.

The intent of this bill is to allow the Department of Human Services more flexibility in determining the proportion of allocation of fee income.