

MAINE STATE LEGISLATURE

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(New Draft of S.P. 34, L.D. 42)
FIRST REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document

No. 1132

S.P. 409

In Senate, March 26, 1985

Reported by Majority Report from the Committee on Human Resources and printed under Joint Rule 2. Original bill sponsored by Senator Berube of Androscoggin. Cosponsored by Representative Melendy of Rockland, Representative Manning of Portland and Representative Pines of Limestone.

JOY J. O'BRIEN, Secretary of the Senate

STATE OF MAINE

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

AN ACT To Amend the Social Services Planning
and Expenditures Act.

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

5 MRSA §§1641 to 1643, as enacted by PL 1983, c. 495, are repealed and the following enacted in their place:

§1641. Legislative findings and intent

The Legislature finds that the many social service needs of the citizens of this State are varied and often complex. State Government agencies have been organized to provide the most efficient delivery system possible to meet these social service needs. The Legislature recognizes that any governmental structure requires a coordinated and cooperative effort on the part of the various state agencies to ensure that the social services programs of the State

adequately meet the social services needs of the citizens and to avoid needless duplication of effort on the part of these agencies.

The Legislature further finds that, because of the complexity of the social service needs of the citizens and the multiplicity of funding sources available to meet those needs, it is difficult to gain a complete understanding of the overall scope of the social service system and of the specific programs within that system. Without this understanding, the legislative and executive branches of government are hindered in their efforts to provide a coordinated social services program.

It is the intent of this chapter to make available the necessary factual and fiscal information that will assist the Governor, the executive agencies, the Legislature, the recipients of social services, the providers of social services and the general public in reviewing and evaluating the overall scope of the social services system in this State and in participating on an informed basis in developing public policy concerning the social services needs of our citizens.

§1642. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Department. "Department" means the Department of Human Services and the Department of Mental Health and Mental Retardation.

2. Division. "Division" means the Executive Department, Division of Community Services.

3. Income supplementation programs. "Income supplementation programs" means programs designed to supplement the income of a person or family and includes aid to families with dependent children, food stamps, food distribution, general assistance, supplemental security income or any other income related program utilizing state-administered funds.

1 4. Related health and medical ser-
2 vices. "Related health and medical services" means
3 all health or medical services utilizing
4 state-administered funds, including Medicaid and
5 health block grants.

6 5. Report. "Report" means the State's social
7 services report.

8 6. Social service. "Social service" means any
9 children's, youth, adult or elderly service and alco-
10 holism, community action, developmental disability,
11 drug or substance abuse, home-heating assistance, ju-
12 venile, mental health, mental retardation, older
13 Americans, poverty, rehabilitation, transportation,
14 weatherization or other social service that may be
15 defined in the future and that is operated by the de-
16 partments or the division utilizing
17 state-administered funds, including related health
18 and medical services and income supplementation pro-
19 grams.

20 7. State - administered funds. "State - admin-
21 istered funds" means all General Fund money, dedi-
22 cated funds, federal funds, fees, grants, 3rd-party
23 reimbursements, vendor payments or other funds or
24 revenues available for expenditure by the departments
25 or the division in support of the provision of a so-
26 cial service.

27 §1643. State's social services report

28 The departments and the division shall prepare a
29 written report of the State's social service pro-
30 grams. This report shall be presented to the Gover-
31 nor and the Legislature, widely distributed to commu-
32 nity social service agencies and made available to
33 the public no later than December 1st of each year.

34 The report in each even-numbered year shall pro-
35 vide an update of information for the current bienni-
36 um, indicating adjustments, additions and anticipated
37 changes in programs and service delivery to the ex-
38 tent that information is available.

39 1. General. The report shall be a single, con-
40 cise document presenting a descriptive and fiscal

1 summary of social service programs in an easily un-
2 derstood manner.

3 2. Format. The report shall utilize a uniform
4 format focusing on target populations grouped by ma-
5 ajor program areas. Characteristic data of the target
6 populations shall be included to the extent that in-
7 formation is available. The report shall contain an
8 integrated description of the operations of the de-
9 partments and the division in each program area, de-
10 scribing the social services as a coordinated and co-
11 operative plan when a service is provided by more
12 than one department or division. When appropriate,
13 the fiscal information shall be displayed by account
14 by department, and when applicable by subdivision of
15 that department, and by the division and shall also
16 be displayed as a total expenditure.

17 3. Contents. The report shall contain:

18 A. Program descriptions, including the social
19 service need being met, the goals and objectives
20 of the program, the services provided and the
21 priorities for those services;

22 B. State-administered funds expended during the
23 immediately preceding biennium;

24 C. State-administered funds available for the
25 current biennium, including anticipated federal
26 funding to the extent that information is availa-
27 ble or can be anticipated;

28 D. Policy issues including major changes in pro-
29 gram emphasis and trends and continuum of care
30 offered; and

31 E. Fiscal information and service statistics for
32 each fiscal year of the current biennium, com-
33 pared with the corresponding information of each
34 fiscal year of the immediately preceding bienni-
35 um.

36 4. Other state agencies. The report shall in-
37 clude social service programs administered by state
38 agencies other than the departments and the division
39 to the extent that those social services are related

1 to the programs described in the report. Those agen-
2 cies shall participate in preparing the report to the
3 extent necessary to ensure the program descriptions
4 accurately portray how those services fit into the
5 overall social service system and to provide the nec-
6 essary fiscal information.

7 STATEMENT OF FACT

8 The Social Services Planning and Expenditure Act
9 was enacted in 1983 to establish a procedure and a
10 timetable for the development of a social services
11 plan. The plan was to contain an assessment of past
12 programs and tentative recommendations for the next
13 year and included provisions for extensive public
14 hearings and for legislative workshops.

15 It has been difficult to implement parts of the
16 original Act. The public hearings have been a drain
17 on the resources of the departments and division that
18 are involved in the project. The timetable required
19 by current law creates problems for the departments
20 and division by requiring budget priorities for the
21 social services plan before the Governor has deter-
22 mined his budget priorities.

23 The new draft addresses the difficulty of the
24 current plan; yet, retains the essentials of a social
25 services document which can be used to make available
26 the necessary factual and fiscal information that
27 will assist the Governor, the executive agencies, the
28 Legislature, the recipients of social services, the
29 providers of social services and the general public
30 in reviewing and evaluating the overall scope of the
31 social services system in this State and in partici-
32 pating on an informed basis in developing public pol-
33 icy concerning the social service needs of Maine cit-
34 izens.

35 The relevant departments and the division will
36 prepare an easily understood report of the State's
37 social service programs each year. The report shall
38 provide an overview of the immediately preceding bi-
39 ennium and, to the extent such information is cur-
40 rently available, of the current biennium. Each year

1 of the legislative session, the report shall outline
2 the current biennium budget as just enacted.

3 In order to provide a valid overview of social
4 services, the report shall focus on selected target
5 populations and shall contain an integrated descrip-
6 tion of the operations of the departments and divi-
7 sion in each program area, describing the services as
8 a coordinated and cooperative plan when a service is
9 provided by more than one department or division.
10 The report will build on the base of information
11 which is required by current law; thus, the effort to
12 date to implement this law will be utilized for the
13 new report.

14 The major changes in this new draft from the cur-
15 rent law are as follows:

16 1. The new draft deletes all requirements for
17 public hearings and legislative workshops. Many pub-
18 lic hearings are already held on social service pro-
19 grams. The Human Services Council can also hold
20 broad-perspective public hearings to help focus pub-
21 lic input on the social services plan. The Legisla-
22 ture can schedule workshops any time it desires;

23 2. The new draft adjusts the timetable to re-
24 flect more adequately the availability of informa-
25 tion. The report will not require budget priorities
26 before they have been determined by the Governor; and

27 3. The new draft reflects a change in focus from
28 a plan which compares the current social services
29 with those services which will be requested during
30 the next 2 years to a report of the last biennium's
31 social services and those social services funded by
32 the state appropriation and federal money during the
33 immediately preceding 12-month period. This shift in
34 focus is a natural result of the timetable change. To
35 the degree that such information is available, the
36 report requires a discussion of certain policy is-
37 sues, including major changes in program emphasis and
38 trends in social service programs.

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