

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

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Legislative Document

No. 1743

H.P. 1234

House of Representatives, December 27, 1985

Submitted by the Executive Department, Division of Community Services pursuant to Joint Rule 24.

Received by the Clerk of the House on December 27, 1985. Referred to the Committee on State Government and 1,600 ordered printed pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk

Presented by Representative Simpson of Casco.

Cosponsored by Representative Joseph of Waterville and Representative Randall of East Machias.

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STATE OF MAINE

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

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AN ACT to Amend the Maine Community Services Act.

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

Sec. 1. 5 MRSA §3512, first ¶, as enacted by PL 1983, c. 176, Pt. A, §3, is amended to read:

It is the purpose and intent of this Act to delineate a system of community services and community action agencies to enhance and stimulate economic opportunity and self-sufficiency for all citizens. It is the purpose of this system to assure an effective focusing of private, local, state and federal resources upon these goals, enabling disadvantaged citizens and their families to attain the skills, knowledge, motivation and opportunities needed to become self-sufficient.

Sec. 2. 5 MRSA §3513, sub-§5, as enacted by PL 1983, c. 176, Pt. A, §3, is amended to read:

1           5. Poverty level. "Poverty level" means the of-  
2       ficial poverty level issued by the United States Sec-  
3       retary of Health and Human Services pursuant to the  
4       United States Omnibus Budget Reconciliation Act of  
5       1981, Section 673(2), United States Code, Title 42,  
6       Section 9902 Director of the United States Office of  
7       Management and Budget.

8           Sec. 3. 5 MRSA §3514, as amended by PL 1985, c.  
9       229, §1, is further amended to read:

10       §3514. Division of Community Services

11           There is established, to carry out the purposes  
12       of this chapter, the Division of Community Services  
13       in the Executive Department, which shall carry out  
14       the responsibilities of State Government relating to  
15       planning and financing community services and commu-  
16       nity action agencies and shall administer state and  
17       federal community services' programs and other block  
18       grants that may be available, including, but not lim-  
19       ited to, energy assistance, weatherization energy  
20       conservation, food assistance and Head Start.

21           Sec. 4. 5 MRSA §3515, sub-§2, ¶E, as enacted by  
22       PL 1983, c. 176, Pt. A, §3, is amended to read:

23           E. Advise the Governor and other officials of  
24       State Government on matters relating to fuel as-  
25       sistance programs and weatherization energy  
26       conservation services for low income people, and  
27       other authorized programs and services of the  
28       division;

29           Sec. 5. 5 MRSA §3517, sub-§2, as enacted by PL  
30       1983, c. 176, Pt. A, §3, is amended to read:

31           2. Membership. The Community Services Advisory  
32       Board shall consist of the following 12 members: One  
33       member of the House of Representatives to be ap-  
34       pointed by the Speaker of the House of Representa-  
35       tives, to serve a term of 4 years; one member of the  
36       Senate to be appointed by the President of the Sen-  
37       ate, to serve a term of 4 years; the Director of Com-  
38       munity Services, to serve ex officio; and 9 members,  
39       to be appointed by the Governor, who shall serve  
40       4-year terms, except those first appointed, who shall

1 serve terms as follows: An executive director of a  
2 community action agency to serve for 3 years; an  
3 elected municipal official from one of the municipal-  
4 ities which act as local program operators who is in-  
5 formed about the perspectives and concerns of commu-  
6 nity action agencies to serve for 3 years; 2 repre-  
7 sentatives from boards of directors of community ac-  
8 tion agencies, one to serve for 4 years, the other to  
9 serve for 2 years; 2 recipients of assistance or ser-  
10 vice from a subgrantee of the Division of Community  
11 Services, one to serve for 4 years and one to serve  
12 for 2 years; and 3 members from the general public,  
13 one to serve for 2 years, one to serve for 3 years,  
14 and one to serve for 4 years. Each member shall hold  
15 office until a successor has been duly appointed and  
16 has qualified. Vacancies shall be filled by appoint-  
17 ment for the unexpired term.

18 Attention shall be given towards ensuring that state-  
19 wide geographic representation is reflected in the  
20 board's membership. A chairman shall be elected by  
21 a majority vote of the board.

22 Sec. 6. 5 MRSA §3518, sub-§1, as amended by PL  
23 1985, c. 229, §2, is further amended to read:

24 1. Federal, state and other funds. Through  
25 plans and contracts developed with advice from the  
26 board, the division shall obtain, distribute and ad-  
27 minister federal, state and other community services'  
28 funds, including block grants, energy assistance,  
29 ~~weatherization~~ energy conservation, food assistance,  
30 Head Start and other funds as may become available.  
31 Any balances of funds appropriated to the Division of  
32 Community Services remaining at the end of a fiscal  
33 year shall not lapse, but shall be carried forward  
34 from year to year to be expended for the same pur-  
35 pose.

36 Sec. 7. 22 MRSA c. 1458, as amended, is re-  
37 pealed.

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STATEMENT OF FACT

2           In section 1 of this bill, private resources have  
3 been added to those resources which will be used to  
4 accomplish the goals of community action.

5           In section 2, the poverty guidelines are issued  
6 by the Director of the United States Office of Man-  
7 agement and Budget, not by the United States Secre-  
8 tary of Health and Human Services.

9           In section 3, the term "weatherization" has been  
10 changed to "energy conservation" to reflect the ex-  
11 panded scope of the Division of Community Services'  
12 programs in this area.

13           In section 4, the matters on which the Governor  
14 and other state officials should be advised include  
15 all those programs administered by the division, not  
16 just the fuel assistance and weatherization programs.

17           In section 5, municipalities no longer act as lo-  
18 cal program operators for the delivery of community  
19 services' programs. An elected municipal official  
20 with a knowledge of community action agencies will  
21 still serve on the board.

22           In section 6, the term "weatherization" has been  
23 changed to energy conservation.

24           In section 7, the law was originally enacted in  
25 1977 as the first law regarding the Division of Com-  
26 munity Services or any of its programs. It was  
27 placed in the laws under the Department of Human Ser-  
28 vices with which the division has no relationship.  
29 In 1983, the Legislature enacted the Maine Community  
30 Services Act, Maine Revised Statutes, Title 5, chap-  
31 ter 330, which established the Division of Community  
32 Services and authorized the division to carry out  
33 community services' programs, including fuel assist-  
34 ance and weatherization.

35           The home weatherization and fuel assistance pro-  
36 grams law is outdated and is no longer a necessary  
37 law. Its provisions are addressed in the Maine Com-  
38 munity Services Act, which is the appropriate place

1 for statutory requirements affecting the division or  
2 its programs.

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