

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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Article. The separate limitations imposed by the provisions of section 4761 on the use of moneys deposited in the Housing Reserve Fund or any Capital Reserve Fund shall not be affected by this section.

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

Effective June 19, 1975

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## CHAPTER 523

### AN ACT Designating Family Day Care as a Priority Social Service.

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

Sec. 1. 22 MRSA § 6110, as enacted by P&SL 1973, c. 38, § 1, is repealed and the following enacted in place thereof:

#### § 6110. Designation of priority social services

The following types of social services, or so much of expenditures for these types of social services which do not qualify under federal legislation for payment from federal sources are designated as priority social services for payment of expenditures from state funds appropriated to carry out the purposes of this chapter:

- Homemaker - Health Aide Services;
- Developmental Day Care, including Family Day Care;
- Services for the Mentally Retarded;
- Mental Health Services;
- Transportation Services;
- Meals for Older People;
- Coordinated Elderly Programs.

Any expenditure of funds for family day care shall not cause the amount which may be expended for developmental day care or any other type of service to decrease below the cumulative fiscal year to date amount expended as of April 1, 1975 for such developmental day care or such other type of service.

Sec. 2. 22 MRSA § 6111, sub-§§ 4 and 5, as enacted by P&SL 1973, c. 38, § 1, are repealed and the following enacted in place thereof:

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. One hundred percent funding shall be available for not more than 2 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 2 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, including family 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.

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, including family day care;
- 25% for services for the mentally retarded;
- 25% for meals for older people;
- 25% for mental health services;
- 25% for transportation services;
- 25% for coordinated elderly programs.

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. 3. **Effective date.** This Act shall take effect 91 days after adjournment of the Legislature.

Effective October 2, 1975

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## CHAPTER 524

### AN ACT to Require Public Hearings on the Appointments of Departmental Commissioners.

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

5 MRSA § 47 is enacted to read:

#### § 47. Public hearings on appointment of departmental commissioners

Whenever the Governor nominates a person to be the commissioner of a department under these statutes, other than the Commissioner of Indian Affairs and the Adjutant General, the Executive Council shall hold a public hearing on the nominee prior to giving its advice and consent to the Governor, as required by the Constitution. The hearing shall be held at least 7 days prior to the appointment at a time and place convenient to the public. Notice of the hearing shall be made in the state paper at least 7 days before the hearing. The notice shall contain the time and place of the hearing, the name of the intended appointee, the office he will hold and the duties of that office.

At the hearing, the Executive Council shall take written or oral testimony from the public, which shall be limited to relevant comments and questions regarding the qualifications of the nominee to hold the office concerned.

Effective October 1, 1975

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## CHAPTER 525

### AN ACT Concerning the Registration and Operation of Snowmobiles.

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

Sec. 1. 12 MRSA § 1975, as last amended by PL 1973, c. 613, § 5, is repealed and the following enacted in place thereof: