

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

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

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

Whereas, uncertainty exists whether proposed bond issues passed at the same session or the first special session were included under the new law which became effective September 18, 1981; and

Whereas, the Legislature feels this information is important to the public and should be provided for all questions including those to be voted upon on November 3, 1981; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

3 MRSA § 552, as enacted by PL 1981, c. 167, is amended by adding at the end a new paragraph to read:

For the purpose of providing an estimate of total debt service for all bond issue questions enacted at the First Regular Session and First Special Session of the 110th Legislature which will be presented to the voters on November 3, 1981 in referendum form, the Secretary of State shall place on the ballot separate estimates in immediate juxtaposition to each bond issue question, prepared by the Treasurer of State of the total debt service, including interest, over the full life of the bonded indebtedness involved for each bond issue question to be voted upon, provided, that if the actual total debt service by the bond indebtedness exceeds such estimate, the ratification by the electors shall nevertheless be deemed conclusive, and the validity of the bond issue shall not be affected by reason thereof.

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

Effective September 28, 1981.

CHAPTER 534

S. P. 718 — L. D. 1702

AN ACT Making Appropriations, Authorizations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Relating to Federal Grants Necessary to the Proper Operation of State Government for the Fiscal Years Ending June 30, 1982 and June 30, 1983.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Federal Government has changed its method of distributing certain funds from categorical grants to block grants effective October 1, 1981; and

Whereas, the 110th Legislature in the First Regular Session enacted legislation requiring legislative approval prior to the state implementation of federal block grants; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable on or after October 1, 1981; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. 1. Appropriations from General Fund. In order to provide for necessary expenditures of State Government and other purposes for the fiscal year ending June 30, 1982, the following sums, as designated in the following tabulations, are appropriated out of any moneys in the General Fund not otherwise appropriated.

APPROPRIATIONS FROM GENERAL FUND

1981-82

HUMAN SERVICES, DEPARTMENT OF

Health — Bureau of

All Other	\$ 31,500
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Provides funds to continue grants to community agencies for operation of public health nursing services such as home visits to the ill and services to high risk mothers and children.

All Other	67,500
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Provides funds to purchase laboratory supplies to continue such services as gonorrhea screening, lead testing, rabies testing and management of vaccine supplies.

APPROPRIATIONS FROM
GENERAL FUND

Preventive Health Services

All Other \$ 70,000

Provides funds to continue community based family planning services which include physical exams, contraceptive counseling and provision of contraceptives.

Resource Development — Bureau of
Purchased Social Services

All Other 533,250

These funds shall be used in the following areas and in the amounts indicated.

Day Care	\$255,750
Mental Health	51,000
Mental Retardation	49,500
Nutrition/Adult Day Care	52,500
Transportation	86,250
Homemaker	38,250
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	\$533,250

Provides funds to replace loss of federal funding to continue grants to community agencies for social service programs.

All Other 519,750

These funds shall be used in the following areas and in the amounts indicated.

Blind	\$2,922
Day Care	167,868
Deaf	1,560
Family Planning	35,702
Homemaker	77,770
Mental Health	43,770
Mental Retardation	87,043
Nutrition	27,820
Support Services	28,769
Transportation	46,526
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	\$519,750

APPROPRIATIONS FROM
GENERAL FUND

Provides funds for an increase in payments to maintain current service levels for community service providers.

Aid to Families with Dependent Children

All Other \$ (2,200,000)

Deappropriates funds not needed due to changes in federal rules and regulations.

Aid to Families with Dependent Children

All Other 1,200,000

Provides funds to implement a work incentive program in accordance with Part E of this bill.

TOTAL PART A \$ 222,000

PART B

Sec. 1. Block grant authorization. In accordance with the Revised Statutes, Title 5, section 1670, the agencies listed in this section are authorized effective October 1, 1981, to accept federal block grants in the following total amounts:

STATE FISCAL YEAR 1982 DEPARTMENT ESTIMATE	STATE FISCAL YEAR 1983 DEPARTMENT ESTIMATE	FEDERAL FISCAL YEAR 1982 TOTAL FEDERAL BLOCK GRANT
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EXECUTIVE DEPARTMENT

Division of
Community Services

Community Services	\$ 1,800,440	\$ 360,175	\$ 2,160,615
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Low Income Home Energy Assistance	23,681,773	151,940	23,833,713
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HUMAN SERVICES,
DEPARTMENT OF

	STATE FISCAL YEAR 1982 DEPARTMENT ESTIMATE	STATE FISCAL YEAR 1983 DEPARTMENT ESTIMATE	FEDERAL FISCAL YEAR 1982 TOTAL FEDERAL BLOCK GRANT
Maternal and Child Health	1,695,017	372,983	2,068,000
Preventive Health	527,854	141,146	669,000
Title XX Social Services	10,705,303	1,148,943	11,854,246
Alcohol, Drug Abuse and Mental Health	1,650,000	550,000	2,200,000
MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF			
Alcohol, Drug Abuse and Mental Health	<u>1,723,969</u>	<u>574,656</u>	<u>2,298,625</u>
TOTAL BLOCK GRANTS	\$41,784,356	\$ 3,299,843	\$45,084,199

Sec. 2. Block grant allocations. In order to provide for necessary expenditures of State Government and other purposes for the fiscal year ending June 30, 1982, the following sums, as designated in the following tabulations, are allocated from the revenues derived from federal block grants. Notwithstanding any other provision of law, all federal block grant allocations included in this Part shall be subject to Revised Statutes Title 5, section 1585.

**Allocations
State
Fiscal Year 1982**

EXECUTIVE DEPARTMENT

Division of Community Services

Community Services

Positions	(2)
Personal Services	\$ 59,048
All Other	1,741,392

Provides for the administration of
 Maine's 12 community action agencies.

Low Income Home Energy Assistance

Positions	(14)
Personal Services	\$ 318,022
All Other	23,363,751

It is the intent of the Legislature that
 15% of the funds received for this
 program shall be used for the
 Weatherization Program.

Allocations
State
Fiscal Year 1982

Provides assistance to low income households to pay for fuel and for part of the funds to be used for the Weatherization Program.

TOTAL EXECUTIVE DEPARTMENT \$25,482,213

HUMAN SERVICES, DEPARTMENT OF

Maternal and Child Health Block Grant

Crippled Children Services

Positions	(13)
Personal Services	203,485
All Other	293,316

Provides medical care and services to handicapped children.

Maternal and Child Health

Positions	(31)
Personal Services	469,333
All Other	450,438
Capital	1,990

Provides funds for health services to mothers and children.

Federal Project Grants

Positions	(2)
Personal Services	26,305
All Other	14,700

Provides funds for SSI disabled children program.

All Other	55,200
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Provides funds for genetic disease projects.

All Other	22,500
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Provides funds for Sudden Infant Death Syndrome project.

All Other	6,000
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Allocations
State
Fiscal Year 1982

Provides funds to help individuals suffering from hemophilia.

All Other \$ 2,000

Provides funds for a lead-based paint poisoning prevention program.

Preventive Health Services

All Other 149,750

Provides funds for the adolescent pregnancy project.

TOTAL MATERNAL CHILD HEALTH
SERVICES
BLOCK GRANT

\$1,695,017

PREVENTIVE HEALTH AND HEALTH
SERVICES
BLOCK GRANT

Preventive Health and Health Services

Federal Project Grants

Positions (3)
Personal Services \$ 53,793
All Other 190,320

Provides funds for emergency medical services

Positions (3)
Personal Services 40,530
All Other 36,500
Capital 18,152

Provides funds for dental disease prevention

Positions (1)
Personal Services 18,906
All Other 91,841

Provides funds for hypertension control programs

Allocations
State
Fiscal Year 1982

All Other \$ 12,000

Provides funds for rape crisis intervention

Positions (3)
Personal Services \$ 39,715
All Other 26,097

Provides funds for risk reduction program

TOTAL PREVENTIVE HEALTH AND
HEALTH SERVICES
BLOCK GRANT 527,854

SOCIAL SERVICES

Purchased Services

Positions (6)
Personal Services \$ 72,257
All Other 4,215,101

These funds shall be used in the following areas and in the amounts indicated.

Blind services	\$ 24,438
Day care	1,414,399
Deaf services	13,291
Emergency shelter	93,893
Family planning	240,950
Group homes	20,150
Homemaker	679,546
Mental health	404,727
Mental retardation	715,989
Nutrition/adult day service	194,646
Residential treatment	27,868
Special needs	60,023
Transportation	397,438
Total	\$4,287,358

Allocations
State
Fiscal Year 1982

It is the legislative intent that the 5% administration charge that traditionally has been assessed against service providers under this program shall cease to be assessed beginning with the State's 1982-83 fiscal year. In the current fiscal year such assessments will amount to approximately \$231,000.

Provides funds for contracted community social services and ceases the 5% administration charge beginning with the 1982-83 fiscal year.

Social Services — Regional

Positions	(225)
Personal Services	\$ 3,121,382
All Other	308,708

Provides funds for direct social services

Bureau of Social Services

Positions	(31)
Personal Services	403,642
All Other	181,347

Provides funds for administrative services.

Homemaker Services

Positions	(23)
Personal Services	274,153
All Other	37,385

Provides funds for homemaker services.

Administration — Regional

Unallocated	\$1,043,562
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Provides for administration of regional social service programs as determined by cost allocation plan.

Allocations
State
Fiscal Year 1982

Bureau of Administration

Unallocated 619,685

Provides for Title XX's share of departmental operating costs as determined by cost allocation plan.

Positions (9)
Personal Services 120,363
All Other 253,212

Provides for training programs for staff and community providers.

Legal Services

Unallocated 54,506

Provides for Title XX's share of legal costs.

TOTAL SOCIAL SERVICES BLOCK GRANT \$10,705,303

Alcohol and Drug Abuse

Alcohol and Drug Abuse Prevention

Positions (12)
Personal Services \$ 155,565
All Other 1,494,435

Provides funds to support substance abuse services related to prevention and treatment. Approximately 8,000 people participate or benefit from activities of 17 community-based agencies supported by this program.

TOTAL ALCOHOL AND DRUG ABUSE BLOCK GRANT \$1,650,000

MENTAL HEALTH AND MENTAL
RETARDATION,
DEPARTMENT OF

Allocations
State
Fiscal Year 1982

Alcohol, Drug Abuse and Mental Health

Positions	(7)
Personal Services	\$ 101,638
All Other	1,609,956
Capital	12,375

Provides for services to chronic mentally ill persons and severely emotionally disturbed children and adolescents located throughout the 8 mental health geographic service areas in Maine. These services will include: Identification, assessment and treatment.

TOTAL ALCOHOL, DRUG ABUSE AND
MENTAL HEALTH BLOCK GRANT \$1,723,969

Sec. 3. Additional funds. Any additional funds that might become available due to the implementation of the maternal and child health and preventive health block grants and the possible overlapping of other grants shall be carried forward for future allocation by the Legislature or may be used to offset any possible reduction in the above mentioned block grants.

TOTAL ALLOCATIONS PART B \$41,784,356

PART C

Sec. 1. Allocation. The following funds are allocated from the Alcoholism Prevention, Education Treatment and Research Fund for the fiscal year ending June 30, 1982.

ALLOCATIONS
1981-82

EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF

All Other \$ 150,000

Provides funds for alcohol and drug education programs.

HUMAN SERVICES, DEPARTMENT OF

**ALLOCATIONS
1981-82**

All Other	53,000
Provides for statewide prevention and intervention projects.	
All Other	978,000
Provides for grants to community service providers.	
MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF	
All Other	89,000
Provides for alcohol and drug abuse services.	
TOTAL PART C	\$1,270,000

PART D

5 MRSA § 1670, as enacted by PL 1981, c. 316, Pt. K, is repealed and the following enacted in its place:

§ 1670. Block grants

1. Procedure for changes. Any change from federal categorical grants to federal block grants shall not be implemented on the state level without recommendations from the committee having jurisdiction over Appropriations and Financial Affairs and approval by the Legislative Branch of State Government.

2. Allocation. No expenditure shall be made from any block grants unless allocation of such funds is recommended by the committee having jurisdiction over Appropriations and Financial Affairs and approved by the Legislature.

3. Reductions. If actual receipt of funds from any block grants is less or is anticipated to be less than the amount allocated, such reduction shall immediately be reported to the committee having jurisdiction over Appropriations and Financial Affairs which shall recommend any necessary changes in the allocations and appropriations to a special session of the Legislature, or if such reductions are deemed to be manageable in the time between sessions to the next regular session of the Legislature.

PART E

Sec. 1. Work incentives. Pursuant to the Private and Special Laws of 1981, chapter 43, the Legislature approves the Department of Human Services' plan to implement work incentives in the Aid to Families with Dependent Children

Program. It is further understood that the Department of Human Services will present to the Second Regular Session of the 110th Legislature any further plans which provide maximum work incentive to the Aid to Families with Dependent Children grant calculation formula consistent with federal law and regulations. The plan shall insure no reduction in grants in the Aid to Families with Dependent Children recipients with no outside income.

PART F

It is the intent of this Legislature that those programs and functions relating to mental health and mental retardation that are presently funded under Title XX and located in the Department of Human Services shall be transferred to the Department of Mental Health and Mental Retardation effective February 1, 1982. The 2 departments involved shall study how this can best be implemented without any disruption of services and submit a joint report, together with any necessary legislation, to the Second Regular Session of the 110th Legislature no later than the end of the first week of the session, and such legislation shall be enacted on or before February 1, 1982. If the Federal Government requires that notification of such change in the block grant administration shall be submitted to them before the actual change can take place such notice shall be submitted by the party responsible in due time for implementation of legislative intent as established by this Part.

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

Effective September 28, 1981.

CHAPTER 535

H. P. 626 — L. D. 709

AN ACT to Increase Eligibility Levels for the Elderly Householders Tax and Rent Refund Act.

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

Sec. 1. 36 MRSA § 6108, as amended by PL 1977, c. 686, § 16, is repealed and the following enacted in its place:

§ 6108. Income limitation

No claim otherwise allowable may be granted to claimants of single member households with household income in excess of \$5,600 in calendar year 1980 and \$6,200 in each succeeding year for which relief is requested; and no claim otherwise allowable may be granted to claimants of households of 2 or more members with income in excess of \$6,700 in calendar year 1980 and \$7,400 in each succeeding year for which relief is requested.