

MAINE STATE LEGISLATURE

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DATE: 5/17/15

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HEALTH AND HUMAN SERVICES

Minority

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 119, L.D. 168, Bill, "An Act To Establish a Statewide Residency Requirement for General Assistance"

Amend the bill by striking out the title and substituting the following:

'An Act To Clarify Eligibility for General Assistance'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 22 MRSA §4308, sub-§1, as amended by PL 1993, c. 410, Pt. AAA, §6, is repealed and the following enacted in its place:

1. Initial and subsequent applications. Except as provided in section 4316-A, subsection 1-A, a person who makes an application for assistance must have that person's eligibility determined solely on the basis of need and all other conditions of eligibility established by this chapter and municipal ordinance.

Sec. 2. 22 MRSA §4315-B is enacted to read:

§4315-B. Misuse of general assistance

A person who knowingly and willfully misuses general assistance, as determined by the overseer, is ineligible for

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assistance for a period of 120 days. The overseer shall provide notice and an opportunity for an appeal as provided in sections 4321 and 4322 to a person disqualified from receiving general assistance for misuse. If the fair hearing authority finds that a recipient misused general assistance, that recipient is required to reimburse the municipality for any assistance rendered for which that recipient was ineligible. A recipient who has been granted assistance in accordance with this chapter may not have that assistance terminated prior to the decision of the fair hearing authority. In the event of the termination of assistance to any recipient, the dependents of that person may still apply for and, if eligible, receive assistance. A recipient or applicant may appeal a decision under this section pursuant to the Maine Rules of Civil Procedure, Rule 80B.'

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SUMMARY

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This amendment is the minority report of the committee. This amendment removes from the general assistance laws the distinction between initial and repeat applications, except that the distinction is preserved with regard to proration of a lump sum payment. The amendment disqualifies a person who misuses general assistance and provides for due process in a determination of disqualification.

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**FISCAL NOTE REQUIRED
(See attached)**



122nd MAINE LEGISLATURE

LD 168

LR 0064(02)

An Act To Establish a Statewide Residency Requirement for General Assistance

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Health and Human Services

Fiscal Note Required: Yes

Minority Report

Fiscal Note

Minor savings - General Fund

Minor cost increase - General Fund

Fiscal Detail and Notes

Any savings resulting from the bill are expected to be minor. Any additional administrative costs are expected to be minor.