

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1403

H.P. 1018

House of Representatives, March 26, 2019

An Act To Amend the General Assistance Laws Governing Eligibility and Reimbursement

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BRENNAN of Portland.
Cosponsored by Senator CHIPMAN of Cumberland and
Representatives: CRAVEN of Lewiston, FARNSWORTH of Portland, GRAMLICH of Old
Orchard Beach, MADIGAN of Waterville, MELARAGNO of Auburn, MOONEN of Portland,
PERRY of Calais, TALBOT ROSS of Portland.

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

2 **Sec. 1. 22 MRSA §4309, sub-§5** is enacted to read:

3 **5. Presumptive eligibility.** The overseer shall presume eligibility to receive general
4 assistance of a person who is provided shelter in an emergency shelter for the homeless
5 located in that municipality. At the expiration of the period of eligibility, the person's
6 eligibility may be redetermined.

7 **Sec. 2. 22 MRSA §4311, sub-§1**, as amended by PL 2015, c. 267, Pt. SSSS, §1,
8 is further amended to read:

9 **1. Departmental reimbursement.** When a municipality incurs net general
10 assistance costs in any fiscal year prior to July 1, 2015 in excess of .0003 of that
11 municipality's most recent state valuation relative to the state fiscal year for which
12 reimbursement is being issued, as determined by the State Tax Assessor in the statement
13 filed as provided in Title 36, section 381, the Department of Health and Human Services
14 shall reimburse the municipality for 90% of the amount in excess of these expenditures
15 when the department finds that the municipality has been in compliance with all
16 requirements of this chapter. If a municipality elects to determine need without
17 consideration of funds distributed from any municipally-controlled trust fund that must
18 otherwise be considered for purposes of this chapter, the department shall reimburse the
19 municipality for 66 2/3% of the amount in excess of such expenditures when the
20 department finds that the municipality has otherwise been in compliance with all
21 requirements of this chapter.

22 ~~The department shall reimburse each municipality and each Indian tribe 70% of the direct~~
23 ~~costs incurred by that municipality or tribe on or after July 1, 2015 for the general~~
24 ~~assistance program granted by that municipality or tribe. For the purposes of this~~
25 ~~subsection, "Indian tribe" has the same meaning as in section 411, subsection 8-A.~~

26 **Sec. 3. 22 MRSA §4311, sub-§1-D** is enacted to read:

27 **1-D. Departmental reimbursement.** The department shall reimburse each
28 municipality and Indian tribe for the costs of a portion of the direct costs incurred by that
29 municipality or Indian tribe for the general assistance program granted by that
30 municipality or Indian tribe if the department finds that the municipality or Indian tribe
31 was in compliance with all requirements of this chapter during the fiscal year for which
32 reimbursement is sought. The department shall reimburse to each municipality and
33 Indian tribe an amount equal to 70% of all general assistance granted by the municipality
34 or Indian tribe below the .0003% of all state valuation amount. When a municipality
35 incurs net general assistance costs in any fiscal year in excess of .0003 of that
36 municipality's most recent valuation relative to the state fiscal year for which
37 reimbursement is being issued, as determined by the State Tax Assessor in the statement
38 filed as provided in Title 36, section 381, the department shall reimburse the municipality
39 for 90% of the amount in excess of these expenditures. For the purposes of this
40 subsection, "Indian tribe" has the same meaning as in section 411, subsection 8-A.

1

SUMMARY

2 This bill establishes presumptive eligibility for general assistance for persons who are
3 provided shelter at emergency shelters for the homeless. It also reestablishes the 90%
4 reimbursement rate for municipalities that incur net general assistance costs in any fiscal
5 year in excess of .0003 of that municipality's most recent state valuation, which was
6 amended in Public Law 2015, chapter 267, Part SSSS. It retains the 70% reimbursement
7 rate for other municipalities and Indian tribes for costs below the .0003% of all state
8 valuation amount.