

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1269

H. P. 932

House of Representatives, February 12, 1965

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Ross of Brownville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Providing for the New England Welfare Compact.

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

R. S., T. 22, c. 1152, additional. Title 22 of the Revised Statutes is amended by adding a new chapter 1152, to read as follows:

'CHAPTER 1152

NEW ENGLAND WELFARE COMPACT

SUBCHAPTER I

COMPACT

§ 4151. Policy, purpose and scope—Article I

The policy of the states party to this compact is to make welfare services available among the compacting states on the basis of the mutual removal of barriers caused by restrictive residence requirements of the several states. It is recognized that law and policy relating generally to the provisions of welfare services by a particular state should not be determined by interstate compact and will remain a matter for determination by that party state and its subdivisions.

§ 4152. Welfare service defined—Article II

As used in this compact, the term "welfare service" means and includes public assistance and child welfare services furnished by a party state or a subdivision thereof, provided that such assistance or service is pursuant to a federally-aided plan, arrangement or program, and any other category of wel-

fare assistance which is federally aided at the time when a claim of eligibility for assistance or service is made pursuant to this compact.

§ 4153. Provision of service—Article III

No person who has removed himself from his place of abode in one party state to another party state shall be ineligible for a welfare service in such other party state because of failure to meet that state's residence requirements for eligibility. If a person is already receiving a welfare service at the time he removes himself from his place of abode to another party state and if he continues to be in need of such service, the party state from which he removes himself shall be obligated to bear the cost of such service for 90 days from the date of his removal. In any such case, the party state to which the person removes himself shall not be obligated to provide the service at its own expense during such 90-day period. The cost of providing a welfare service to any person made eligible therefor by reason of this compact shall be charged within a state in accordance with the laws of such state.

The appropriate official, department or agency of the state where application for a welfare service is made pursuant to this compact shall be entitled to request and receive any pertinent information available from any other party state with respect to such applicant.

§ 4154. Exceptions and limitations—Article IV

Nothing in this compact shall be construed to:

1. Invalidation. Invalidate any agreement between a party state and a non-party state relating to the provision of welfare services nor to invalidate any statutory authority for such agreements;
2. Obligation. Obligate a party state to provide a welfare service pursuant to this compact which it does not provide to its own residents.

§ 4155. Compact administrator—Article V

In each party state there shall be a compact administrator who shall be the head of the state welfare agency. The compact administrator shall act as general coordinator of activities under the compact in his state and cooperate with the compact administrators of other party states. The compact administrators of the respective party states shall have power to promulgate reasonable rules and regulations to carry out the terms and provisions of this compact.

§ 4156. Enactment and withdrawal—Article VI

This compact shall be open to membership by the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. It shall enter into full force and effect as to any 2 or more of the aforementioned states upon enactment thereof by such states.

A state party to this compact may withdraw therefrom by enacting a statute repealing the same. Such withdrawal shall take effect 6 months after notice thereof has been communicated officially and in writing to the governors and compact administrators of all other party states. The withdrawal of any state

shall not affect the rights of any person who is receiving a welfare service pursuant to the provisions of this compact.

§ 4157. Construction—Article VII

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

SUBCHAPTER II

ADMINISTRATIVE PROVISIONS

§ 4161. Compact

The Governor, on behalf of the State, is authorized and directed to execute a compact, substantially as provided in this chapter with any one or more of the States of Connecticut, Rhode Island, Massachusetts, New Hampshire and Vermont, which compact shall supersede existing reciprocal agreements executed under section 3102, but which shall in no way abrogate or replace existing compacts executed under chapter 1151.'