

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1320

H. P. 1032

House of Representatives, March 21, 1975

Referred to the Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Connolly of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Amend the General Assistance Laws.

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

Sec. 1. 22 MRSA § 4459-A, as last amended by PL 1973, c. 681, § 6, is repealed.

Sec. 2. 22 MRSA § 4461, as amended by PL 1965, c. 23, is repealed.

Sec. 3. 22 MRSA § 4467 is repealed.

Sec. 4. 22 MRSA § 4492, as last amended by PL 1973, c. 537, § 23, is repealed.

Sec. 5. 22 MRSA § 4496, as last amended by PL 1973, c. 228, is repealed.

Sec. 6. 22 MRSA § 4500-A, as enacted by PL 1973, c. 788, § 91, is repealed.

Sec. 7. 22 MRSA § 4504, as enacted by PL 1973, c. 788, § 94, is repealed and the following enacted in place thereof:

§ 4504. Establishment of rules and regulations

A program of general assistance under this chapter shall be operated by the Commissioner of Health and Welfare to provide assistance to persons whose income is insufficient to meet their needs.

The commissioner shall promulgate rules pursuant to the procedures set forth in Title 5, section 2351 governing the operation of the program which shall provide:

1. **Application.** That all individuals wishing to make application for assistance shall have an opportunity to do so in writing and that said individuals shall be notified of the decision on their application within 24 hours, with assistance to be provided within 24 hours to all eligible individuals.

2. **Condition of eligibility.** That the only conditions of eligibility shall be that:

A. An applicant's need is greater than income actually available to him or her;

B. Assets do not exceed allowable maximums;

C. The applicant is employed, or has registered with the Maine Employment Security Commission, or is exempt therefrom;

3. **Benefits.** That all benefits shall be paid in cash;

4. **Provisions for monetary amounts.** That all monetary amounts set forth in the rules are:

A. Sufficient to insure that recipients live in minimum decency and health;

B. Adjusted annually to reflect changes in the cost-of-living.

5. **Emergency assistance.** That applications for emergency assistance can be accepted every day of the week, that all applicants for emergency assistance will be notified in writing of the decision on their application within 24 hours, and that emergency assistance can be made available within 24 hours of an application to eligible individuals in each municipality in the State.

Sec. 8. 22 MRSA § 4505, as enacted by PL 1973, c. 788, § 94, is repealed and the following enacted in place thereof:

§ 4505. Employment of agents and personnel

The commissioner is authorized to employ general assistance agents, on a full-time or part-time basis, in order to insure that prompt delivery of benefits and determinations of eligibility can be made in all locations.

The commissioner is directed to employ all qualified personnel who are now employed by various municipalities throughout the State and whose present function is the administration of general assistance pursuant to section 4459.

Sec. 9. 22 MRSA § 4506, 2nd sentence, as enacted by PL 1973, c. 788, § 94, is repealed and the following enacted in place thereof:

Said hearing shall be held before the Commissioner of Health and Welfare.

Sec. 10. 22 MRSA § 4507, first sentence, as enacted by PL 1973, c. 788, § 94, is amended to read:

Any person aggrieved with a decision, act, failure to act or delay in action in regard to his request or application for relief under this chapter shall have the right to a hearing before ~~the overseers or their designated representatives~~ the Commissioner of Health and Welfare.

Sec. 11. Appropriation. There is appropriated from the General Fund to the Department of Health and Welfare the sum of \$7,800,000 to carry out the purposes of this Act. Any unexpended balances shall not lapse but shall remain in a continuing carrying account until the purposes of this Act have been accomplished. The commissioner is authorized to cooperate with the Secretary of Health, Education and Welfare of the United States of America and to obtain all available federal moneys for the operation of this program.

Sec. 12. Effective date. The provisions of this Act shall not take effect until one year after the enactment of this Act.

STATEMENT OF FACT

This bill will provide a simplified approach to general assistance, improve procedures and guarantee the equal treatment of all applicants for and recipients of general assistance in the State.