

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 846

H.P. 623

House of Representatives, March 21, 1989

Reference to the Committee on Human Resources suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative MANNING of Portland.

Cosponsored by Senator GAUVREAU of Androscoggin, Representative PEDERSON of Bangor and Senator BRANNIGAN of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Amend the Child and Family Services and Child Protection Act.



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

3 **Sec. 1. 22 MRSA §4003, sub-§1**, as enacted by PL 1979, c. 733,
5 §18, is amended to read:

7 **1. Authorization.** Authorize the department to protect and
9 assist abused and neglected children, children in circumstances
11 which present a substantial risk of abuse and neglect, and their
12 families. The department shall not refer any child to a
13 municipality, except as provided in section 4309, subsection 4;

15 **Sec. 2. 22 MRSA §4309, sub-§§4 and 5** are enacted to read:

17 **4. Children.** Notwithstanding any provision of this
18 chapter, children who are not living with their parents or legal
19 guardians are not eligible to receive assistance, except as
20 follows.

21 If a child who does not have a home applies for assistance, the
22 overseer shall refer the child to the Department of Human
23 Services. The department will assign a caseworker to the child
24 the day the child applies who will be responsible for evaluating
25 the child's situation and determining what services the child
26 needs. If the department determines that there is no responsible
27 adult, including legally liable relatives or other relatives, for
28 the child to live with, and if the department determines that the
29 child is in immediate need of assistance and the department does
30 not have any home, shelter or program available to help the child
31 the day the child applies, it may refer the child temporarily to
32 the municipality for assistance. The department shall provide
33 written notice to the child and the overseer stating the
34 department's findings. If the department refers a child to a
35 municipality, the State shall reimburse the municipality 100% of
36 the costs of providing assistance to the child. The child's
37 caseworker shall continue to be responsible for maintaining
38 contact with the child, finding suitable housing for the child
39 and regularly reevaluating the child's case until the child
40 reaches the age of 18 years or until the child has been placed in
41 a stable living arrangement.

42 **5. Eligibility of minor children.** In no event may the
43 Department of Human Services refuse to provide appropriate
44 assistance to any child referred to it pursuant to chapter 1071,
45 subchapter I, or refer that child to the municipality to apply
46 for general assistance, except as provided in subsection 4.

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STATEMENT OF FACT

An increasing number of adolescents are applying for general assistance to help them with shelter because they do not want to live with their parents or they do not feel they have any other acceptable housing options. General assistance is intended to provide assistance with basic necessities during a limited period of time. Neither the general assistance program, nor local overseers, are equipped to meet the wide range of needs of adolescents. This bill requires the State to assume this responsibility for minors by assessing their needs and providing necessary services and direction. It requires municipalities to refer children to the Department of Human Services. If the department is unable to provide temporary food, shelter or other basic necessities in a timely manner, such as immediately in an emergency, the department may refer the child to the appropriate general assistance administrator for temporary assistance, but the State is liable for the child and shall reimburse municipalities for 100% of the cost. The department shall assign a caseworker to the child who is responsible for coordinating ongoing necessary services for the child, including housing, counseling and supervision.