

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1483

H.P. 1061

House of Representatives, May 4, 1989

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

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CLARK of Brunswick.

Cosponsored by Representative MANNING of Portland and Senator ANDREWS of Cumberland.

STATE OF MAINE

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

**An Act to Make General Assistance More Available to Homeless
People and Clarify the Definition of Need.**



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

3 **Sec. 1. 22 MRSA §4301, sub-§§1 and 4,** as enacted by PL 1983, c.
577, §1, are amended to read:

5 1. **Basic necessities.** "Basic necessities" means food,
7 clothing, shelter, fuel, electricity, nonelective medical
9 services as recommended by a physician, nonprescription drugs,
11 telephone where it is necessary for medical reasons and any other
commodity or service determined essential by the overseer in
accordance with the municipality's ordinance and this chapter.

13 4. **Emergency.** "Emergency" means any life threatening
15 situation or a situation beyond the control of the individual
which, if not alleviated immediately, could reasonably be
17 expected to pose a threat to the health or safety of a person.
"Emergency" includes homelessness.

19 **Sec. 2. 22 MRSA §4304, sub-§3,** as enacted by PL 1983, c. 577,
21 §1, is amended to read:

23 3. **Emergencies.** In any case when an applicant is unable,
25 due to illness, disability, lack of transportation, lack of child
care or other good cause, to apply in person for assistance or
27 unable to appoint a duly authorized representative, the overseer
shall accept an application by telephone subject to verification
29 by mail and a visit to the applicant's home with the consent of
the applicant. Municipalities may arrange with emergency
31 shelters for the homeless to presume eligible for municipal
assistance persons to whom the emergency shelter provides shelter
services.

33 **Sec. 3. 22 MRSA §4305, sub-§3, ¶¶B and C,** as enacted by PL
1983, c. 577, §1, are amended to read:

35 B. Provide that all individuals wishing to make application
37 for relief shall have the opportunity to do so; and

39 C. Provide that relief shall be furnished or denied to all
41 eligible applicants within 24 hours of the date of
submission of an application; and

43 **Sec. 4. 22 MRSA §4305, sub-§3, ¶D** is enacted to read:

45 D. Prohibit any waiting period for emergency assistance.

47 **Sec. 5. 22 MRSA §4309, sub-§1,** as enacted by PL 1983, c. 577,
49 §1, is amended to read:

51 1. **Eligibility of applicant.** The overseer shall make a
determination of eligibility each time a person applies or
reapplies for general assistance pursuant to this chapter and the

1 ordinance adopted by the municipality in accordance with section
2 4305. The period of eligibility shall be for a period ~~not to~~
3 exceed of not less than one month, unless a change of
4 circumstances warrants redetermination under subsection 2,
5 whereupon at the expiration of that period the person may reapply
6 for assistance and his eligibility may be redetermined.
7

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STATEMENT OF FACT

11 This bill amends the municipal general assistance law to
12 include nonprescription drugs in the definition of basic
13 necessities and homelessness in the definition of emergency. The
14 bill prohibits a municipality from imposing a waiting period for
15 emergency assistance. The bill provides that eligibility will be
16 determined for a period of at least one month, unless there is a
17 change of circumstances which warrants a redetermination of
18 eligibility. The bill permits municipalities to presume that
19 persons served by emergency shelters are eligible for general
assistance.