MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 620

S.P. 184

In Senate, February 23, 1993

An Act to Clarify What Constitutes an Emergency Regarding Disconnection of Utility Service for the Emergency Assistance Program.

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

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator CARPENTER of York. Cosponsored by Representative: CLARK of Millinocket.

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

Sec. 1. 22 MRSA §3761, 2nd ¶, as enacted by PL 1983, c. 477, Pt. E, sub-pt. 9, §1, is amended to read:

This program shall provide benefits to needy families with children in emergency situations in which the family is deprived of the basic necessities essential to their support, including, but not limited to, utility terminations, lack of adequate shelter, fire and other natural disasters. In determining what constitutes an emergency with respect to utility terminations, the department shall grant assistance when an otherwise qualified family has received a disconnection notice and has exhausted their ability to negotiate and pay the terms of a reasonable payment arrangement. The program shall may not be used to supplant local responsibility for operating or funding a general assistance program.

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STATEMENT OF FACT

This bill clarifies that utility customers who seek assistance under the Maine Revised Statutes, Title 22, section 3761 must show that they are unable to keep the terms of a reasonable payment arrangement, as evidenced by receipt of a disconnection notice, in order to demonstrate that there is an emergency as required in that section. This change is intended to end the Department of Human Services' practice of refusing assistance during the winter period until the utility has applied to the Public Utilities Commission for permission to disconnect the family's electric service. This practice has resulted in customers refusing any payment arrangement to trigger a request to disconnect, thus increasing the unpaid balance and delaying the receipt of assistance.