

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 3/18/94

(Filing No. H- 863)

HUMAN RESOURCES

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1396, L.D. 1905, Bill, "An Act to Amend the General Assistance Standard of Need"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, certain families are at risk because of unanticipated housing fair market rents established by the federal Department of Housing and Urban Development; and

Whereas, the State must adjust its assistance standards to compensate for those established by the Federal Government; and

COMMITTEE AMENDMENT

R & S

COMMITTEE AMENDMENT "A" to H.P. 1396, L.D. 1905

2 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
4 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
6 safety; now, therefore,

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

10 **Sec. 1. 22 MRSA §4305, sub-§3-B, as amended by PL 1993, c.**
410, Pt. AAA, §3, is further amended to read:

12 **3-B. Temporary maximum levels.** Notwithstanding subsection
3-A, municipalities shall establish an aggregate maximum level of
14 assistance that is 110% of the applicable existing housing fair
market rents as established by the United States Department of
16 Housing and Urban Development pursuant to 24 Code of Federal
Regulations, Section 888.115, applying the zero-bedroom level for
18 one person, the one-bedroom level for 2 persons, the 2-bedroom
level for 3 persons, the 3-bedroom level for 4 persons and the
20 4-bedroom level for 5 persons. For each additional person, the
aggregate maximum level increases by \$75. For the purposes of
22 this subsection, municipalities with populations greater than
10,000 are deemed Standard Metropolitan Statistical Areas in
24 those counties for which there are 2 fair market rent values and
the aggregate maximum level of assistance for all Standard
26 Metropolitan Statistical Areas is 110% of the average of the fair
market rental values for the Standard Metropolitan Statistical
28 Areas and areas that are not Standard Metropolitan Statistical
Areas for each county in which there are 2 fair market rental
30 values.

32 **Sec. 2. 22 MRSA §4305, sub-§3-C is enacted to read:**

34 3-C. Levels through June 30, 1995. Notwithstanding
subsections 3-A and 3-B, municipalities shall establish an
36 aggregate maximum level of assistance that is 110% of the
applicable housing fair market rents effective on October 1,
38 1992, as established by the United States Department of Housing
and Urban Development pursuant to 24 Code of Federal Regulations,
40 Section 888.115, applying the zero-bedroom level for one person,
42 the one-bedroom level for 2 persons, the 2-bedroom level for 3
persons, the 3-bedroom level for 4 persons and the 4-bedroom
44 level for 5 persons. For each additional person, the aggregate
maximum level increases by \$75. For the purposes of this
subsection, municipalities with populations greater than 10,000
46 are deemed Standard Metropolitan Statistical Areas in those
counties for which there are 2 fair market rent values and the
48 aggregate maximum level of assistance for all Standard
Metropolitan Statistical Areas is 110% of the average of the fair
50 market rental values for the Standard Metropolitan Statistical

2 Areas and areas that are not Standard Metropolitan Statistical
3 Areas for each county in which there are 2 fair market rental
4 values.

6 This subsection is repealed on July 1, 1995.

8 **Emergency clause.** In view of the emergency cited in the
9 preamble, this Act takes effect when approved.'

10 Further amend the bill by inserting at the end before the
11 statement of fact the following:

14 **FISCAL NOTE**

16 The change of the fair market rent values will increase
17 general assistance expenditures, eliminating an indeterminate,
18 unbudgeted savings. The amount of additional General Fund
19 appropriations, if any, to the Department of Human Services that
20 will be required in fiscal year 1994-95 will depend on the rate
21 that is in effect at that time.

22 This bill requires certain municipalities to increase the
23 maximum level of selected general assistance payments. The
24 additional costs of this state mandate can not be determined.
25 Pursuant to the mandate preamble, the 2/3 vote of all members
26 elected to each House exempts the State from the constitutional
27 requirement to fund 90% of the additional local costs.'

30 **STATEMENT OF FACT**

32 This amendment replaces the bill. The amendment makes the
33 same change in the housing fair market standard as proposed in
34 the original bill but repeals the change on July 1, 1995.

36 The amendment also adds a mandate preamble, an emergency
37 preamble, an emergency clause and a fiscal note to the bill.