

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 866

H.P. 643

House of Representatives, February 20, 2003

### **An Act Concerning Recovery of Expenses under the General Assistance Laws**

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Reference to the Committee on Judiciary suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative SMITH of Van Buren.  
Cosponsored by Senator MARTIN of Aroostook and  
Representatives: HUTTON of Bowdoinham, MILLS of Farmington, PARADIS of Frenchville,  
TWOMEY of Biddeford, WATSON of Bath.

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

**Sec. 1. 22 MRSA §4318, 2nd ¶**, as amended by PL 1995, c. 462, Pt. A, §44, is further amended to read:

Notwithstanding any other provision of law, municipalities have a lien for the value of all general assistance payments made to a recipient on any lump sum payment made to that recipient under the former Workers' Compensation Act, the Maine Workers' Compensation Act of 1992 or similar law of any other state after deduction of reasonable attorney's fees and litigation costs from that lump sum payment.

**Sec. 2. 22 MRSA §4318, 3rd ¶**, as amended by PL 1991, c. 780, Pt. R, §5, is further amended to read:

The department shall enter into an agreement with the Social Security Administration to institute an interim assistance reimbursement for the purpose of the repayment of state and local funds expended for providing assistance to Supplemental Security Income applicants or recipients while the Supplemental Security Income payments are pending or suspended. Written authorization must be given by the recipients and must provide that reimbursement will be made after deduction of reasonable attorney's fees and litigation costs.

**SUMMARY**

This bill provides that reasonable attorney's fees and litigation costs will be paid when a governmental entity seeks to recover general assistance benefits from a recipient who is awarded a lump sum payment under the workers' compensation laws or who receive federal Supplemental Security Income payments.