

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1162

S.P. 410

March 7, 2007

### An Act To Remove Disparities in the Administration of Emergency Aid

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by President EDMONDS of Cumberland.

Cosponsored by Senators: BRANNIGAN of Cumberland, MARTIN of Aroostook.

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

2 **Sec. 1. 22 MRSA §3761**, as repealed and replaced by PL 1993, c. 707, Pt I, §3, is  
3 further amended to read:

4 **§3761. Emergency assistance**

5 The department, at the discretion of the commissioner, may establish and operate a  
6 program of emergency assistance to needy families ~~with children within the United States~~  
7 ~~Social Security Act, Title IV A, Section 406(c), and any amendments and additions and~~  
8 individuals.

9 This program must provide:

10 **1. Benefits; emergency situation.** Benefits to needy families ~~with children and~~  
11 individuals in emergency situations in which ~~the~~ a family or individual is deprived of the  
12 basic necessities essential to ~~their~~ support, including, but not limited to, utility  
13 terminations, lack of adequate shelter, lack of transportation necessary to obtain or retain  
14 employment or access medical care, and fire and other natural disasters. In determining  
15 what constitutes an emergency with respect to utility terminations, the department shall  
16 grant assistance when an otherwise qualified individual or family has received a  
17 disconnection notice and has exhausted ~~their~~ the ability to negotiate and pay the terms of  
18 a reasonable payment arrangement. The program may not be used to supplant local  
19 responsibility for operating or funding a general assistance program. The department  
20 ~~shall~~ may not expend more than ~~\$750,000~~ \$2,250,000 of state general assistance funds for  
21 the purposes of covering the cost of services set out in this subsection; and

22 **2. Additional emergency services.** Additional emergency services to children who  
23 are at risk of removal from the home because of their specified relative's inability to  
24 provide care and children in emergency situations where continued presence in the home  
25 is not in the best interest of the children. Additional emergency services are defined as  
26 those that cover emergency situations resulting from child abuse, neglect, abandonment  
27 or domestic abuse. The department may expend other general funds for the additional  
28 emergency services described in this subsection.

29 The department may establish eligibility guidelines and limits on services covered  
30 under this program; a limit of at least the amount of the overall maximum limit on  
31 assistance under this chapter that was in place on January 1, 2007 must be available for  
32 emergencies related to lack of adequate shelter.

33 **Sec. 2. Appropriations and allocations.** The following appropriations and  
34 allocations are made.

35 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

36 **Office of Integrated Access and Support**

37 Initiative: Provides additional funds to improve the adequacy and effectiveness of the  
38 emergency assistance program.

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