

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 1037

S.P. 363

In Senate, March 24, 2015

### **An Act To Establish a 180-day Residency Requirement for Welfare Benefits**

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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 "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.

Cosponsored by Senators: CUSHING of Penobscot, MASON of Androscoggin, President THIBODEAU of Waldo, WILLETTE of Aroostook, Representatives: HEAD of Bethel, MALABY of Hancock, SANDERSON of Chelsea, VACHON of Scarborough.

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

2 **Sec. 1. 22 MRSA §3104, sub-§8-A** is enacted to read:

3 **8-A. Residency requirement.** An applicant for assistance under the statewide food  
4 supplement program must prove to the department that the applicant has been physically  
5 present for 180 days or longer in the State prior to applying for the statewide food  
6 supplement program. Acceptable forms of proof of residency must include the  
7 applicant's name and the address of the applicant's residence or domicile. A post office  
8 box or mail drop address is not sufficient. Acceptable proof of residency includes, but is  
9 not limited to:

10 A. A tax return, W-2 form or paycheck stub;

11 B. A utility bill or a letter from a utility company showing application for service;

12 C. A contract to which the applicant is a party; or

13 D. A document issued by a governmental entity.

14 **Sec. 2. 22 MRSA §3104-A, sub-§3**, as amended by PL 2009, c. 291, §3, is  
15 further amended to read:

16 **3. Administration.** The department shall provide assistance under this section to  
17 eligible households on a monthly basis through an electronic benefit transfer system. For  
18 the purpose of this subsection, "eligible household" means a household that has been  
19 physically present for 180 days or longer in the State prior to applying for the statewide  
20 food supplement program. Acceptable forms of proof of residency must include the  
21 applicant's name and the address of the applicant's residence or domicile. A post office  
22 box or mail drop address is not sufficient. Acceptable proof of residency includes, but is  
23 not limited to:

24 A. A tax return, W-2 form or paycheck stub;

25 B. A utility bill or a letter from a utility company showing application for service;

26 C. A contract to which the applicant is a party; or

27 D. A document issued by a governmental entity.

28 **Sec. 3. 22 MRSA §3173, 8th ¶**, as repealed and replaced by PL 1979, c. 127,  
29 §144, is amended to read:

30 ~~No A time standard established by this section shall may not be used as a waiting~~  
31 ~~period before granting aid, or as a basis for denial of an application or for terminating~~  
32 ~~assistance.~~

33 **Sec. 4. 22 MRSA §3173**, as amended by PL 1997, c. 676, §1 and PL 2003, c. 689,  
34 Pt. B, §6, is further amended by adding at the end a new paragraph to read:

35 An applicant for assistance under the MaineCare program must prove to the  
36 department that the applicant has been physically present for 180 days or longer in the  
37 State prior to applying for MaineCare. Acceptable forms of proof of residency must

1 include the applicant's name and the address of the applicant's residence or domicile. A  
2 post office box or mail drop address is not sufficient. Acceptable proof of residency  
3 includes, but is not limited to, a tax return, W-2 form or paycheck stub; a utility bill or a  
4 letter from a utility company showing application for service; a contract to which the  
5 applicant is a party; or a document issued by a governmental entity.

6 **Sec. 5. 22 MRSA §3763, sub-§11** is enacted to read:

7 **11. Residency requirement.** An applicant for assistance under TANF must prove to  
8 the department that the applicant has been physically present for 180 days or longer in the  
9 State prior to applying for TANF. Acceptable forms of proof of residency must include  
10 the applicant's name and the address of the applicant's residence or domicile. A post  
11 office box or mail drop address is not sufficient. Acceptable proof of residency includes,  
12 but is not limited to:

13 A. A tax return, W-2 form or paycheck stub;

14 B. A utility bill or a letter from a utility company showing application for service;

15 C. A contract to which the applicant is a party; or

16 D. A document issued by a governmental entity.

17 **Sec. 6. 22 MRSA §4307, sub-§2, ¶A**, as enacted by PL 1987, c. 349, Pt. H, §15,  
18 is amended to read:

19 A. A resident of the municipality. For the purposes of this section, a "resident"  
20 means a person who ~~is~~ has been physically present for 180 days or longer in a  
21 municipality with the intention of remaining in that municipality to maintain or  
22 establish a home and who has no other residence; ~~and~~.

23 **Sec. 7. 22 MRSA §4307, sub-§2, ¶B**, as enacted by PL 1987, c. 349, Pt. H, §15,  
24 is repealed.

25 **Sec. 8. 22 MRSA §4307, sub-§3**, as repealed and replaced by PL 1987, c. 349,  
26 Pt. H, §15, is repealed.

## 27 SUMMARY

28 This bill establishes a 180-day residency requirement for applicants for the  
29 MaineCare program, the statewide food supplement program, the Temporary Assistance  
30 for Needy Families program and municipal general assistance.