

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 221

S.P. 67

In Senate, January 24, 2017

**An Act To Amend the Laws Regarding the Municipality of  
Responsibility for General Assistance Applicants Released from a  
State Correctional Facility or County Jail Facility**

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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 GRATWICK of Penobscot.  
Cosponsored by Representative PIERCE of Dresden and  
Senators: DILL of Penobscot, DION of Cumberland, KATZ of Kennebec, ROSEN of  
Hancock, VOLK of Cumberland, Representative: ZEIGLER of Montville.

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

2 **Sec. 1. 22 MRSA §4307, sub-§4**, as amended by PL 2015, c. 267, Pt. II, §1, is  
3 further amended to read:

4 **4. Special circumstances.** Overseers of a municipality may not move or transport  
5 an applicant or recipient into another municipality to relieve their municipality of  
6 responsibility for that applicant's or recipient's support. The municipality of  
7 responsibility for relocations, ~~persons released from correctional facilities~~ and  
8 institutional settings is as follows.

9 A. When an applicant or recipient requests relocation to another municipality and the  
10 overseers of a municipality assist that person to relocate to another municipality, the  
11 municipality from which that person is moving continues to be responsible for the  
12 support of the recipient for 30 days after relocation. As used in this paragraph,  
13 "assist" includes:

14 (1) Granting financial assistance to relocate; and

15 (2) Making arrangements for a person to relocate.

16 B. If an applicant is in a group home, shelter, rehabilitation center, nursing home,  
17 hospital or other institution at the time of application and has either been in that  
18 institution for 6 months or less, or had a residence immediately prior to entering the  
19 institution which the applicant had maintained and to which the applicant intends to  
20 return, the municipality of responsibility is the municipality where the applicant was  
21 a resident immediately prior to entering the institution. For the purpose of this  
22 paragraph, a hotel, motel or similar place of temporary lodging is considered an  
23 institution when a municipality:

24 (1) Grants financial assistance for a person to move to or stay in temporary  
25 lodging;

26 (2) Makes arrangements for a person to stay in temporary lodging;

27 (3) Advises or encourages a person to stay in temporary lodging; or

28 (4) Illegally denies housing assistance and, as a result of that denial, the person  
29 stays in temporary lodging.

30 ~~C. If an applicant has been released from a correctional facility within 45 days of~~  
31 ~~application, the municipality of responsibility for the first 12 months of payment of~~  
32 ~~benefits is the municipality that was on record as the residence of the applicant when~~  
33 ~~the applicant was committed to the correctional facility. A municipality of~~  
34 ~~responsibility must accept an application for general assistance by telephone if the~~  
35 ~~applicant is calling from another municipal office, as long as the written application~~  
36 ~~is contemporaneously faxed or sent electronically to the municipality of~~  
37 ~~responsibility.~~

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## **SUMMARY**

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This bill repeals a provision of law providing that when a general assistance applicant applies for benefits within 45 days of being released from a correctional facility, the municipality of financial responsibility for a period of 12 months is the applicant's municipality of residence prior to incarceration.

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