

MAINE STATE LEGISLATURE

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SMY
R O P S

L.D. 1109

2 Date: 3/22/2018 Report A

(Filing No. S-409)

3 **HEALTH AND HUMAN SERVICES**

4 Reproduced and distributed under the direction of the Secretary of the Senate.

5 **STATE OF MAINE**

6 **SENATE**

7 **128TH LEGISLATURE**

8 **SECOND REGULAR SESSION**

9 COMMITTEE AMENDMENT "B" to S.P. 363, L.D. 1109, Bill, "An Act To
10 Improve General Assistance Reimbursements"

11 Amend the bill by striking out the title and substituting the following:

12 '**An Act To Establish Homelessness as an Emergency in the General Assistance**
13 **Laws'**

14 Amend the bill by striking out everything after the enacting clause and before the
15 summary and inserting the following:

16 **'Sec. 1. 22 MRSA §4301, sub-§5-A** is enacted to read:

17 **5-A. Homelessness.** "Homelessness" means a situation in which a person or
18 household has no permanent or safe housing including when a person or household is:

19 A. Living in a place that is not fit for human habitation;

20 B. Living in an emergency shelter;

21 C. Living in temporary housing, including but not limited to a hotel, motel,
22 campground, unlicensed campsite or rehabilitation facility;

23 D. Exiting a hospital or institution licensed under chapter 405 or a correctional
24 facility where the person or household resided for up to 90 days if the person or
25 household was in an emergency shelter or a place not fit for human habitation before
26 entering the hospital, institution or correctional facility;

27 E. Losing the person's or household's primary nighttime residence and lacking the
28 resources or support networks to remain in that residence; or

29 F. Fleeing or attempting to flee violence and has no other residence.

30 **Sec. 2. 22 MRSA §4308, sub-§2,** as amended by PL 1999, c. 45, §1, is further
31 amended to read:

32 **2. Emergencies.** A person, including a person experiencing or facing homelessness,
33 who does not have sufficient resources to provide one or more basic necessities in an

1 emergency is eligible for emergency general assistance, even when that applicant has
2 been found ineligible for nonemergency general assistance, except as provided in this
3 subsection.

4 A. A person who is currently disqualified from general assistance for a violation of
5 section 4315, 4316-A or 4317 is ineligible for emergency assistance under this
6 subsection.

7 B. Municipalities may by standards adopted in municipal ordinances restrict the
8 disbursement of emergency assistance to alleviate emergency situations to the extent
9 that those situations could not have been averted by the applicant's use of income and
10 resources for basic necessities. The person requesting assistance shall provide
11 evidence of income and resources for the applicable time period.

12 A municipality may provide emergency assistance when the municipality determines that
13 an emergency is imminent and that failure to provide assistance may result in undue
14 hardship and unnecessary costs.'

15 **SUMMARY**

16 This amendment, which is the majority report of the committee, replaces the bill.
17 The amendment defines "homelessness" and establishes homelessness as an emergency
18 for the purposes of a grant of emergency general assistance, as long as the person or
19 household is not otherwise ineligible for or disqualified from receiving general assistance.

20 **FISCAL NOTE REQUIRED**

21 (See attached)



128th MAINE LEGISLATURE

LD 1109

LR 1843(04)

An Act To Improve General Assistance Reimbursements

Fiscal Note for Bill as Amended by Committee Amendment "B" (S-409)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - General Fund

Fiscal Detail and Notes

This bill defines homelessness and establishes it as an emergency for the purposes of being granted General Assistance (GA), assuming applicant is not otherwise ineligible or disqualified from receiving GA. By being deemed an emergency, municipalities would be allowed to go over the normal monthly cap on housing expenditures in GA. This will potentially increase assistance payments made by municipalities and increase amounts reimbursed to municipalities by the Department of Health and Human Services. A more precise estimate of the fiscal impact is not possible because recipient data related to number of months on assistance, amounts paid to each recipient, number of recipients who return and the frequency of emergency status resides at the municipal level and varies over time.