

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1675

H.P. 1073

House of Representatives, April 13, 2023

**An Act to Amend the Laws Governing the General Assistance
Program Regarding Eligibility, Housing Assistance and State
Reimbursement and to Establish a Working Group**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "R(t) B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BRENNAN of Portland.
Cosponsored by Senator PIERCE of Cumberland and
Representatives: CLOUTIER of Lewiston, COLLINGS of Portland, CROCKETT of Portland,
GEIGER of Rockland, MEYER of Eliot, PERRY of Calais, SALISBURY of Westbrook,
ZAGER of Portland.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** provisions in this legislation take effect July 1, 2023; and

4 **Whereas,** unless this legislation takes effect immediately, the provisions in the bill
5 cannot be effectuated; and

6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
7 the meaning of the Constitution of Maine and require the following legislation as
8 immediately necessary for the preservation of the public peace, health and safety; now,
9 therefore,

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

11 **Sec. 1. 22 MRSA §4308, sub-§1-C** is enacted to read:

12 **1-C. Calculation of housing assistance.** A municipality shall calculate housing
13 assistance under this chapter equivalent to the amount of rental assistance provided for
14 tenant-based housing choice vouchers under the United States Housing Act of 1937, Public
15 Law 75-412, 50 Stat. 888, Section 8, as amended.

16 **Sec. 2. 22 MRSA §4309, sub-§1,** as amended by PL 1989, c. 840, §4, is further
17 amended to read:

18 **1. Eligibility of applicant; duration of eligibility.** The overseer shall determine
19 eligibility each time a person applies or reapplies for general assistance pursuant to this
20 chapter and the ordinance adopted by the municipality in accordance with section 4305.
21 The period of eligibility must not exceed ~~one month~~ 6 months. At the expiration of that
22 period the person may reapply for assistance and the person's eligibility may be
23 redetermined.

24 **Sec. 3. 22 MRSA §4311, sub-§1,** as amended by PL 2015, c. 267, Pt. SSSS, §1, is
25 further amended to read:

26 **1. Departmental reimbursement.** When a municipality incurs net general assistance
27 costs in any fiscal year prior to July 1, 2015 in excess of .0003 of that municipality's most
28 recent state valuation relative to the state fiscal year for which reimbursement is being
29 issued, as determined by the State Tax Assessor in the statement filed as provided in Title
30 36, section 381, the Department of Health and Human Services shall reimburse the
31 municipality for 90% of the amount in excess of these expenditures when the department
32 finds that the municipality has been in compliance with all requirements of this chapter. If
33 a municipality elects to determine need without consideration of funds distributed from any
34 municipally-controlled trust fund that must otherwise be considered for purposes of this
35 chapter, the department shall reimburse the municipality for 66 2/3% of the amount in
36 excess of such expenditures when the department finds that the municipality has otherwise
37 been in compliance with all requirements of this chapter.

38 The department shall reimburse each municipality and each Indian tribe 70% of the direct
39 costs incurred by that municipality or tribe on or after July 1, 2015 and until June 30, 2023
40 for the general assistance program granted by that municipality or tribe. ~~For the purposes~~
41 ~~of this subsection, "Indian tribe" has the same meaning as in section 411, subsection 8-A.~~

1 Beginning July 1, 2023, when a municipality incurs net general assistance costs in excess
2 of 0.008% of that municipality's most recent state valuation relative to the state fiscal year
3 for which reimbursement is being issued, as determined by the State Tax Assessor in the
4 statement filed as provided in Title 36, section 381, the Department of Health and Human
5 Services shall reimburse the municipality for 90% of the amount in excess of these
6 expenditures when the department finds that the municipality has been in compliance with
7 all requirements of this chapter.

8 For the purposes of this subsection, "Indian tribe" has the same meaning as in section 411,
9 subsection 8-A.

10 **Sec. 4. Working group.** The Department of Health and Human Services shall
11 establish a working group of stakeholders and interested parties, as determined by the
12 department, to study and make recommendations related to a uniform intake process and
13 the conversion of the general assistance program under the Maine Revised Statutes, Title
14 22, chapter 1161 into a housing assistance program. No later than December 6, 2023, the
15 department shall submit its report and recommendations to the Joint Standing Committee
16 on Health and Human Services. The committee may report out legislation related to the
17 report to the Second Regular Session of the 131st Legislature.

18 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
19 takes effect when approved.

20 SUMMARY

21 This bill amends the law governing the general assistance program to provide that a
22 municipality must calculate housing assistance equivalent to the amount of rental assistance
23 provided for tenant-based housing choice vouchers under Section 8 of the United States
24 Housing Act of 1937. The bill extends the period of eligibility from one month to 6 months.
25 Beginning July 1, 2023, when a municipality incurs net general assistance costs in excess
26 of 0.008% of that municipality's most recent state valuation relative to the state fiscal year
27 for which reimbursement is being issued, the Department of Health and Human Services
28 must reimburse the municipality for 90% of the amount in excess of these expenditures.

29 The bill also directs the department to establish a working group to study and make
30 recommendations related to a uniform intake process and the conversion of the general
31 assistance program into a housing assistance program.