

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

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

**Whereas,** this Act needs to take effect immediately for the protection of those individuals with individual health insurance who will soon become eligible for Medicare; and

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

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

**Sec. 1. 24-A MRSA §2736-C, sub-§2, ¶E,** as enacted by PL 1997, c. 370, Pt. E, §3, is amended to read:

E. A separate community rate may be established for individuals eligible for Medicare Part A without paying a premium; however, this rate may not be applied if both the Medicare eligibility date and the issue date are prior to the effective date of this paragraph July 1, 2000.

**Sec. 2. Retroactivity.** This Act applies retroactively to September 19, 1997.

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

Effective April 2, 1999.

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**CHAPTER 45**

**H.P. 179 - L.D. 257**

**An Act Regarding General Assistance**

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

**Sec. 1. 22 MRSA §4308, sub-§2,** as amended by PL 1993, c. 410, Pt. AAA, §6, is further amended to read:

**2. Emergencies.** A person who does not have sufficient resources to provide one or more basic necessities in an emergency is eligible for emergency general assistance, even when that applicant has been found ineligible for nonemergency general assistance, except as provided in this subsection.

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

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

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

See title page for effective date.

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**CHAPTER 46**

**S.P. 27 - L.D. 38**

**An Act to Give the Probate Court Power to Order Child Support in Cases Involving Guardianship of a Minor**

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

**Sec. 1. 18-A MRSA §5-204,** as repealed and replaced by PL 1995, c. 623, §1, is amended by adding a new 4th paragraph to read:

If a proceeding is brought under subsection (b) or subsection (c), the court may order a parent to pay child support in accordance with Title 19-A, Part 3.

**Sec. 2. 19-A MRSA §2002,** as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

**§2002. Application**

Notwithstanding any other provisions of law, this chapter applies to a court action or administrative proceeding in which a child support order is issued or modified under Title 18-A, section 5-204, this Title or Title 22 and to any court action or administrative proceeding in which past support is awarded.

See title page for effective date.