

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION
July 29, 2005

SECOND REGULAR SESSION
January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 23, 2006

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

Penmor Lithographers
Lewiston, Maine
2006

from descent from a member of a federally recognized Indian tribe.

Sec. 2. 22 MRSA §4038-C, sub-§11 is enacted to read:

11. Application to pending cases. The District Court may appoint a permanency guardian in a proceeding pending on September 17, 2005 or in a proceeding commenced on or after September 17, 2005.

Sec. 3. 22 MRSA §4038-D, sub-§10, as enacted by PL 2005, c. 372, §6, is amended to read:

10. Permanency guardian's eligibility for public benefits. The Except as required by federal law or regulation, the guardianship subsidy may not be counted as resources or income in the determination of the permanency guardian's eligibility for any public benefit.

Sec. 4. 22 MRSA §4038-D, sub-§11 is enacted to read:

11. Application to pending cases. The department may provide a guardianship subsidy pursuant to this section to a child who is the subject of a child protection proceeding pending on September 17, 2005 or to a child who is the subject of a child protection proceeding commenced on or after September 17, 2005.

See title page for effective date.

CHAPTER 522

H.P. 1294 - L.D. 1854

An Act To Expand the Alternative Aid Program

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

Sec. 1. 22 MRSA §3763, sub-§8, as enacted by PL 1997, c. 530, Pt. A, §16, is amended to read:

8. Alternative aid. To assist applicants who seek short term assistance to obtain or retain employment, the department shall pay one-time voucher payments of up to 3 times the monthly TANF grant for which the family is eligible. The department shall provide alternative aid to applicants who seek short-term assistance in order to obtain or retain employment. The applicants must meet the eligibility requirements established by rule adopted pursuant to section 3762, subsection 3, paragraph A. The alternative aid may not exceed 3 times the value of the monthly TANF grant for which the applicant's family

is eligible. An eligible applicant may receive alternative aid no more than once during any 12-month period. If the family reapplies for TANF within 3 months of receiving alternative aid, the family must shall repay any alternative aid received in excess of the amount that the family would have received on TANF. The method of repayment must be the same as that used for the repayment of unintentional overpayments in the TANF program.

See title page for effective date.

CHAPTER 523

S.P. 664 - L.D. 1747

An Act To Assist Maine Military Families

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

Whereas, with the continued and ongoing deployment of Maine residents to active military duty, it is necessary that the leave authorized by this legislation become immediately available to the family members of those residents; 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. 26 MRSA c. 7, sub-c. 5, as amended, is further amended by repealing the subchapter headnote and enacting the following in its place:

SUBCHAPTER 5

LEAVE RELATING TO RESERVE TRAINING OR MILITARY SERVICE

Sec. 2. 26 MRSA §814 is enacted to read:

§814. Family military leave

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Deployed for military service" or "deployment" means active military duty with the state military forces, as defined in Title 37-B, section 102, or the United States Armed Forces, includ-