

125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1862

S.P. 647

In Senate, March 12, 2012

An Act To Limit Eligibility under the Municipal General Assistance Program

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR. Secretary of the Senate

Presented by Senator SAVIELLO of Franklin. Cosponsored by Representative CASAVANT of Biddeford and Senator: McCORMICK of Kennebec.

- 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
- Whereas, in Public Law 2011, chapter 380, the Legislature enacted legislation that
 as of January 1, 2012 retroactively implements a 60-month lifetime limit on Temporary
 Assistance for Needy Families, or "TANF," program benefits; and
- 6 **Whereas,** according to the family independence office of the Department of Health 7 and Human Services, over 3,000 families have met or will soon meet the 60-month 8 lifetime limit; and
- 9 Whereas, the municipal general assistance program, which is administered by 10 municipalities and funded by the State and municipalities, was designed as a program of 11 last resort, available only for a limited period of time "for the immediate aid of persons 12 who are unable to provide the basic necessities essential to maintain themselves or their 13 families"; and
- 14 **Whereas,** under the municipal general assistance program funding formula, 40% of 15 the approximately \$16,000,000 program is funded with local property tax dollars; and
- Whereas, while over 3,000 families may no longer be eligible for TANF program
 benefits, those families remain eligible for municipal general assistance program benefits;
 and
- Whereas, the TANF lifetime limit will place most of the burden on the State's more populated Department of Health and Human Services regional areas, including: Augusta, with 293 families; Bangor, with 267 families; Biddeford, with 122 families; Calais, with 44 families; Caribou, with 73 families; Ellsworth, with 50 families; Farmington, with 93 families; Fort Kent, with 64 families; Houlton, with 49 families; Lewiston, with 606 families; Portland, with 545 families; Rockland, with 328 families; Sanford, with 164 families; South Paris, with 235 families; and Skowhegan, with 133 families; and
- 26 Whereas, additional families will reach the 60-month lifetime limit each month; and
- Whereas, the decisions of the Legislature to limit the State's fiscal exposure to assistance programs should not place additional burdens on Maine property taxpayers; and
- 30 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 31 the meaning of the Constitution of Maine and require the following legislation as 32 immediately necessary for the preservation of the public peace, health and safety; now, 33 therefore,
- 34 Be it enacted by the People of the State of Maine as follows:
- 35 Sec. 1. 22 MRSA §4301, sub-§3, as enacted by PL 1983, c. 577, §1, is amended
 36 to read:

1 **3. Eligible person.** "Eligible person" means a person who is qualified to receive 2 general assistance from a municipality according to standards of eligibility determined by 3 the municipal officers whether or not that person has applied for general assistance. A person who is a member of a household that is ineligible to receive benefits under the 4 Temporary Assistance for Needy Families program because the household has reached 5 6 the 60-month lifetime benefit limit imposed pursuant to section 3762, subsection 18 is ineligible to receive general assistance for the duration of the ineligibility of that 7 household for benefits under the Temporary Assistance for Needy Families program. 8

9 Sec. 2. 22 MRSA §4309, sub-§5 is enacted to read:

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5. Eligibility based on Temporary Assistance for Needy Families program
 benefits. Notwithstanding any provision of law to the contrary, a person who is a
 member of a household that is ineligible to receive benefits under the Temporary
 Assistance for Needy Families program because the household has reached the 60-month
 lifetime benefit limit imposed pursuant to section 3762, subsection 18 is ineligible to
 receive general assistance for the duration of the ineligibility of that household for
 benefits under the Temporary Assistance for Needy Families program.

- Emergency clause. In view of the emergency cited in the preamble, this
 legislation takes effect when approved.
 - SUMMARY

This bill excludes from eligibility for a municipal general assistance program a person who is a member of a household that is ineligible to receive Temporary Assistance for Needy Families program benefits because the household has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families program benefits.