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An Act To Limit Eligibility under the Municipal General Assistance Program

Emergency preamble. Whereas, acts and resolves of the Legislature do not 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

Whereas, according to the family independence office of the Department of Health and Human Services, over 3,000 families have met or will soon meet the 60-month lifetime limit; and

Whereas, the municipal general assistance program, which is administered by municipalities and funded by the State and municipalities, was designed as a program of last resort, available only for a limited period of time "for the immediate aid of persons who are unable to provide the basic necessities essential to maintain themselves or their families"; and

Whereas, under the municipal general assistance program funding formula, 40% of 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

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

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. 22 MRSA §4301, sub-§3, as enacted by PL 1983, c. 577, §1, is amended to read:

3. Eligible person. "Eligible person" means a person who is qualified to receive general assistance from a municipality according to standards of eligibility determined by 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 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.

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

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.