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HEALTH AND HUMAN SERVICES

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STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to S.P. 362, L.D. 1036, Bill, "An Act To Prioritize Use of Available Resources in General Assistance Programs"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 22 MRSA §4301, sub-§1-B is enacted to read:

1-B. Available resource. "Available resource" means any resource that is immediately available or can be secured without delay, including but not limited to cash on hand or in bank accounts; support from relatives; any state, federal or nonprofit health or social service provider assistance; or any housing, employment or unemployment assistance that an applicant is receiving or is immediately eligible to receive.'

Amend the bill by striking out all of section 4 and inserting the following:

'Sec. 4. 22 MRSA §4317-A is enacted to read:

§4317-A. Use of available resources

1. Abandonment and refusal to use available resource. An applicant who abandons or refuses to use an available resource without just cause is not eligible to receive general assistance to replace the abandoned or refused available resource for a period of 120 days from the date the applicant abandoned or refused to use the available resource. An available resource is considered abandoned if the applicant without just cause voluntarily terminates receipt of an available resource. It is the responsibility of the applicant to establish the presence of just cause.

2. Forfeiture of benefits. An applicant who forfeits receipt of or causes reduction in benefits from an available resource because of fraud, misrepresentation or a knowing or intentional violation of a rule governing an available resource or a refusal to comply with a rule governing an available resource without just cause is not eligible to receive general assistance to replace the forfeited benefits for the duration of a sanction imposed on the applicant for violation of a rule governing an available resource or 120 days, whichever is greater. It is the responsibility of the applicant to establish the presence of just cause.

COMMITTEE AMENDMENT

1 Failure of an otherwise eligible person to comply with this section may not affect the  
2 general assistance eligibility of any member of the person's household.'

3 Amend the amendment by relettering or renumbering any nonconsecutive Part letter  
4 or section number to read consecutively.

5 **SUMMARY**

6 This amendment, which is the minority report of the committee, retains from the bill  
7 a definition for "available resource" but moves it to the general definition section for the  
8 chapter of law relating to municipal general assistance. The amendment also removes the  
9 provision in the bill that identifies circumstances relating to the use of an available  
10 resource under which just cause must be found, relying instead on the definition of "just  
11 cause" in the general definition section.

12 **FISCAL NOTE REQUIRED**

13 **(See attached)**

**COMMITTEE AMENDMENT**