



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1511

H.P. 1114

House of Representatives, April 26, 2011

An Act To Impose a Lifetime Maximum on the Receipt of Welfare Benefits

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative GUERIN of Glenburn.
Cosponsored by Representatives: BICKFORD of Auburn, EDGECOMB of Caribou,
ESPLING of New Gloucester, MORISSETTE of Winslow, O'CONNOR of Berwick, OLSEN
of Phippsburg, SIROCKI of Scarborough.

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

2 **Sec. 1. 22 MRSA §3762, sub-§15**, as enacted by PL 1997, c. 695, §1, is repealed.

3 **Sec. 2. 22 MRSA §3762, sub-§18** is enacted to read:

4 **18. Lifetime limit on assistance.** There is a maximum lifetime limit on the length
5 of time an adult may receive TANF assistance of 60 months, except that a person that
6 received TANF benefits for 60 months may reapply for TANF in an emergency situation
7 after the recipient has not received assistance for 5 years. The department shall adopt
8 major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A to define
9 "emergency situation."

10 **Sec. 3. 22 MRSA §4309, sub-§1**, as amended by PL 1989, c. 840, §4, is further
11 amended to read:

12 **1. Eligibility of applicant; duration of eligibility.** The overseer shall determine
13 eligibility each time a person applies or reapplies for general assistance pursuant to this
14 chapter and the ordinance adopted by the municipality in accordance with section 4305.
15 The period of eligibility ~~must~~ may not exceed one month. At the expiration of that period
16 the person may reapply for assistance and the person's eligibility may be redetermined.
17 There is a maximum lifetime limit on the length of time a person may receive general
18 assistance of 24 months, except that the overseer, at the overseer's discretion, may accept
19 an application from a person who has reached the limit of 24 months. If the overseer
20 accepts an application for general assistance from a person who has reached the limit of
21 24 months, the municipality is wholly responsible for funding the general assistance.

22 **Sec. 4. Rulemaking.** The Department of Health and Human Services shall adopt
23 routine technical rules, as defined in the Maine Revised Statutes, Title 5, chapter 375,
24 subchapter 2-A, to implement the 60-month lifetime limitation of benefits under the
25 Temporary Assistance for Needy Families program pursuant to Title 22, section 3762,
26 subsection 18.

27 The Department of Health and Human Services shall adopt major substantive rules,
28 as defined in Title 5, chapter 375, subchapter 2-A, to establish a process for the
29 reapplication by an individual to receive assistance in an emergency situation after the
30 60-month limit has been reached under the Temporary Assistance for Needy Families
31 program pursuant to Title 22, section 3762, subsection 18.

32 **Sec. 5. Effective date.** Those sections of this Act that repeal the Maine Revised
33 Statutes, Title 22, section 3762, subsection 15, enact Title 22, section 3762, subsection 18
34 and amend Title 22, section 4309, subsection 1 take effect January 1, 2012.

35 **SUMMARY**

36 This bill reforms the welfare system in Maine by:

1 1. Limiting the total time a person may receive Temporary Assistance for Needy
2 Families, or TANF, assistance to a lifetime maximum of 60 months as an adult, except
3 for emergency situations; and

4 2. Limiting the total time a person may receive municipal general assistance to a
5 lifetime maximum of 24 months, except in limited circumstances.

6 The changes take effect January 1, 2012.