OFFICE OF
THE GOVERNOR

NO. 29 FY 19/20
DATE March 31, 2020

AN ORDER MODIFYING PROVISIONS OF THE MAINE GENERAL ASSISTANCE PROGRAM AND RELATED RULES IN ORDER TO MEET THE BASIC NEEDS OF PEOPLE DURING THE COVID-19 PANDEMIC

WHEREAS, the spread of the novel coronavirus disease referred to as COVID-19 has created a public health emergency; and

WHEREAS, on March 11, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization; and

WHEREAS, on March 15, I declared a State of Civil Emergency in Maine to respond to the spread of COVID-19; and

WHEREAS, on March 24, I issued an Order that, among other provisions, directs non-essential businesses to close their public facing operations in order to slow the spread of COVID-19, and

WHEREAS, the escalating COVID-19 public health emergency is likely to continue and necessitate that Maine residents curtail their movement and social interaction in order to mitigate the transmission of COVID-19; and

WHEREAS, during the state of emergency, the availability of work has become severely limited and unemployment claims have skyrocketed as many people have lost their jobs, been laid off, or have been unable to pursue their usual work, and cannot obtain new employment with many businesses closed or operating on reduced staffing, and

WHEREAS, I have established measures designed to limit face to face interactions among people, to impose social distancing measures and to close many businesses;

WHEREAS, more than 110 people are seeking General Assistance each day in Portland alone, making visits to municipal offices inconsistent with social distancing and compliance with state recommendations to shelter at home in order to slow the spread of COVID-19; and

WHEREAS, Maine Tribal members living on Tribal land have higher rates of poverty and unemployment than the counties in which they are located, as well as greater health disparities than non-Tribal members, resulting in greater vulnerability during the COVID-19 pandemic; and

WHEREAS, 37-B M.R.S.§ 742(1)(C)(1) & (2) and (13)(a) authorize the Governor during a state of emergency declared due to the outbreak of COVID-19 to: suspend the enforcement of statutes or rules for the conduct of state business if strict compliance with such requirements would in any

way prevent, hinder, or delay necessary action in dealing with the emergency; utilize resources of the state and its subdivisions as reasonably necessary to cope with the disaster; and reasonably adjust time frames and deadlines imposed by law for state and municipal government when necessary to mitigate an effect of the emergency; and

WHEREAS, pursuant to this authority and the general emergency management powers of the Governor under law, the temporary suspension of selected state laws and rules is necessary to facilitate the response to the current public health situation;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to 37-B M.R.S. Ch. 13, including but not limited by 37-B M.R.S. § 742(1)(C)(1) & (2) and (13)(a), do hereby Order the following:

I. ORDER

The relevant provisions of Title 22, Maine Revised Statutes, Chapter 1161, including but not limited to §§ 4301, 4308, 4309, 4310, 4311 and 4316-A and the related rules in the Maine General Assistance Manual, CMR 10-144, Chapter 323, are hereby suspended and/or modified to:

1. Provide for a maximum period of benefit eligibility of sixty days;
2. Consider any application for General Assistance benefits to be an emergency application for purposes of eligibility;
3. Treat the State of Civil Emergency as just cause for provision of General Assistance benefits without requiring compliance with the work search requirements; and
4. Provide state funding, to the extent of existing resources, for 100% of the benefits paid by the Maine Tribes above the threshold amount, provided that if a Tribe elects to determine need without consideration of funds distributed from any municipally-controlled trust fund that must otherwise be considered for purposes of this chapter, the department shall reimburse the municipality for 66 2/3% of the amount in excess of such expenditures.

The Commissioner of the Department of Health and Human Services is directed to issue forthwith guidance to implement the provisions of this Order.

II. EFFECTIVE DATE

This Order is effective March 31, 2020 and shall remain in effect until rescinded or until the State of Civil Emergency to Protect Public Health is terminated, whichever occurs first.

Janet T. Mills
Governor