

MAINE MUNICIPAL ASSOCIATION

Legal Services
60 Community Drive
Augusta, Maine 04330-9486
(207) 623-8428
Fax (207) 623-1287

WILLIAM W. LIVENGOOD
REBECCA WARREN SEEL
RICHARD P. FLEWELLING
MICHAEL L. STULTZ
KRISTIN M. COLLINS
SUSANNE F. PILGRIM

JOSEPH J. WATHEN
(1957-1997)

To: Municipal Officials/Welfare Directors/General Assistance Administrators

From: Kristin Collins, Staff Attorney

Re: 2010-2011 General Assistance Ordinance Appendices A, B and C

Date: September 27, 2010

Enclosed please find the following items:

- MMA's new (October 1, 2010–October 1, 2011) “**General Assistance Ordinance Appendices**” (A, B and C).
- “**GA Maximums Summary Sheet**” which consolidates GA maximums into one document. Municipalities do have to insert individual locality maximums from Appendix A and C in the summary sheet where indicated in order to complete the information. The “summary” does not have to be adopted, as it is not an Appendix but a tool for municipal officials administering GA.
- “**GA maximums adoption form**” which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectmen or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS in the self-addressed envelope provided with this packet (*see “Filing of GA Ordinance and/or Appendices” below for further information*).

Appendices A, B & C

The enclosed Appendices A, B and C have been revised for your municipality’s General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendices dated October 1, 2009–October 1, 2010. Even if you have already adopted MMA’s model General Assistance Ordinance, **the municipal officers must approve/adopt the new Appendices A-C yearly**. The various maximum levels of General Assistance set forth in Appendices A-C are established as a matter of state law based on certain federal values that are made effective on the first day of October each year.

Appendix A

Appendix A is a listing of the overall maximum levels of assistance pertaining to all municipalities in Maine. These new overall maximum levels of assistance have been calculated on the basis of the 2010-2011 HUD Fair Market Rent (FMR) values that will become effective on October 1, 2010. These maximum levels of assistance are established by Maine General Assistance law (22 MRSA (4305(3-B))) and **cannot** be altered by action of the municipal officers.

You may notice that these levels, as well as the levels in Appendix C, are the same as or only slightly higher than they were for 2009-2010. This is because the annual increase in the federal poverty levels is a factor in the statutory formula used for calculating the overall maximums. This year was slightly unusual in that the federal government did not increase the federal poverty levels from last year.

Because HUD has reorganized certain localities, municipalities should first check to see in which locality they have been placed.

The following abbreviations may assist in your review of the maximums:

Abbreviations:

Department of Housing and Urban Development (HUD)

Fair Market Rent (FMR)

HUD Metro FMR (HMFA)

Metropolitan Statistical Area (MSA)

Appendix B

Appendix B is a listing of the maximum levels of assistance for food. These maximum levels are the same as the USDA 2010-2011 Thrifty Food Plan, which are presumed to be reasonable by regulation of the Department of Health and Human Services (DHHS). If the municipal officers wish to amend these maximum levels of food assistance, a local survey must be developed and provided to DHHS to justify the proposed alterations.

Appendix C

Appendix C is a listing of the maximum levels of assistance for housing (both heated and unheated). These maximum levels were developed by MMA using 2010-2011 HUD Fair Market Rent values that include utility costs. Because the FMR numbers include utility and heating costs, the applicable average utility and heating allowances, as developed by the Maine State Housing Authority (MSHA), are subtracted from the FMR to obtain a pure "housing" cost.

What should your municipality do if the housing maximums contained in this packet are unreasonably low (or high) given the rental rates in your area? The preferred option is to conduct a local rental survey. Municipalities exploring this option should contact DHHS for guidance on conducting such a survey.

Another option is to forego adopting housing maximums (the law does not actually require housing maximums—the other two maximums, i.e., Appendix A and B, are required). If you are a municipality that has to perform "emergency analysis" each and every time an applicant requests housing assistance and you are not planning to perform a market survey (although you probably should), then perhaps working without housing maximums is an option.

Emergency analysis should be an exception, not the rule. If it has become the rule in your municipality, then the adoption of artificially low housing maximums is of no service to you (or your clients) and you might be better off with no housing maximums. Municipalities choosing to forego housing maximums must still adhere to the overall maximum and work an applicant's budget accordingly. Such municipalities might choose to utilize the actual FMR provided by the federal government as a guide.

The Adoption Process

The **municipal officers (i.e., selectmen/council)** adopt the local **General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices ***after notice and hearing***. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted. *(For a copy of the GA model ordinance, please call MMA's Publication Department, or visit our web site www.memun.org).* In addition, any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS has made it easier by enclosing a self-addressed envelope for your use. DHHS will accept the enclosed "adoption sheet" as proof that a municipality has adopted the current GA maximums.

Finally, all general assistance forms and notices that the municipality intends to use must also be submitted to DHHS. If it is your intention to use MMA forms, and you have not already done so, simply state that intention to the Department when you submit your ordinance for DHHS filing. Remember, if you intend to use locally developed forms or notices, those forms should be submitted with your adopted ordinance. DHHS's GA Unit address is:

The Department of Health and Human Services
General Assistance Unit
#11 State House Station (Whitten Road)
Augusta, Maine 04333

By way of a reminder, municipalities that have not already seen or used MMA's "interactive" GA forms on MMA's web site are strongly encouraged to visit our site. GA forms (including MMA's model GA ordinance) and other materials are all available online at www.memun.org.

GA Overall Maximums

Metropolitan Areas

Persons in Household

Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	603	703	897	1140	1287
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	615	617	741	927	1136
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	496	622	760	963	1066
Portland HMFA: Cape Elizabeth, Casco, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	802	952	1233	1553	1664
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	1000	1007	1206	1758	1915
Cumberland County HMFA: Baldwin, Bridgton, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	665	784	1011	1207	1547
Brunswick	667	798	1030	1305	1565

Appendix A
Effective: 10/01/10-10/01/11

Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	793	794	953	1201	1650
York County HMFA: Acton, Alfred, Arundel, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Shapleigh, Waterboro, Wells Biddeford, Saco, Sanford	725	754	958	1146	1252
	732	816	1029	1305	1543

*Note: Add \$75 for each additional person.

Non-Metropolitan Areas

Persons in Household

Aroostook County	469	578	692	903	1000
Franklin County	581	627	763	912	1184
Hancock County	635	732	901	1199	1234
Kennebec County	503	603	750	1024	1093
Knox County	575	760	868	1175	1355
Lincoln County	694	746	900	1087	1226
Oxford County	485	645	743	989	1240
Piscataquis County	603	688	850	1079	1155
Somerset County	483	600	711	1003	1064
Waldo County	677	726	876	1074	1142
Washington County	581	628	749	928	1012

* Please Note: Add \$75 for each additional person.

Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. Through October 1, 2011, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	46.51	200
2	85.35	367
3	122.33	526
4	155.35	668
5	184.42	793
6	221.40	952
7	244.65	1,052
8	279.53	1,202

Note: For each additional person add \$150 per month.

GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should **ONLY consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (*See Instruction Memo for further guidance.*)

Non-Metropolitan FMR Areas

<u>Aroostook County</u> Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	66	285	84	362
1	80	343	103	445
2	90	385	122	526
3	120	517	161	693
4	120	517	173	745
<u>Franklin County</u>				
Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	95	408	108	465
1	97	418	115	493
2	114	491	139	596
3	134	578	165	708
4	172	741	216	930
<u>Hancock County</u>				
Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	105	451	119	512
1	117	503	135	582
2	130	557	155	668
3	191	820	223	959
4	191	820	223	959
<u>Kennebec County</u>				
Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	79	339	92	394
1	93	399	110	471
2	113	484	136	584
3	159	685	189	811
4	159	685	197	848

Appendix C

Effective: 10/01/10-10/01/11

Non-Metropolitan FMR Areas

<u>Knox County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	94	405	107	460	
1	126	541	143	614	
2	137	590	161	691	
3	191	821	220	948	
4	209	899	252	1083	
Lincoln County					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	119	513	132	568	
1	123	528	140	601	
2	144	619	167	720	
3	172	741	202	868	
4	172	741	202	869	
Oxford County					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	75	321	88	378	
1	101	434	118	509	
2	110	472	134	577	
3	151	648	181	778	
4	184	792	227	978	
Piscataquis County					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	96	413	111	479	
1	103	441	125	539	
2	123	527	154	663	
3	157	675	196	844	
4	157	675	205	881	
Somerset County					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	74	319	87	376	
1	91	393	109	468	
2	103	443	127	548	
3	154	661	184	791	
4	154	661	191	821	

Appendix C

Effective: 10/01/10-10/01/11

Non-Metropolitan FMR Areas

<u>Waldo County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	116	497	128	552	
1	119	510	136	583	
2	139	597	162	698	
3	170	729	199	856	
4	170	729	207	892	

<u>Washington County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	93	402	108	463	
1	95	410	113	488	
2	108	465	134	575	
3	134	575	166	713	
4	134	575	176	756	

Metropolitan FMR Areas

<u>Bangor HMFA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	96	413	111	476	
1	106	455	127	548	
2	132	569	162	698	
3	170	730	207	891	
4	176	756	230	988	

<u>Penobscot County HMFA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	99	424	114	491	
1	99	424	114	491	
2	100	429	131	565	
3	125	538	164	707	
4	145	622	201	865	

<u>Lewiston/Auburn MSA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	78	334	90	388	
1	97	417	113	488	
2	115	493	138	593	
3	147	631	176	755	
4	149	641	191	823	

Appendix C

Effective: 10/01/10-10/01/11

Metropolitan FMR Areas

<u>Portland HMFA</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	142	611	154	666	
1	166	715	183	788	
2	214	922	238	1023	
3	271	1165	300	1292	
4	274	1180	318	1367	
<u>York/Kittery/S. Berwick HMFA</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	170	729	182	784	
1	170	729	182	784	
2	191	823	215	924	
3	289	1241	318	1368	
4	300	1289	343	1473	
<u>Cumberland County HMFA</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	111	479	124	534	
1	131	563	148	636	
2	167	720	191	821	
3	198	850	227	977	
4	250	1073	293	1260	
<u>Sagadahoc County HMFA</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	140	603	153	658	
1	140	603	153	658	
2	155	667	179	768	
3	186	798	215	925	
4	271	1167	314	1351	
<u>York County HMFA</u>					
Bedrooms	Weekly	Monthly	Weekly	Monthly	Monthly
0	126	541	139	596	
1	126	541	141	608	
2	156	672	180	773	
3	185	795	214	922	
4	188	807	231	992	

GA MAXIMUMS SUMMARY SHEET
 (Oct. 1, 2010-Oct. 1, 2011)

APPENDIX A
OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6

NOTE: For each additional person add \$75 per month.

(The applicable figures from Appendix A, *once adopted*, should be inserted here.)

APPENDIX B
FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	46.51	200
2	85.35	367
3	122.33	526
4	155.35	668
5	184.42	793
6	221.40	952
7	244.65	1,052
8	279.53	1,202

NOTE: For each additional person add \$150 per month.

APPENDIX C
HOUSING MAXIMUMS

<u>Number of Bedrooms</u>	<u>Unheated</u>		<u>Heated</u>	
	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0				
1				
2				
3				
4				

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

FOR MUNICIPAL USE ONLY

UTILITIES (Appendix D)

ELECTRIC

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is *not automatically* entitled to the "maximums" established—applicants must demonstrate need.

1) **Electricity Maximums for Households *Without Electric Hot Water*:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.20	\$82.50
5	\$21.00	\$90.00
6	\$22.70	\$97.50

NOTE: For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households *With Electrically Heated Hot Water*:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$16.30	\$70.00
2	\$18.60	\$80.00
3	\$21.00	\$90.00
4	\$23.30	\$100.00
5	\$25.60	\$110.00
6	\$27.90	\$120.00

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

HEATING FUEL (Appendix E)

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

FOR MUNICIPAL USE ONLY

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

PERSONAL CARE & HOUSEHOLD SUPPLIES
(Appendix F)

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

FOR MUNICIPAL USE ONLY