

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 579

H.P. 429

House of Representatives, January 28, 1997

**An Act to Ensure Equal Treatment of Lawful Aliens in Providing  
Medical Assistance and Aid to Needy Families.**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MITCHELL of Portland.  
Cosponsored by Senator PARADIS of Aroostook and  
Representatives: ETNIER of Harpswell, MITCHELL of Vassalboro, PENDLETON of  
Scarborough, SAXL of Portland, THOMPSON of Naples, WINGLASS of Auburn, Senators:  
MICHAUD of Penobscot, PINGREE of Knox.

2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4           Whereas, state law providing for the continuation of  
6 assistance to needy families of legal aliens with children will  
terminate on June 30, 1997 unless further action is taken by the  
8 Legislature; and

10           Whereas, federal law no longer guarantees access to medical  
assistance for low-income children, their parents and certain  
12 elderly, blind and disabled individuals; and

14           Whereas, the loss of this assistance would leave these  
families and individuals who are lawfully residing in this  
16 country and paying taxes to the State Government, and to the  
Federal Government in severe financial jeopardy and without  
18 access to needed health care; and

20           Whereas, the cost of assisting persons losing this  
assistance will fall on municipal general assistance programs  
22 throughout the State, which are supported in part by the local  
property tax; and

24           Whereas, in the judgment of the Legislature, these facts  
26 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
28 necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

32           **Sec. 1. 22 MRSA §3174-R is enacted to read:**

34           **§3174-R. Equal access to medical assistance for legal aliens**

36           An alien lawfully residing in this State may not be denied  
38 assistance under this chapter because of that person's alien  
status.

40           **Sec. 2. 22 MRSA §3741-M is enacted to read:**

42           **§3741-M. Equal access to aid for legal aliens**

44           An alien lawfully residing in this State may not be denied  
46 assistance under this chapter or chapter 1054-A because of that  
person's alien status.

48           **Emergency clause.** In view of the emergency cited in the  
50 preamble, this Act takes effect when approved.

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## SUMMARY

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6       This bill clarifies that the Department of Human Services  
8       must continue to provide the same assistance to legal aliens in  
10       this State in the Medicaid, Aid to Families with Dependent  
      Children and related programs that it provided prior to the  
      passage of the federal Personal Responsibility and Work  
      Opportunity Reconciliation Act.