

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 1416

H.P. 992

House of Representatives, April 7, 2009

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**An Act To Update Terms and Make Changes in Child Care and  
Transportation Benefits under the Temporary Assistance for Needy  
Families Program**

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Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.  
Reference to the Committee on Health and Human Services suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MILLETT of Waterford.

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

2 **Sec. 1. 22 MRSA §3104**, as amended by PL 2001, c. 598, §1, is further amended  
3 to read:

4 **§3104. Statewide food supplement program**

5 **1. Program required.** The department shall:

6 A. Administer a statewide program in accordance with the related requirements and  
7 regulations of the United States ~~Departments of Agriculture and Health, Education~~  
8 ~~and Welfare~~ Department of Agriculture, the United States Department of Health and  
9 Human Services and the United States Department of Education; and

10 B. Cooperate with and participate in the administration of food distribution  
11 programs in conformity with regulations promulgated by the United States  
12 Department of Agriculture.

13 ~~3. Authorization of emergency food stamp benefits prior to full verification.~~  
14 ~~Whenever an applicant for food stamps states to the department that he is in need of~~  
15 ~~immediate food assistance, the department shall, pending verification, issue and mail a~~  
16 ~~card authorizing the applicant to purchase food stamps at the time of the department's~~  
17 ~~initial interview with the applicant or within one working day of the interview, provided~~  
18 ~~that all of the following conditions are met:~~

19 A. ~~As a result of the initial interview with the applicant, the department shall have~~  
20 ~~determined that the household of the applicant will probably be eligible for food~~  
21 ~~stamps after full verification is completed;~~

22 B. ~~Where possible, the applicant shall submit to the department, at the time of the~~  
23 ~~initial interview, the adequate documentation to verify that he is in need of immediate~~  
24 ~~food assistance;~~

25 C. ~~When adequate documentation is not available at the time of the initial~~  
26 ~~interview, the department shall contact at least one other person for the purpose of~~  
27 ~~obtaining information to confirm the applicant's statements about his need for~~  
28 ~~immediate food assistance; and~~

29 D. ~~In no case:~~

30 ~~(1) Shall the authorization to purchase food stamps under this section exceed 30~~  
31 ~~days from the date that the applicant receives the authorizing card; and~~

32 ~~(2) Shall there be further food stamp issuance to the applicant's household until~~  
33 ~~full verification has been obtained which confirms the eligibility of the~~  
34 ~~household.~~

35 **3-A. Authorization of emergency food supplement benefits prior to full**  
36 **verification.** Whenever an applicant for benefits under the food supplement program  
37 states to the department that the applicant is in need of immediate food assistance, the  
38 department shall, pending verification, issue and mail an electronic benefits transfer card  
39 authorizing the applicant to purchase food at the time of the department's initial interview

1 with the applicant or within one working day of the interview, as long as all of the  
2 following conditions are met.

3 A. As a result of the initial interview with the applicant, the department must have  
4 determined that the household of the applicant will probably be eligible for food  
5 supplement program benefits after full verification is completed.

6 B. When possible, the applicant shall submit to the department, at the time of the  
7 initial interview, adequate documentation to verify that the applicant is in need of  
8 immediate food assistance.

9 C. When adequate documentation is not available at the time of the initial interview,  
10 the department shall contact at least one other person for the purpose of obtaining  
11 information to confirm the applicant's statements about the applicant's need for  
12 immediate food assistance.

13 The authorization to receive food supplement program benefits under this section may not  
14 exceed 30 days from the date that the applicant receives the authorizing card. Additional  
15 food supplement program benefits may not be issued to the applicant's household until  
16 full verification has been obtained that confirms the eligibility of the household.

17 ~~4. **Mail issuance of coupons.** The department shall institute a system of mail~~  
18 ~~issuance of food stamp allotments through a direct coupon mailing system as authorized~~  
19 ~~by and in conformity with regulations promulgated by the United States Department of~~  
20 ~~Agriculture.~~

21 ~~In those areas of the State where the department can document evidence of significant~~  
22 ~~diminution of client demand or of loss of significant numbers of coupons, the department~~  
23 ~~may, after notice and hearing, establish an alternative system of food stamp issuance.~~

24 4-A. **Electronic benefits transfer system.** The department shall operate a system of  
25 issuance of food allotments through an electronic benefits transfer system as authorized  
26 by and in conformity with regulations promulgated by the United States Department of  
27 Agriculture.

28 **5. Outreach.** It is the intent of the Legislature that the department fully carry out all  
29 outreach activities established by federal regulation to encourage the participation of all  
30 eligible households.

31 In carrying out its outreach activities, the department shall insure that all applicants and  
32 recipients are informed of their right to have the requirement for a face-to-face interview  
33 waived as provided by federal regulations.

34 ~~6. **Bilingual requirements.** The department shall print and distribute brochures or~~  
35 ~~pamphlets concerning the food stamp program in other languages as it deems necessary.~~  
36 ~~The department shall prepare public service announcements in French for distribution to~~  
37 ~~appropriate newspapers and radio and television stations.~~

38 **7. Verification of information.** The department shall establish and implement  
39 uniform verification procedures that will be applied to all applicants and recipients.

1           **8. Certification periods.** Households ~~shall~~ must be certified for a ~~6-month~~ 12-month  
2 period unless there is a likelihood of change in income or household status. Households  
3 ~~consisting of elderly or disabled persons with stable incomes shall be certified for 12~~  
4 ~~months.~~

5           **9. Information on notice to recipients.** All notices of denial, reduction of benefits,  
6 termination of benefits, fraud claims, nonfraud claims or other actions shall must contain  
7 information on the appeal procedure, and the availability of free legal representation in  
8 the geographic area and shall must include, at a minimum, the address and telephone  
9 number for these services.

10           **10. Supplemental monthly issuance.** Whenever a household receiving ~~food stamps~~  
11 benefits through the food supplement program informs the department of a change in  
12 circumstances that will result in an increase in its food ~~stamp allotment~~ supplement  
13 benefit, the department shall issue a supplemental ~~food stamp~~ allotment to that household  
14 for the month in which the change is reported. The supplemental allotment must represent  
15 the difference between the amount for which the household was originally certified in  
16 that month and the amount for which it is actually eligible as a result of its reported  
17 change in circumstances.

18           The department shall ~~mail~~ issue that supplemental allotment within 5 working days of the  
19 date that the change in circumstances was reported.

20           **11. Food supplement program overpayment recovery.** Any money recovered by  
21 the department as a result of the overpayment of food stamps supplement benefits must  
22 be deposited to the General Fund, including any money up to a maximum of \$81,475  
23 recovered prior to ~~the effective date of this subsection~~ March 14, 1991.

24           **12. Penalty.** The unauthorized issuance, redemption, use, transfer, acquisition,  
25 alteration or possession of coupons or other program access device, including an  
26 electronic benefits transfer card, may subject an individual, partnership, corporation or  
27 other legal entity to prosecution by the State in accordance with Sections 15 (b) and 15  
28 (c) of the federal Food Stamp Act of 1977 and the federal Food and Nutrition Act of  
29 2008. Penalties are in accordance with those outlined in federal law or regulations.

30           **13. Categorical eligibility.** The department shall adopt rules that maximize access  
31 to the food ~~stamp~~ supplement program for households in which there is a child who  
32 would be a dependent child under the Temporary Assistance for Needy Families program  
33 but that do not receive a monthly cash assistance grant from the Temporary Assistance  
34 for Needy Families program. Under rules adopted pursuant to this subsection, certain of  
35 these families must be authorized to receive referral services provided through the  
36 Temporary Assistance to Needy Families block grant and be categorically eligible for the  
37 food stamps supplement program in accordance with federal law. Rules adopted pursuant  
38 to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter  
39 H-A 2-A.

40           **14. Prohibition against denial of assistance based on drug conviction.** A person  
41 who is otherwise eligible to receive food assistance under the federal Food Stamp Act of  
42 1977, 7 United States Code, Sections 2011 to 2036 and under the federal Food and

1 Nutrition Act of 2008 may not be denied assistance because the person has been  
2 convicted of a drug-related felony as described in the federal Personal Responsibility and  
3 Work Opportunity Reconciliation Act of 1996, Public Law 104-193, Section 115, 110  
4 Stat. 2105.

5 **Sec. 2. 22 MRSA §3104-A**, as amended by PL 1999, c. 401, Pt. S, §2, is further  
6 amended to read:

7 **§3104-A. Food supplement program for legal aliens**

8 **1. Food assistance.** The department shall provide food assistance to households that  
9 would be eligible for assistance under the federal Food Stamp Act of 1977, 7 United  
10 States Code, Section 2011; et seq., and under the federal Food and Nutrition Act of 2008  
11 but for provisions of Sections 401, 402 and 403 of the Personal Responsibility and Work  
12 Opportunity Reconciliation Act of 1996.

13 **2. Amount of assistance.** The total amount of food assistance provided under this  
14 section must equal the amount that the household would be eligible to receive under the  
15 federal Food Stamp Act of 1977, 7 United States Code, Sections 2014 and 2017; and  
16 under the federal Food and Nutrition Act of 2008 if the household were eligible for ~~that~~  
17 program either of those programs.

18 **3. Administration.** The department shall provide assistance under this section to  
19 eligible households on a monthly basis through ~~a system of direct mail of coupons or~~  
20 ~~electronic benefit issuance. The department is authorized to negotiate with the United~~  
21 ~~States Department of Agriculture to arrange for the purchase of federal food stamps or~~  
22 ~~produce its own food coupons to be used by eligible households for transactions with~~  
23 ~~vendors under this program~~ an electronic benefit transfer system.

24 **Sec. 3. 22 MRSA §3762, sub-§1, ¶B-1** is enacted to read:

25 B-1. "DRA" means the federal Deficit Reduction Act of 2005, Public Law 109-171,  
26 120 Stat. 4.

27 **Sec. 4. 22 MRSA §3762, sub-§3**, as amended by PL 2007, c. 539, Pt. XX, §1, is  
28 further amended to read:

29 **3. Administration.** The department may administer and operate a program of aid to  
30 needy dependent children, called "Temporary Assistance for Needy Families" or  
31 "TANF," who are deprived of support or care due to the death, continued absence,  
32 physical or mental incapacity of a parent or the unemployment or underemployment of  
33 the principal wage earner in accordance with the United States Social Security Act, as  
34 amended by PRWORA and DRA, and this Title.

35 A. The department shall adopt rules as necessary to implement and administer the  
36 program. The rules must include eligibility criteria, budgeting process, benefit  
37 calculation and confidentiality. The confidentiality rules must ensure that  
38 confidentiality is maintained for TANF recipients at least to the same extent that  
39 confidentiality was maintained for families in the Aid to Families with Dependent  
40 Children program unless otherwise required by federal law or regulation.

1 B. The department may use funds, insofar as resources permit, provided under and in  
2 accordance with the United States Social Security Act or state funds appropriated for  
3 this purpose or a combination of state and federal funds to provide assistance to  
4 families under this chapter. In addition to assistance for families described in this  
5 subsection, funds must be expended for the following purposes:

6 (1) To continue the pass-through of the first \$50 per month of current child  
7 support collections and the exclusion of the \$50 pass-through from the budget  
8 tests and benefit calculations;

9 (2) To provide financial and medical assistance to certain noncitizens legally  
10 admitted to the United States. Recipients of assistance under this subparagraph  
11 are limited to the categories of noncitizens who would be eligible for the TANF  
12 or Medicaid programs but for their status as aliens under PRWORA. Eligibility  
13 for the TANF and Medicaid programs for these categories of noncitizens must be  
14 determined using the criteria applicable to other recipients of assistance from  
15 these programs;

16 (3) To provide benefits to certain 2-parent families whose deprivation is based on  
17 physical or mental incapacity;

18 (4) To provide an assistance program for needy children, 19 to 21 years of age,  
19 who are in full-time attendance in secondary school. The program is operated for  
20 those individuals who qualify for TANF under the United States Social Security  
21 Act, except that they fail to meet the age requirement, and is also operated for the  
22 parent or caretaker relative of those individuals. Except for the age requirement,  
23 all provisions of TANF, including the standard of need and the amount of  
24 assistance, apply to the program established pursuant to this subparagraph;

25 (5) To provide assistance for a pregnant woman who is otherwise eligible for  
26 assistance under this chapter, except that she has no dependents under 19 years of  
27 age. An individual is eligible for the monthly benefit for one eligible person if  
28 the medically substantiated expected date of the birth of her child is not more  
29 than 90 days following the date the benefit is received;

30 (6) To provide a special housing allowance for TANF families whose shelter  
31 expenses for rent, mortgage or similar payments, homeowners insurance and  
32 property taxes equal or exceed 75% of their monthly income. The special  
33 housing allowance is limited to \$100 per month for each family. For purposes of  
34 this subparagraph, "monthly income" means the total of the TANF monthly  
35 benefit and all income countable under the TANF program, plus child support  
36 received by the family, excluding the \$50 pass-through payment;

37 (7) In determining benefit levels for TANF recipients who have earnings from  
38 employment, the department shall disregard from monthly earnings the  
39 following:

40 (a) One hundred and eight dollars;

41 (b) Fifty percent of the remaining earnings that are less than the federal  
42 poverty level; and

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(c) All actual child care costs necessary for work, except that the department may limit the child care disregard to \$175 per month per child or \$200 per month per child under 2 years of age or with special needs;

(8) In cases when the TANF recipient has no child care cost, the monthly TANF benefit is the maximum payment level or the difference between the countable earnings and the standard of need established by rule adopted by the department, whichever is lower;

(9) In cases when the TANF recipient has child care costs, the department shall determine a total benefit package, including TANF cash assistance, determined in accordance with subparagraph (7) and additional child care assistance, as provided by rule, necessary to cover the TANF recipient's actual child care costs up to the maximum amount specified in section 3782-A, subsection 5. The benefit amount must be paid as provided in this subparagraph.

(a) Before the first month in which child care assistance is available to an ASPIRE-TANF recipient under this paragraph and periodically thereafter, the department shall notify the recipient of the total benefit package and the following options of the recipient: to receive the total benefit package directly; or to have the department pay the recipient's child care assistance directly to the designated child care provider for the recipient and pay the balance of the total benefit package to the recipient.

(b) If an ASPIRE-TANF recipient notifies the department that the recipient chooses to receive the child care assistance directly, the department shall pay the total benefit package to the recipient.

(c) If an ASPIRE-TANF recipient does not respond or notifies the department of the choice to have the child care assistance paid directly to the child care provider from the total benefit package, the department shall pay the child care assistance directly to the designated child care provider for the recipient. The department shall pay the balance of the total benefit package to the recipient;

(10) Child care assistance under this paragraph must be paid by the department in a prompt manner that permits an ASPIRE-TANF recipient to access child care necessary for work; and

(11) The department shall adopt rules pursuant to Title 5, chapter 375 to implement this subsection. Rules adopted pursuant to this subparagraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 5. 22 MRSA §3762, sub-§8**, as amended by PL 2007, c. 539, Pt. XX, §2, is further amended to read:

**8. Transitional support services.** The department shall administer a program of transitional support services in accordance with PRWORA, DRA and this subsection.

A. The department shall administer a program of transitional Medicaid to families receiving benefits under Section 1931 of the federal Social Security Act in accordance with this paragraph.



1 (1) The department shall provide transitional Medicaid to families whose  
2 average gross monthly earnings, less costs to the family for child care necessary  
3 for employment, do not exceed 185% of the federal poverty guidelines in  
4 accordance with PRWORA and this subsection. In order to receive transitional  
5 Medicaid as the result of increased earnings or number of hours worked, a family  
6 must have received Medicaid assistance for at least 3 of the last 6 months, except  
7 as provided in subparagraph (2).

8 (2) The department shall provide transitional Medicaid for families whose  
9 eligibility for Medicaid assistance terminated due to employment obtained  
10 through work search activities pursuant to this chapter, in which case the family  
11 must have received Medicaid assistance for at least one of the last 3 months.

12 (3) To continue to receive transitional Medicaid assistance following the first 6  
13 months of coverage, a family entering the transitional Medicaid program with  
14 income above 133% of the federal poverty guidelines must pay premiums in  
15 accordance with rules adopted by the department.

16 (5) The department shall provide transitional Medicaid for 4 months to families  
17 whose eligibility for Medicaid assistance terminated due to an increase in the  
18 amount of child support received by the family.

19 (6) The department shall require reporting of income or circumstances for the  
20 purpose of determining eligibility and premium payments, copayments or other  
21 methods of cost sharing for benefits under this paragraph in accordance with  
22 rules adopted by the department.

23 (7) The scope of services provided under this paragraph must be the same as the  
24 scope of services provided when a family received Medicaid assistance.

25 B. The department shall provide limited transitional transportation benefits to meet  
26 employment-related costs to ASPIRE-TANF program participants who lose  
27 eligibility for TANF assistance due to employment. Benefits ~~must~~ may be provided  
28 for ~~90 days up to 12 months~~ following loss of TANF eligibility. The department may  
29 adopt rules that impose a weekly limit on available transitional transportation benefits  
30 and that require a contribution from each participant toward the cost of transportation.

31 C. The department shall make available transitional child care services to families  
32 who lose eligibility for TANF as a result of increased earnings or an increase in the  
33 number of hours worked ~~and whose gross income is equal to or less than 85% of the~~  
34 ~~State's median income for a family of comparable size. The department shall make~~  
35 available transitional child care services to families who lose eligibility for TANF as  
36 a result of increased earnings or an increase in the number of hours worked and  
37 whose gross income is equal to or less than 250% of the federal poverty guidelines.  
38 The department may also make transitional child care services available to families in  
39 which one or both adults are working and who, although they remain financially  
40 eligible for TANF benefits, request that their benefits be terminated. The family shall  
41 pay a premium of 2% to 10% of gross income, based on the family's gross income  
42 compared to the federal poverty level in accordance with rules adopted by the  
43 department. ~~The department shall establish maximum rates for child care that are at~~  
44 ~~least equal to the 75th percentile of local market rates for various categories of child~~

1 care and higher rates for children with special needs. Parents must have a choice of  
2 child care within the rate established by the department.

3 D. The department shall provide limited transitional food benefits to meet needs of  
4 ASPIRE-TANF program participants who lose eligibility for TANF assistance due to  
5 employment on or after July 1, 2008. Benefits must be provided for 3 years  
6 following loss of TANF eligibility and may not exceed \$100 per month per family for  
7 the first year, \$75 per month per family for the 2nd year and \$50 per month per  
8 family for the 3rd year.

9 **Sec. 6. 22 MRSA §3769, sub-§3** is enacted to read:

10 **3. Transfer of funds; report.** Notwithstanding any provision of law, except Title 5,  
11 section 1585, the department is authorized to transfer to the ASPIRE account, established  
12 in Public Law 1997, chapter 24, as often as twice per fiscal year funds representing cost  
13 savings within the TANF program resulting from ASPIRE-TANF program participants'  
14 obtaining employment during that fiscal year. The department shall determine the  
15 amount of savings in the aggregate by utilizing the number of ASPIRE-TANF program  
16 participants entering employment in each quarter of the fiscal year. Funds appropriated  
17 to either account do not lapse at the end of the fiscal year.

18 The department shall provide to the joint standing committees of the Legislature having  
19 jurisdiction over appropriations and financial affairs and health and human services  
20 matters a report twice per year on the amount of funds transferred and the number of  
21 ASPIRE-TANF program participants entering employment.

22 **Sec. 7. 22 MRSA §3769-C, sub-§2**, as enacted by PL 1999, c. 461, §1, is  
23 repealed.

24 **Sec. 8. 22 MRSA §3788, sub-§4-A**, as amended by PL 1997, c. 530, Pt. A, §26,  
25 is further amended to read:

26 **4-A. Family contract amendment.** To the extent that sufficient funds, training sites  
27 and employment opportunities are reasonably available, the department and a participant  
28 in the program shall enter into an amended family contract that must include both the  
29 department's and the participant's activities and the support services necessary for the  
30 individual to participate in accordance with the assessment ~~and~~ the federal Personal  
31 Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193,  
32 110 Stat. 2105 and the federal Deficit Reduction Act of 2005, Public Law 109-171, 120  
33 Stat. 4.

34 **Sec. 9. 22 MRSA §3788, sub-§6**, as amended by PL 1997, c. 530, Pt. A, §26, is  
35 further amended to read:

36 **6. Education, training and employment services.** The ASPIRE-TANF program  
37 must make available a broad range of education, training and employment services in  
38 accordance with section 3781-A, subsection 3 and the federal Personal Responsibility and  
39 Work Opportunity Reconciliation Act of 1996, Public Law, 104-193, 110 Stat. 2105 and  
40 the federal Deficit Reduction Act of 2005, Public Law 109-171, 120 Stat. 4. These  
41 services and activities must include all of those services and activities offered by the

1 Additional Support for People in Retraining and Employment Program on October 1,  
2 1989, except in 2-year and 4-year postsecondary education and except as provided in  
3 chapter 1054-B. This section does not prohibit the department from purchasing  
4 equivalent services from providers other than those from whom those services were  
5 purchased on October 1, 1989. When a particular approved education or training service  
6 is available at comparable quality and cost, including the cost of support services, and the  
7 implementation of the family contract would not be unreasonably delayed, the program  
8 participant may choose to enroll for that service with the provider of that person's  
9 preference. If this decision is not mutually agreed to by the participant and the case  
10 manager, the decision must be reviewed by the case manager's supervisor. These services  
11 do not include reimbursement for the cost of tuition or mandatory fees for postsecondary  
12 education unless:

13 A. The participant is unable to secure other educational funding needed to complete  
14 the participant's family contract due to:

15 (1) Poor credit as determined by the educational funding source; or

16 (2) The consideration by the educational funding source of resources from past  
17 years that are not actually available to the participant;

18 B. In the determination of the department, failure to pay the tuition or fee would  
19 result in higher ASPIRE-TANF program costs to achieve the participant's approved  
20 goal; or

21 C. The participant meets an exception specified in rules adopted by the department.

22 When a substantially similar postsecondary education or training program of comparable  
23 quality is available at both a public and private institution, within a reasonable  
24 commuting distance for the participant, the department may choose to approve the  
25 program offered at the public institution if the participant's program can be completed at  
26 less cost at the institution.

27 **Sec. 10. 22 MRSA §3788, sub-§10**, as amended by PL 2005, c. 480, §1, is  
28 further amended to read:

29 **10. Program design.** The department shall operate the ASPIRE-TANF program  
30 ~~under which individual participation is required for a minimum of 20 hours per week in~~  
31 ~~time limited components that include job search, work evaluation, education, training and~~  
32 ~~treatment and workforce MaineServe in accordance with the requirements of the federal~~  
33 Deficit Reduction Act of 2005, Public Law 109-171, 120 Stat. 4.

34 A. Individuals who are ready for jobs may participate in job search at any time. Up-  
35 front job search must focus on new recipients who are ready for jobs who are eligible  
36 for TANF based on underemployment of the primary wage earner and new single-  
37 parent recipients who are ready for jobs and whose children are 5 years of age or  
38 older.

39 B. Work evaluation consists of all activities related to orientation, assessment and  
40 initial family contract formulation. Work evaluation is limited to a maximum of 90  
41 days, unless extended by the commissioner or the designee of the commissioner. If  
42 an ASPIRE-TANF participant is determined by the department to be job ready, the

1 participant may access the workforce-MaineServe component directly from work  
2 evaluation.

3 C. Except for participants who are accepted into the Parents as Scholars Program  
4 established under section 3790, education, training and treatment is limited to a  
5 maximum of 24 months, starting with the first day of participation in any allowable  
6 and approved job skills or occupational skills training activity. The 24-month period  
7 may be extended by the commissioner or the designee of the commissioner for good  
8 cause shown.

9 The department may approve a job skills or occupational training activity longer than  
10 24 months provided the participant agrees to perform a minimum of 20 hours a week  
11 of work site experience by no later than the end of the 24-month period. Qualifying  
12 work site experience may include, but is not limited to, paid employment, workforce-  
13 MaineServe, ASPIRE-Plus, work study, training-related practicums or any other such  
14 work site approved by the department. The 24-month period does not include periods  
15 of nonactivity in which good cause has been determined.

16 For individuals who are satisfactorily participating in an education or training  
17 program prior to the work evaluation, the department must determine the  
18 acceptability of the activity for purposes of meeting the participation requirements of  
19 this chapter using the same criteria as is used for any individual in the ASPIRE-  
20 TANF program.

21 D. Workforce-MaineServe consists of paid employment, subsidized employment,  
22 apprenticeships or other mandatory work activities, which may continue until the  
23 participant is ineligible for TANF benefits.

24 **Sec. 11. Transitional child care services; fiscal year 2009-10.**

25 Notwithstanding the Maine Revised Statutes, Title 22, section 3762, subsection 8, for  
26 fiscal year 2009-10, the Department of Health and Human Services may establish  
27 maximum income eligibility limits that are not less than 200% of the federal poverty  
28 guidelines for transitional child care services to families that lose eligibility for  
29 Temporary Assistance for Needy Families pursuant to Title 22, chapter 1053-B. Income  
30 eligibility limits established pursuant to this section are routine technical rules as defined  
31 in Title 5, chapter 375, subchapter 2-A.

32 **Sec. 12. Change of food stamp program to food supplement program.**

33 The Department of Health and Human Services shall submit to the Second Regular  
34 Session of the 124th Legislature, no later than December 15, 2009, legislation to amend  
35 the Maine Revised Statutes to reflect the change in the name of the statewide food stamp  
36 program under Title 22, section 3104 to the food supplement program and the name  
37 change of the benefits under that program in accordance with this Act.

38 **SUMMARY**

39 This bill makes the following changes relating to the food stamp program and to the  
40 TANF and ASPIRE-TANF programs:

1           It changes the terms "food stamp" to "food supplement" and "food stamp  
2 program" to "food supplement program." It changes references to mailing food stamps or  
3 coupons to the issuance of food allotments by an electronic benefits transfer system. It  
4 eliminates the requirement to print brochures in other languages and to print  
5 announcements in French.

6           It adds cross-references to the federal Deficit Reduction Act of 2005 in the statute  
7 that authorizes the administration of the TANF program and the ASPIRE program.

8           It eliminates a requirement that transitional transportation benefits be given for 90  
9 days and inserts a maximum benefit duration of 12 months. For transitional child care  
10 benefits, it eliminates references to income standards and rates of payment and authorizes  
11 the department instead to establish those by rule.

12           It reinstates authority to transfer certain funds and a reporting requirement that were  
13 mistakenly repealed during the First Regular Session of the 123rd Legislature.

14           It eliminates a reporting requirement comparing TANF benefit levels to those in other  
15 New England states; the provision was intended to have been repealed in the First  
16 Regular Session of the 123rd Legislature.

17           It eliminates a minimum participation requirement in the ASPIRE program to require  
18 the department to operate the ASPIRE program in accordance with the federal Deficit  
19 Reduction Act of 2005 requirements.

20           It allows the Department of Health and Human Services to establish maximum  
21 eligibility limits, for fiscal year 2009-10 only, that are not less than 200% of the federal  
22 poverty guidelines for certain families for transitional child care services.

23           It requires the Department of Health and Human Services to report back with  
24 legislation correcting the Maine Revised Statutes to reflect the change in the name of the  
25 food stamp program and benefits.