

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2335

S. P. 823

In Senate, January 10, 1974

Pursuant to Joint Order (S. P. 816) reported by Senator Sewall of Penobscot from the Committee on Appropriations and Financial Affairs and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Making Appropriations for the Supplemental Security Income Program.

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

Whereas, the United States Government through approval of Public Law 92-603 repealed the state administered program of Aid to the Aged, Blind and Disabled, and discontinued its federal funding; and effective January 1, 1974 initiated the Supplemental Security Income Program administered by the U. S. Social Security Administration, and funded a minimum level of benefits with federal money; and

Whereas, a large number of Maine people who received Aid to the Aged, Blind and Disabled in December, 1973 will receive substantially lower benefits in January, 1974 and thereafter under the new Supplemental Security Income Program; and

Whereas, the United States Government through approval of Public Law 93-66 in July, 1973 required action by each state to provide that people who were recipients of Aid to the Aged, Blind and Disabled in December, 1973 would continue to receive a level of payment in January, 1974 and thereafter equivalent to their former amount of aid; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the fol-

lowing legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Statement of intent. This legislation authorizes funds necessary to provide appropriations for January, February and March, 1974 to augment the federally financed Supplemental Security Income benefit by maintaining the level of payments to recipients of the former Aid to the Aged, Blind and Disabled Program at the level payable for and based on eligibility for December, 1973. The Maine Legislature, by approval of this Act, is complying with federal law requiring so-called "mandatory" payments and particularly wishes to assure that the needy people of Maine do not receive lower benefits due to a new program.

The purpose in funding this program only through March, 1974 is to enable the Legislature to study and intelligently evaluate the need for future appropriations relating to the cost of living for needy Maine people and relating to the Supplemental Security Income Program. The Legislature is acutely aware of the existence and cost of the host of welfare, income maintenance and income subsidy programs now operated by the various levels of government. The Legislature is concerned about problems of coordination and contradictions apparent in existing programs. Moreover, there is serious concern over continuing a welfare program when the Federal Government has just initiated a new income program. This adds another layer of bureaucracy which may only serve to confuse the very beneficiary whom it is supposed to help.

The Legislature intends to make a detailed study of the actual amount necessary to make "mandatory" payments for January, 1974 and each month thereafter, and to make a complete analysis of the need for and operation of a so-called "optional" state-funded augmentation of the Supplemental Security Income Program. This analysis shall include the costs, organization, type and level of benefits related to various alternative standards of describing need and methods of administering income programs.

Approval of this Act providing interim funding should not be construed as a commitment to future funding of any "optional" program. The type of benefits, amount of benefits and unit of government responsible for administering whatsoever program that may be approved is undecided at this time.

Legislation establishing any optional program, if enacted, shall have an effective date not earlier than the date of enactment. The legislation will not provide for retroactive payments on behalf of any potential beneficiary.

The appropriation provided herein shall not be expended for any administrative costs, nor expenditures related to administration or operation of any department program except to cover the actual "mandatory" payments due, payable and received by beneficiaries of the Supplemental Security Income Program. The funds shall not be expended to cover personnel, all other, or capital expenditures related to or formerly provided for under the Aid to the Aged, Blind and Disabled Program and its appropriations.

Any unexpended balance of this appropriation remaining with the department or the Social Security Administration may be carried forward only to the next quarter of the fiscal year for expenditure in accordance with this Act.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Department of Health and Welfare the sum of \$1,300,000 for the fiscal year ending June 30, 1974 to make so-called "mandatory" payments to beneficiaries of the Supplemental Security Income Program who receive payments under the State's former Aid to the Aged, Blind and Disabled Program based on eligibility established for the month of December, 1973. The breakdown shall be as follows:

	1973-74
HEALTH AND WELFARE, DEPARTMENT OF	
Supplemental Security Income Program—Mandatory	
All Other	\$1,300,000

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.