

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1546

H. P. 1309

House of Representatives, April 12, 1977

Referred to the Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Goodwin of South Berwick.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Appropriating Funds for Pass Along of Social Security Benefit Increases to Families Receiving Aid to Dependent Children.

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

Sec. 1. 22 MRSA § 3759 is enacted to read:

§ 3759. Pass along of federal benefits

1. Federal benefits. Federal benefits mean, for the purpose of this section, payments to individuals or families authorized by the United States pursuant to programs commonly referred to as social security or supplemental security income authorized under the United States Social Security Act, as amended, or railroad retirement or veterans benefits.

2. Payment adjustments. The department shall take action, as necessary, to provide that, within the limits of available funds, the payment to any family receiving aid to families with dependent children shall be adjusted in an amount necessary to provide that any family receiving aid shall not receive a monthly payment reduced due to a general increase in federal benefits, except when the family voluntarily elects to have a family member not included in the payment. Such adjustment of payments shall be effective no later than the month in which federal benefit increases are effective.

3. Intent. It is the intent of this section to adjust the monthly payments to all families receiving aid in order to pass along to families once during a fiscal year general increases in federal benefits authorized by the United States Government. Payments to families shall be adjusted more than once during a fiscal year due to increased federal benefits only if general increases

in one or more federal benefits do not occur simultaneously or occur more than once during a fiscal year, and only when the previous adjustment during the same fiscal year due to increased federal benefits did not pass along to families an amount needed to equal on a dollar for dollar basis the total sum of the initial or subsequent general increases in the federal benefit during the same fiscal year.

4. **Authorization.** For the purpose of making payments to families as authorized by this section, the department is authorized to expend such funds as may be available to the aid to families with dependent children account from any source including, but not limited to, federal funds, funds received as child support payments, state general funds, unexpended balances resulting from cost saving efforts, and any surplus or portion of state appropriations saved when replaced by funds from increased federal benefits.

5. **Carrying account.** Funds appropriated for the aid to families with dependent children account shall not be transferred from such account and shall not lapse at the end of a fiscal year, but shall be carried forward from year to year to be expended for basic aid payments to families.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Department of Human Services, Aid to Families with Dependent Children, the sum of \$1,736,000 to carry out the purposes of this Act. The breakdown shall be as follows:

| | 1977-78 | 1978-79 |
|---|-----------|-----------|
| HUMAN SERVICES, DEPARTMENT OF | | |
| Aid to Families with Dependent Children | | |
| All Other | \$800,000 | \$936,000 |

STATEMENT OF FACT

When benefits such as federal social security are increased, Maine families receiving social security and aid to dependent children end up with no additional income. Currently, Maine reduces the amount of the aid to dependent children payment in an amount equal to the family's social security increase.

The purpose of this bill is to provide that a family receiving aid to dependent children shall not have their payment reduced when general increases occur in social security, supplemental security income, railroad retirement or veteran's benefits. This bill provides that other families receiving aid will have an increase in payment equitable with those who receive social security and other benefits.

The cost of the payment adjustments will be partially funded by state dollars saved when replaced with federal funds such as social security and other benefit increases and such appropriations as may be needed.