

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

No. 1510

H.P. 1115

House of Representatives, May 14, 1993

**An Act to Promote Financial Responsibility and Family Planning.**

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Reference to the Committee on Human Resources suggested and ordered printed.

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

JOSEPH W. MAYO, Clerk

Presented by Representative MacBRIDE of Presque Isle. (GOVERNOR'S BILL)  
Cosponsored by Senator KIEFFER of Aroostook and  
Representatives: KUTASI of Bridgton, QUINT of Paris.

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

2           Sec. 1. 22 MRSA §3741, as amended by PL 1983, c. 849, §1, is  
4 further amended to read:

6       **§3741. Aid to dependent children**

8           The department may administer and operate a program of aid  
10 to dependent children within the United States Social Security  
12 Act and any amendments and additions thereto. The department  
14 shall also implement and operate a program of aid to the  
dependent children of intact families with unemployed parents in  
accordance with the 42 United States Code, Title-42, Section 607,  
as amended.

16           The department shall seek a waiver from the United States  
18 Department of Health and Human Services to establish special  
20 eligibility requirements for assistance under this chapter as  
22 follows. Except as otherwise provided in this section, in  
24 determining the level of benefits for which a family is eligible,  
26 the department may not increase the payment level due to an  
28 increase in family size beyond that which corresponds to the  
family's size at the time of application or determination of  
eligibility, whichever is later. If a child is born to the  
family while a family member is a recipient of aid to families  
with dependent children benefits, the payment level may not  
increase to that ordinarily paid to the larger family. This  
limitation does not apply in the following circumstances.

30           1. Other children. A child who meets the eligibility  
32 requirements and is not the biological child of a family member  
receiving aid to families with dependent children benefits  
establishes residence with a family receiving benefits.

34           2. Pregnant women. The mother of a newborn child was  
36 pregnant with the child at the time of application or  
determination of eligibility.

38           3. Good cause. The department develops criteria under  
40 which children not originally included in the aid to families  
42 with dependent children benefit at the time of application or  
eligibility determination may be included at a later date.

44           When a family reapplies for aid to families with dependent  
46 children benefits and no member of the eligible unit has been in  
48 receipt of aid to families with dependent children for a minimum  
of 12 consecutive months immediately preceding the date of  
application, a child previously excluded from the eligible unit  
in accordance with this section must be included in the eligible  
50 unit for cash assistance purposes.

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## STATEMENT OF FACT

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The purpose of this bill is to change the State's welfare laws to encourage responsible family planning and to discourage recipients of aid to families with dependent children from having additional children while receiving benefits. The bill directs the Department of Human Services to pursue a federal waiver to provide no additional benefit to most recipients who have additional children while receiving benefits. An additional child would, however, be eligible for Medicaid benefits. The bill provides 3 categories of exceptions to mitigate what might be harsh results: children who are not the biological offspring of a recipient of aid to families with dependent children who come to reside with the recipient family; the mother of a newborn child is pregnant with that child at the time she applies for benefits; and a broad "good cause" exception.