

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 6/23/95

(Filing No. H-593)

MINORITY
HUMAN RESOURCES

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 49, L.D. 43, Bill, "An Act to Limit Aid to Families with Dependent Children Benefits"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 22 MRSA §3741, as amended by PL 1983, c. 849, §1, is repealed and the following enacted in its place:

§3741. Aid to dependent children

The department may administer and operate a program of aid to dependent children within the United States Social Security Act, as amended.

1. Unemployed parents. The department shall implement and operate a program of aid to the dependent children of intact families with unemployed parents in accordance with 42 United States Code, Section 607, as amended.

2. Limitation on benefit level. The department shall seek a waiver from the United States Department of Health and Human Services to establish special eligibility requirements for assistance. Except as otherwise provided in this section, if a child is born to a program recipient, the department may not increase the payment level due to an increase in family size above the size at the time eligibility was determined. This limitation does not apply in the following circumstances:

2 A. A child who meets the eligibility requirements and is
4 not the biological child of a family member receiving aid to
6 families with dependent children benefits establishes
8 residence with a family receiving benefits;

10 B. The mother of a newborn child was pregnant with the
12 child at the time of application or determination of
14 eligibility; or

16 C. The child is born as a result of sexual intercourse that
18 was the basis for a conviction of gross sexual assault under
20 Title 17-A, section 253 or incest under Title 17-A, section
22 556.

24 3. Child support. A family subject to the limitation
26 provision of subsection 2 may receive child support from a
28 noncustodial parent and that support does not affect the
30 calculation of benefit level under the program, if the following
32 requirements are met:

34 A. The child support must be paid for the benefit of the
36 child born during the time that the recipient was enrolled
38 in the program; and

40 B. The child support may not exceed the amount by which the
42 benefit level under the program would have increased due to
44 the birth of the child but for the limitation provision of
46 subsection 2.

48 4. Reapplication. When a family reapplies for aid to
50 families with dependent children benefits and no member of that
family determined eligible for benefits has received aid to
families with dependent children benefits 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 calculation of the
level of benefit.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The Department of Human Services estimates General Fund savings of \$16,600 in fiscal year 1996-97 and matching Federal Expenditure Fund savings of \$28,200 in fiscal year 1996-97 if the waiver request is approved by January 1996. The actual savings are contingent upon federal approval and can not be determined at this time.

1018

COMMITTEE AMENDMENT "A" to H.P. 49, L.D. 43

2 The additional costs to prepare and submit the required
waiver request can be absorbed by the Department of Human
4 Services utilizing existing budgeted resources.'

6 STATEMENT OF FACT

8 This amendment is the minority report of the Joint Standing
Committee on Human Resources. It replaces the original bill. It
10 reorganizes and clarifies the provisions of the Maine Revised
Statutes, Title 22, section 3741, as proposed in the bill, that
12 direct the Department of Human Services to apply for a federal
waiver to provide no additional benefit under the Aid to Families
14 with Dependent Children program for a recipient who has a child
while enrolled in the program, with limited exceptions that
16 include rape and incest. It makes only one addition. The
addition is a provision taken from L.D. 1368 that allows a family
18 subject to the limitation on level of benefits to receive child
support payments up to the amount by which the benefit level
20 would have been increased but for the limitation provision.

22 The amendment adds a fiscal note to the bill.