

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1368

S.P. 509

Received by the Secretary, April 14, 1995

An Act to Expand Project Opportunity and Replace Welfare Entitlement Programs with Unemployment Programs.

Referred to the Committee on Human Resources and ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator PENDEXTER of Cumberland.
Cosponsored by Representative JOYNER of Hollis and
Senators: ABROMSON of Cumberland, AMERO of Cumberland, BEGLEY of Lincoln, BENOIT of Franklin, BUTLAND of Cumberland, CARPENTER of York, CASSIDY of Washington, FERGUSON of Oxford, HALL of Piscataquis, HANLEY of Oxford, HATHAWAY of York, KIEFFER of Aroostook, LORD of York, MILLS of Somerset, SMALL of Sagadahoc, STEVENS of Androscoggin, Representatives: AULT of Wayne, BAILEY of Township 27, CARLETON of Wells, DAMREN of Belgrade, DUNN of Gray, GOOLEY of Farmington, JONES of Pittsfield, JOYCE of Biddeford, KNEELAND of Easton, LINDAHL of Northport, LOVETT of Scarborough, LUMBRA of Bangor, MARVIN of Cape Elizabeth, McELROY of Unity, NASS of Acton, POIRIER of Saco, REED of Falmouth, RICE of South Bristol, SAVAGE of Union, STEDMAN of Hartland, TAYLOR of Cumberland, TUFTS of Stockton Springs, WHITCOMB of Waldo, WINGLASS of Auburn, WINSOR of Norway.

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

PART A

Sec. A-1. 22 MRSA §3741-K, sub-§1, ¶D, as enacted by PL 1993, c. 709, §3, is repealed.

Sec. A-2. 22 MRSA §3741-K, sub-§2, ¶B, as enacted by PL 1993, c. 709, §3, is amended to read:

B. The project must be conducted ~~in Regions II and V, as described in section 6-A~~ statewide.

Sec. A-3. 22 MRSA §3741-K, sub-§3, ¶A, as enacted by PL 1993, c. 709, §3, is repealed.

Sec. A-4. 22 MRSA §3741-K, sub-§3, ¶A-1 is enacted to read:

A-1. All recipients of AFDC benefits must participate in the project, except:

(1) The custodial child of a recipient of AFDC; or

(2) The parent or other relative of a child under one year of age who is personally providing care for that child.

Sec. A-5. 22 MRSA §3741-K, sub-§3, ¶D, as enacted by PL 1993, c. 709, §3, is amended to read:

D. Except as limited by subsection 9, AFDC benefits for participants must be calculated in the same manner as for AFDC recipients who are not participants.

Sec. A-6. 22 MRSA §3741-K, sub-§7, as enacted by PL 1993, c. 709, §3, is amended to read:

7. Extension of Medicaid and child-care benefits. A Except as limited by subsection 9, a family ineligible for AFDC benefits as the result of successful participation in the project is deemed eligible for Medicaid as a recipient of AFDC benefits and, in addition, is eligible for extended medical assistance and child care as described in the federal Family Support Act of 1988, Public Law 100-485. For that family and any family who ~~resides in the project area and~~ loses eligibility for the cash payment due to increased hours of employment, increased wages or employment of the principal wage earner in a family receiving AFDC benefits, the eligibility period for medical assistance and child-care benefits is extended from 12 to 24 months. The family

is required to contribute to the cost of that care in accordance with sections 3741-G and 3741-I.

Sec. A-7. 22 MRSA §3741-K, sub-§9 is enacted to read:

9. Benefit levels. Except as otherwise provided in this subsection, the department may not increase the cash assistance benefit because of the increase in family size when a recipient of AFDC benefits bears a child who was conceived after the date on which eligibility was determined.

When a family reapplies for AFDC benefits and no member of the family has received AFDC benefits during the 12 months immediately before the date of application, a child previously not included in the family in accordance with this section must be included for cash assistance purposes.

PART B

Sec. B-1. Department of Labor and Department of Human Services to create employment security program to replace Aid to Families with Dependent Children. The Department of Labor and the Department of Human Services shall work together to create an employment security program that prepares welfare recipients for employment and replaces Aid to Families with Dependent Children. The Department of Labor and the Department of Human Services shall draft legislation to implement the requirements of this Part, including the following.

1. The Department of Labor shall apply for and obtain a federal waiver to implement and manage the new program following an initial 6-month period of management by both the Department of Labor and the Department of Human Services.

2. All staff currently employed by the Department of Human Services in the management of Aid to Families with Dependent Children must be transferred to the Department of Labor to manage the new program.

3. The new program must include provisions for child care and support, interim medical assistance, food stamps and transportation.

4. Eligibility criteria must be established for participation. Unless all criteria are met, benefits must be denied. Eligibility criteria must include the following:

A. All able-bodied recipients, at least 18 years of age, whose children are all over the age of 3 months, are required to perform work. "Work" means employment,

- 2 training, education or community service for a minimum of 20
hours per week;
- 4 B. Parents less than 18 years of age are not eligible for
cash benefits;
- 6 C. Minor children of the recipients must attend school;
- 8 D. Paternity of the recipients' children must be
10 established within 6 months of entering the program;
- 12 E. New state residents who qualify for the program must
14 receive benefits and services at the same level as current
state residents or at the level of their former state,
16 whichever is lower; and
- 18 F. Eligibility requirements for married couples must be the
same as those that currently apply to participation in Aid
20 to Families with Dependent Children.
- 22 5. The maximum length of time that cash assistance is
provided must be limited to 26 weeks. A 2-year grace period must
24 be given to those recipients who are current welfare recipients.
- 26 6. The recipients must be required to pick up their
assistance checks in person at their local municipal offices.
- 28 7. Cash assistance may not be given for additional children
30 born to a recipient participating in the program. Food stamps
and health care must be provided. A recipient may not be
32 penalized for receiving child support from a noncustodial parent
equal to the amount of the benefit the additional child would
34 have received.
- 36 8. Noncustodial parents must be allowed to provide child
care as fulfillment of their child support obligation.
- 38 9. Funds currently used for job training must be used to
partially fund the program.
- 40 10. Other forms of funding and support, including the
42 expansion of public and private efforts such as Project
Opportunity, must be investigated.

44 **Sec. B-2. Report of the Department of Labor and the Department of**
46 **Human Services.** A report and all required legislation must be
submitted by the Department of Labor and the Department of Human
48 Services to the joint standing committee of the Legislature
having jurisdiction over human resource matters by January 15,
50 1996.

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STATEMENT OF FACT

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This bill amends Project Opportunity by: requiring mandatory participation by recipients of AFDC; expanding the project to statewide participation; and prohibiting an increase in AFDC benefits because of an increase in family size to participants for a child that was conceived after eligibility was determined.

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This bill also requires the Department of Labor and the Department of Human Services to work together to create an employment program to replace AFDC. Minimum criteria are enumerated.

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