

MAINE STATE LEGISLATURE

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

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S.P. 548, L.D. 1496, Bill, "An Act to Improve the AFDC Program"

Amend the amendment in Part A in section 7 in that part designated "§3741-C." by inserting at the end the following:

'4. 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 subsection, 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 of that family at the time eligibility for assistance was determined.

A. The limitation imposed by this subsection does not apply if one of the following circumstances exists:

(1) A child who meets the eligibility 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;

(2) The mother of a newborn child was pregnant with the child at the time of application or determination of eligibility; or

(3) The child is born as a result of sexual intercourse that was the basis for a conviction of gross sexual assault under Title 17-A, section 253 or incest under Title 17-A, section 556.

2 B. A family subject to the limitation provision of this
3 subsection may receive child support from a noncustodial
4 parent and that support does not affect the calculation of
5 benefit level under the program if the following
6 requirements are met:

8 (1) The child support must be paid for the benefit of
9 the child born during the time that the recipient was
10 enrolled in the program; and

12 (2) The child support may not exceed the amount by
13 which the benefit level under the program would have
14 increased due to the birth of the child if not for the
15 limitation provision of this subsection.

16 C. When a family reapplies for aid to families with
17 dependent children benefits and no member of that family
18 determined eligible for benefits has received aid to
19 families with dependent children benefits for a minimum of
20 12 consecutive months immediately preceding the date of
21 application, a child previously excluded from the eligible
22 family unit in accordance with this subsection must be
23 included in the calculation of the level of benefit.'

26 FISCAL NOTE

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

36 STATEMENT OF FACT

38 This amendment amends the majority committee amendment to
40 the bill. It directs the Department of Human Services to apply
41 for a federal waiver to provide no additional benefit under the
42 aid to families with dependent children program for a recipient
who has a child while enrolled in the program, with limited

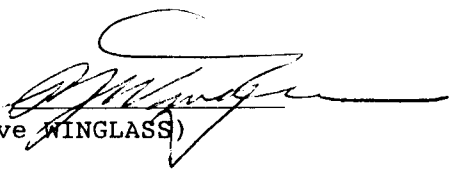
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1496

2 exceptions, including rape and incest. It allows a family
3 subject to the limitation on level of benefits to receive child
4 support payments up to the amount by which the benefit level
5 would have been increased but for the limitation provision.

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SPONSORED BY: 
(Representative WINGLASS)

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TOWN: Auburn

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HOUSE AMENDMENT