

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 1199

H.P. 882

House of Representatives, February 25, 1997

**An Act to Ensure Adequate Nutrition and Support for Low-income Legal Immigrants.**

(EMERGENCY)

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Reference to the Committee on Health and Human Services suggested and ordered printed.

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

JOSEPH W. MAYO, Clerk

Presented by Representative MITCHELL of Portland.  
Cosponsored by Senator PARADIS of Aroostook and  
Representatives: ETNIER of Harpswell, MAYO of Bath, McALEVEY of Waterboro,  
MITCHELL of Vassalboro, QUINT of Portland, ROWE of Portland, STEVENS of Orono,  
Senator: RAND of Cumberland.

2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4  
6           **Whereas,** federal food stamp assistance will end for most  
legal immigrants by August 22, 1997; and

8           **Whereas,** federal supplemental security income assistance  
will no longer be available to most elderly, disabled and blind  
10 legal immigrants beginning in 1997; and

12           **Whereas,** the loss of assistance will leave affected families  
and individuals legally residing in the United States and paying  
14 taxes to our State Government and Federal Government, without  
income and at risk of both hunger and homelessness; and

16           **Whereas,** the cost of assisting a person losing this  
18 assistance will fall on municipal general assistance programs  
throughout the State, which are supported in part by local  
20 property tax; and

22           **Whereas,** in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
24 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
26 safety; now, therefore,

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

30           **Sec. 1. 22 MRSA §3104-A** is enacted to read:

32           **§3104-A. Food assistance for legal aliens**

34           **1. Food assistance.** The department shall provide food  
assistance to households that would be eligible for assistance  
36 under the federal Food Stamp Act of 1977, 7 United States Code,  
Section 2011, et seq., but for provisions of Sections 401, 402  
38 and 403 of the Personal Responsibility and Work Opportunity  
Reconciliation Act of 1996.

40           **2. Amount of assistance.** The total amount of food  
42 assistance provided under this section must equal the amount that  
the household would be eligible to receive under the federal Food  
44 Stamp Act of 1977, 7 United States Code, Sections 2014 and 2017,  
if the household were eligible for that program.

46           **3. Administration.** The department shall provide assistance  
48 under this section to eligible households on a monthly basis  
through a system of direct mail of coupons or electronic benefit  
50 issuance. The department is authorized to negotiate with the

2 United States Department of Agriculture to arrange for the  
4 purchase of federal food stamps or produce its own food coupons  
to be used by eligible households for transactions with vendors  
under this program.

6 4. Notice. The department shall notify each household  
8 receiving assistance under this section of the opportunity to  
10 become a naturalized citizen of the United States and the means  
12 by which household members may seek naturalization. The  
department shall pay any fees or costs associated with  
naturalization that have not been waived for any person eligible  
for assistance under this section.

14 **Sec. 2. 22 MRSA §3273, sub-§9** is enacted to read:

16 9. Supplemental security income for legal immigrants.  
18 Supplemental security income for legal immigrants is governed by  
the following.

20 A. The department shall provide assistance to all aliens  
22 lawfully residing in the United States who would be eligible  
24 for assistance under the federal Supplemental Security  
26 Income Program, 42 United States Code, Section 1381, et  
seq., but for the provisions of Sections 401, 402 and 403 of  
the Personal Responsibility and Work Opportunity  
Reconciliation Act of 1996.

28 B. The total amount of monthly assistance provided under  
30 this section must equal the amount that the individual would  
32 be eligible to receive under the federal Supplemental  
34 Security Income Program, 42 United States Code, section 1382  
or its successor, if the individual were eligible for that  
program, and the state supplemental income payment provided  
to eligible individuals under section 3274.

36 C. The department shall notify each person receiving  
38 assistance under this section of the opportunity to become a  
40 naturalized citizen of the United States and the means by  
42 which the person may seek naturalization. The department  
shall pay any fees or costs associated with naturalization  
that have not been waived for any person eligible for  
assistance under this section who wishes to become a  
naturalized citizen of the United States.

44 **Emergency clause.** In view of the emergency cited in the  
46 preamble, this Act takes effect when approved.

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## SUMMARY

2  
4 As a result of passage of the Personal Responsibility and  
6 Work Opportunity Reconciliation Act of 1996, many immigrants who  
8 are legally residing in the United States will no longer be  
10 eligible for assistance from the supplemental security income and  
12 food stamp programs. This bill provides state assistance to  
14 aged, blind and disabled legal immigrants who will no longer be  
16 eligible for assistance from the federal Supplemental Security  
Income Program. It also provides food assistance to low-income  
households no longer eligible for the federal Food Stamp  
Program. Finally, it requires the Department of Human Services  
to help legal immigrants seeking to become naturalized citizens  
to achieve that status. Immigrants who have become naturalized  
may once again qualify for assistance from the federal Social  
Security Income Program and federal Food Stamp Program.