

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1411

H.P. 1019

House of Representatives, March 11, 1997

**An Act to Facilitate Disbursement of and Accounting for Issuances of
Food Supplement Benefits.**

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 DUNLAP of Old Town.
Cosponsored by Senator RUHLIN of Penobscot and
Representatives: CAMPBELL of Holden, CHICK of Lebanon, PERRY of Bangor, SAXL of
Portland, SHANNON of Lewiston, THOMPSON of Naples, TRUE of Fryeburg, Senator:
CATHCART of Penobscot.

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

2

4 **Sec. 1. 22 MRSA §3104, sub-§3**, as enacted by PL 1977, c. 462,
is amended to read:

6

8 **3. Authorization of emergency food supplement benefits**
prior to full verification. Whenever an applicant for food
10 stamps supplement benefits states to the department that he the
12 applicant is in need of immediate food assistance, the department
shall, pending verification, issue and mail a debit card
14 authorizing food supplement benefits to the applicant ~~to purchase~~
~~feed-stamps~~ at the time of the department's initial interview
with the applicant or within one working day of the interview,
provided that all of the following conditions are met:

16

18 A. As a result of the initial interview with the applicant,
the department ~~shall have~~ has determined that the household
of the applicant ~~will probably be~~ is eligible for food
20 stamps supplement benefits after full verification is
completed;

22

24 B. Where possible, the applicant shall submit to the
department, at the time of the initial interview, the
adequate documentation to verify that he the applicant is in
need of immediate food assistance;

26

28 C. When adequate documentation is not available at the time
of the initial interview, the department shall contact at
least one other person for the purpose of obtaining
30 information to confirm the applicant's statements about his
that applicant's need for immediate food assistance; and

32

D. In no case may:

34

36 (1) ~~Shall the~~ The authorization to purchase food
stamps under this section exceed 30 days from the date
that the applicant receives the authorizing card; and

38

40 (2) ~~Shall there~~ There be further ~~feed-stamp issuance~~
~~to use of the food supplement debit card~~ by the
42 ~~applicant's household~~ applicant until full verification
has been obtained which that confirms the eligibility
of the household.

44

46 **Sec. 2. 22 MRSA §3104, sub-§4**, as enacted by PL 1979, c. 386,
is repealed.

48

Sec. 3. 22 MRSA §3104, sub-§4-A is enacted to read:

2 4-A. Debit card. The department shall institute a system
3 of issuing food supplement benefits through a debit card,
4 electronically credited and debited with no cash returned, as
5 authorized by and in conformity with regulations promulgated by
6 the federal Department of Agriculture.

7 **Sec. 4. 22 MRSA §3104, sub-§6,** as enacted by PL 1979, c. 386,
8 is amended to read:

9 **6. Bilingual requirements.** The department shall print and
10 distribute brochures or pamphlets concerning the food stamp
11 supplement program in other languages as it deems determines
12 necessary. The department shall prepare public service
13 announcements in French for distribution to appropriate
14 newspapers and radio and television stations.

15 **Sec. 5. 22 MRSA §3104, sub-§10,** as corrected by RR 1993, c. 2,
16 §14, is amended to read:

17 **10. Supplemental monthly issuance.** Whenever a household
18 receiving food stamps supplement benefits informs the department
19 of a change in circumstances that will result in an increase in
20 its food stamp supplement allotment, the department shall issue a
21 supplemental food stamp supplement allotment to that household
22 for the month in which the change is reported. The supplemental
23 allotment must represent the difference between the amount for
24 which the household was originally certified in that month and
25 the amount for which it is actually eligible as a result of its
26 reported change in circumstances.

27 The department shall mail that supplemental allotment within 5
28 working days of the date that the change in circumstances was
29 reported.

30 **Sec. 6. 22 MRSA §3104, sub-§11,** as enacted by PL 1991, c. 9,
31 Pt. K, §1, is amended to read:

32 **11. Food supplement benefits overpayment recovery.** Any
33 money recovered by the department as a result of the overpayment
34 of food stamps supplement benefits must be deposited to the
35 General Fund, including any money up to a maximum of \$81,475
36 recovered prior to the effective date of this subsection.

37 **Sec. 7. 22 MRSA §3104, sub-§12,** as enacted by PL 1995, c. 418,
38 Pt. A, §4, is amended to read:

39 **12. Penalty.** The unauthorized issuance, redemption, use,
40 transfer, acquisition, alteration or possession of coupons a
41 debit card or other program access device may subject an
42 individual, partnership, corporation or other legal entity to
43

2 prosecution by the State in accordance with Sections 15 (b) and
15 (c) of the federal Food Stamp Act of 1977. Penalties are in
4 accordance with those outlined in federal law or regulations.

6 **SUMMARY**

8 This bill requires the Department of Human Services to
10 institute a system of issuing food supplement benefits through a
debit card, electronically credited and debited with no cash
12 returned.