

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST SPECIAL SESSION-1997

Legislative Document

No. 1896

S.P. 671

In Senate, May 30, 1997

**An Act Regarding Temporary Assistance for Needy Families and
Welfare Reform.**

(EMERGENCY)

Reported by Senator PARADIS of Aroostook for the Joint Standing Committee on Health and Human Services pursuant to Joint Order, S.P. 661 and printed under Joint Rule 401.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

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

Whereas, funding for programs, services and equipment needed to meet the requirements of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and to further welfare reform in the State is dependent on enactment of the provisions of this legislation; and

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

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

PART A

Sec. A-1. 5 MRSA §12004-I, sub-§36, as amended by PL 1993, c. 360, Pt. C, §1, is repealed.

Sec. A-2. 5 MRSA §12004-I, sub-§36-C is enacted to read:

<u>36-C.</u>	<u>Temporary</u>	<u>Not</u>	<u>22 MRSA</u>
<u>Human</u>	<u>Assistance</u>	<u>Authorized</u>	<u>§3789-D</u>
<u>Services</u>	<u>for Needy</u>		
	<u>Families</u>		
	<u>Advisory</u>		
	<u>Council</u>		

Sec. A-3. 19 MRSA §776, sub-§1, ¶B, as enacted by PL 1979, c. 668, §6, is amended to read:

B. "Public assistance" means public assistance as provided under Title 22, section 3173, 3271 ~~or 3741~~, 3762 or 3790.

Sec. A-4. 19-A MRSA §2605, sub-§1, ¶A, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

A. "Public assistance" means public assistance as provided under Title 22, section 3173, 3271 ~~or 3741~~, 3762 or 3790.

Sec. A-5. 20-A MRSA §10908, first ¶, as amended by PL 1993, c. 360, Pt. C, §2, is further amended to read:

In conjunction with the Maine ~~Aid-to-Families-with-Dependent Children~~ Temporary Assistance for Needy Families Advisory Council

2 established pursuant to Title 22, section 3774 3789-D, the
University of Maine System:

4 **Sec. A-6. 22 MRSA §9-A, sub-§1, ¶A**, as enacted by PL 1989, c.
566, is amended to read:

6 A. "Public assistance" means any of the following:

- 8
- 10 (1) ~~Aid to families with dependent children~~ Temporary
assistance for needy families under chapter ~~1053~~ 1053-B;
- 12 (2) Food stamp assistance under section 3104;
- 14 (3) General assistance under chapter 855 and any
16 state-funded portion under chapter 1161; and
- 18 (4) Medical assistance under chapter 855; or
- 20 (5) Assistance under the Parents as Scholars Program
pursuant to chapter 1054-B.

22 **Sec. A-7. 22 MRSA §16, sub-§1, ¶C**, as reenacted by PL 1985, c.
819, Pt. A, §24, is amended to read:

24 C. "Public assistance" means aid, assistance or benefits
26 available through:

- 28 (1) A program of ~~aid to families with dependent~~
30 ~~children~~ temporary assistance for needy families
administered in this State pursuant to chapter ~~1053~~
32 1053-B or the Parents as Scholars program pursuant to
chapter 1054-B;
- 34 (2) A program of medical assistance administered in
this State pursuant to chapter 855; or
- 36 (3) Any other program that is based on need and is
38 conducted or administered by this State.

40 **Sec. A-8. 22 MRSA §21, sub-§1**, as enacted by PL 1995, c. 675,
§1, is amended to read:

42 1. AFDC. "AFDC" means the Aid to Families with Dependent
44 Children program administered pursuant to former chapter 1053.

46 **Sec. A-9. 22 MRSA §21, sub-§8-A and 11-A** are enacted to read:

48 **8-A. Parents as Scholars Program.** "Parents as Scholars"
means the program established in chapter 1054-B.

2 **11-A. Temporary Assistance for Needy Families.** "Temporary
4 **Assistance for Needy Families**" means the program established in
 chapter 1053-B.

6 **Sec. A-10. 22 MRSA §22, first ¶**, as enacted by PL 1995, c. 675,
8 **§1**, is amended to read:

10 The department is authorized to establish an electronic
12 benefit transfer system for the issuance of benefits under the
 AFDC, food stamp, Temporary Assistance for Needy Families,
 Parents as Scholars and Medicaid programs.

14 **Sec. A-11. 22 MRSA §3733**, as enacted by PL 1993, c. 158, §2,
16 is amended to read:

18 **§3733. Designated agency**

20 To the extent permitted by federal law, the department shall
22 coordinate and administer all available federal and state child
24 care funds, including, but not limited to, those available under
 the ~~federal United States Social Security Act, Title IV, Part A~~
 ~~and Title XX, the federal Family Support Act of 1988~~; the federal
26 Omnibus Budget Reconciliation Act of 1990, Section 5081; and the
 federal Child Care and Development Block Grant Act of 1990, as
 amended by the federal Personal Responsibility and Work
28 Opportunity Reconciliation Act of 1996, Public Law 104-193, 110
 Stat. 2105.

30 **Sec. A-12. 22 MRSA §3734, sub-§2**, as enacted by PL 1993, c.
32 158, §2, is amended to read:

34 2. **Block grant funds encumbered.** Within 6 months of
36 receiving any payment under the federal Child Care and
 Development ~~Block-Grant-Program Fund~~, the department shall expend
 or encumber 100% of the payment.

38 **Sec. A-13. 22 MRSA §3735**, as enacted by PL 1993, c. 158, §2,
40 is amended to read:

42 **§3735. Child care for ASPIRE-TANF participants**

44 The department shall ensure that all persons referred for
46 participation in the State's ~~ASPIRE-JOBS~~ ASPIRE-TANF program
48 receive information regarding child care options from caseworkers
 who are knowledgeable about the range of child care subsidies
 available in this State and who can explain the relative
50 advantages of each option. This may be done directly by the
 department or by the department's designee.

2 Sec. A-14. 22 MRSA §3739, sub-§5, ¶E, as enacted by PL 1993,
c. 158, §2, is amended to read:

4 E. Determine Advise how the State can better use child care
5 funds available under the federal Social Security Act, ~~Title~~
6 ~~IV, Part A, particularly those funds available through the~~
7 ~~federal Transitional Child Care Program,~~ and develop a
8 proposal to use federal and state funds to supplement the
9 earned income disregard for families receiving aid ~~to~~
10 ~~families with dependent children~~ temporary assistance for
needy families;

12 Sec. A-15. 22 MRSA c. 1053, as amended, is repealed.

14 Sec. A-16. 22 MRSA c. 1053-B is enacted to read:

16 CHAPTER 1053-B

18 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

20 §3762. Temporary assistance for needy families; promotion of
22 economic self-support

24 The department shall promote family economic self-support in
accordance with the provisions of this chapter.

26 1. Definitions. As used in this chapter, unless the
28 context otherwise indicates, the following terms have the
following meanings.

30 A. "ASPIRE-TANF" means the ASPIRE-TANF program established
32 in section 3781-A.

34 B. "Domestic violence" has the same meaning as provided in
Section 408(a)(7)(C)(iii) of PRWORA.

36 C. "Federal poverty level" means the nonfarm income
38 official poverty line for a family of the size involved, as
40 defined by the federal Office of Management and Budget and
revised annually in accordance with the United States
42 Omnibus Budget Reconciliation Act of 1981, Section 673,
Subsection 2.

44 D. "PRWORA" means the federal Personal Responsibility and
46 Work Opportunity Reconciliation Act of 1996, Public Law
104-193, 110 Stat. 2105.

48 E. "TANF" means the Temporary Assistance for Needy Families
50 program, under the United States Social Security Act, as
amended by PRWORA. "TANF" provides temporary assistance to

2 needy, dependent children and their parents or caretaker
3 relatives.

4 2. Collaboration. The department shall work
5 collaboratively with the following agencies and entities to
6 provide efficient and effective services that lead to
7 self-support for Maine's families receiving TANF assistance:

8 A. The state agency responsible for child care services:

10

11 B. The Department of Labor for services including
12 employment and job training partnership services and
13 vocational services;

14

15 C. The Department of Mental Health, Mental Retardation and
16 Substance Abuse Services;

18

17 D. The Department of Transportation;

20

19 E. The Department of Education and local providers of
21 programs under the federal Adult Education Act, 20 United
22 States Code, Section 1201 et seq. and the federal Carl D.
23 Perkins Vocational and Applied Technology Education Act, 20
24 United States Code, Section 2301 et seq.;

26

25 F. The Department of Economic and Community Development;

28

27 G. Statewide organizations that work with women on
28 self-sufficiency and employment opportunities;

30

29 H. The municipalities of the State both individually and
30 collectively;

32

31 I. The Maine Technical College System;

34

33 J. The University of Maine System; and

36

35 K. Local service providers appropriate for TANF
36 participants.

38

37 3. Administration. The department may administer and
38 operate a program of aid to needy dependent children, called
39 "Temporary Assistance for Needy Families" or "TANF," who are
40 deprived of support or care due to the death, continued absence,
41 physical or mental incapacity of a parent or the unemployment or
42 underemployment of the principal wage earner in accordance with
43 the United States Social Security Act, as amended by PRWORA, and
44 this Title.
45
46
47
48

2 A. The department shall adopt rules as necessary to
3 implement and administer the program. The rules must
4 include eligibility criteria, budgeting process, benefit
5 calculation and confidentiality. The confidentiality rules
6 must ensure that confidentiality is maintained for TANF
7 recipients at least to the same extent that confidentiality
8 was maintained for families in the Aid to Families with
9 Dependent Children program unless otherwise required by
10 federal law or regulation.

11 B. The department may use funds, insofar as resources
12 permit, provided under and in accordance with the United
13 States Social Security Act or state funds appropriated for
14 this purpose or a combination of state and federal funds to
15 provide assistance to families under this chapter. In
16 addition to assistance for families described in this
17 subsection, funds must be expended for the following
18 purposes:

19 (1) To continue the pass-through of the first \$50 per
20 month of current child support collections and the
21 exclusion of the \$50 pass-through from the budget tests
22 and benefit calculations;

23 (2) To provide financial and medical assistance to
24 certain noncitizens legally admitted to the United
25 States. Recipients of assistance under this
26 subparagraph are limited to the categories of
27 noncitizens who would be eligible for the TANF or
28 Medicaid programs but for their status as aliens under
29 PRWORA. Eligibility for the TANF and Medicaid programs
30 for these categories of noncitizens must be determined
31 using the criteria applicable to other recipients of
32 assistance from these programs;

33 (3) To provide benefits to certain 2-parent families
34 whose deprivation is based on physical or mental
35 incapacity;

36 (4) To provide an assistance program for needy
37 children, 19 to 21 years of age, who are in full-time
38 attendance in secondary school. The program is
39 operated for those individuals who qualify for TANF
40 under the United States Social Security Act, except
41 that they fail to meet the age requirement, and is also
42 operated for the parent or caretaker relative of those
43 individuals. Except for the age requirement, all
44 provisions of TANF, including the standard of need and
45 the amount of assistance, apply to the program
46 established pursuant to this subparagraph;

2 (5) To provide assistance for a pregnant woman who is
4 otherwise eligible for assistance under this chapter,
6 except that she has no dependents under 19 years of
8 age. An individual is eligible for the monthly benefit
for one eligible person if the medically substantiated
expected date of the birth of her child is not more
than 90 days following the date the benefit is received;

10 (6) To provide a special housing allowance for TANF
12 families whose shelter expenses for rent, mortgage or
14 similar payments, homeowners insurance and property
16 taxes equal or exceed 75% of their monthly income. The
18 special housing allowance is limited to \$50 per month
20 for each family. For purposes of this subparagraph,
"monthly income" means the total of the TANF monthly
benefit and all income countable under the TANF
program, plus child support received by the family,
excluding the \$50 pass-through payment; and

22 (7) In determining benefit levels for TANF recipients
24 living in Kennebec, Knox, Lincoln, Penobscot,
26 Piscataquis, Sagadahoc, Waldo and York counties who
have earnings from employment, the department shall
disregard from monthly earnings the following:

28 (i) One hundred and fifty dollars;

30 (ii) Fifty percent of the remaining earnings that
are less than the federal poverty level; and

32 (iii) All actual child care costs necessary for
34 work, except that the department may limit the
36 child care disregard to \$175 per month per child,
or \$200 per month per child under 2 years of age
or with special needs.

38 The monthly benefit is the lower of the maximum payment
40 level or the difference between the countable earnings
and the standard of need.

42 Assistance provided under this subparagraph may not be
44 paid for with federal funds provided under the United
46 States Social Security Act, Title IV-A, provided that
48 the state funds used for this subparagraph may be
counted, without penalty, towards the State's federal
maintenance of effort requirement.

50 The department shall evaluate the impact of calculating
the earned income disregard in accordance with this

2 subparagraph and shall report its findings to the
3 joint standing committee of the Legislature having
4 jurisdiction over health and human services matters by
5 February 15, 2000.

6 4. Promoting support by both parents. The department shall
7 enforce laws and establish policies to ensure that both parents
8 contribute to the economic support of their child or children and
9 to promote every child's right to economic support from both
10 parents. Applicants for and recipients of assistance may refuse
11 to cooperate in the establishment of paternity or child support
12 enforcement for good cause related to domestic violence,
13 including situations when cooperation may result in harm to the
14 parent or child, or when the child was conceived as a result of
15 incest or rape. Evidence supporting a good cause determination
16 includes, but is not limited to, the evidence specified in
17 section 3785, subsection 13. The department shall notify all
18 applicants and recipients orally and in writing of the
19 availability of this determination. When a determination of good
20 cause is made by the department, the department may not impose
21 sanctions or penalties against the applicant or recipient or
22 engage in any other activity that could subject any member of the
23 family to harm.

24 5. Move to sustainable employment. The department shall
25 assist parents who receive TANF assistance to move as quickly as
26 possible into employment that will sustain the family.

27 6. Training; partnerships. The department shall increase
28 the employability of parents who receive TANF assistance through
29 on-the-job training and strengthening the public and private
30 workforce partnership by developing training sites and jobs for
31 those parents.

32 7. Teenage pregnancies; minimization. The department shall
33 provide education and services to minimize teenage pregnancies
34 with special attention paid to the role of the male.

35 8. Transitional support services. The department shall
36 administer a program of transitional support services in
37 accordance with PRWORA and this subsection.

38 A. The department shall administer a program of
39 transitional Medicaid to families in accordance with this
40 paragraph.

41 (1) The department shall provide transitional Medicaid
42 to families whose average gross monthly earnings, less
43 such costs to the family for child care as is necessary
44 for employment, do not exceed 185% of the federal

2 poverty guidelines in accordance with PRWORA and this
3 subsection. In order to receive transitional Medicaid
4 as the result of increased earnings or number of hours
5 worked, a family must have received TANF assistance for
6 at least 3 of the last 6 months, except as provided in
7 subparagraph 2.

8 (2) The department shall provide transitional Medicaid
9 for families whose eligibility for TANF assistance
10 terminated due to employment obtained through work
11 search activities pursuant to this chapter, in which
12 case the family must have received TANF assistance for
13 at least one of the last 3 months.

14 (3) To continue to receive transitional Medicaid
15 assistance following the first 6 months of coverage, a
16 family entering the transitional Medicaid program prior
17 to federal approval or waiver under subparagraph 4 with
18 income above 133% of the federal poverty guidelines
19 must pay premiums in accordance with rules adopted by
20 the department. If a family entering the transitional
21 Medicaid program after federal approval or waiver has
22 average gross monthly earnings, less average monthly
23 costs for such child care as is necessary for
24 employment, that are above 100% of the federal poverty
25 guidelines, then that family shall pay, beginning in
26 their 7th month of receiving transitional Medicaid,
27 monthly premiums equal to 3% of that family's average
28 gross monthly earnings, less the average monthly costs
29 for such child care as is necessary for employment.

30 (4) By October 1, 1997, the department shall have taken
31 reasonable steps to seek a federal waiver, approval of
32 a state plan modification under Section 114 of PRWORA
33 or any other appropriate action to secure federal
34 approval to use federal matching funds to extend
35 transitional Medicaid assistance for 2 years beyond the
36 families' initial 1-year period of eligibility.
37 Beginning on February 1, 1998, or at the time that the
38 department receives the federal approval or waiver,
39 whichever is later, the department shall provide
40 extended benefits under this subparagraph to families
41 that qualify under subparagraph (1) or (2) and that
42 meet the requirements of the transitional Medicaid
43 program.

44 (5) The department shall provide transitional Medicaid
45 for 4 months to families whose eligibility for TANF
46 assistance terminated due to an increase in the amount
47 of child support received by the family.
48

2 (6) The department shall require reporting of income
4 or circumstances for the purpose of determining
6 this paragraph in accordance with rules adopted by the
 department.

8 (7) The scope of services provided under this
10 paragraph must be the same as the scope of services
 provided when a family received TANF assistance.

12 B. The department shall provide limited transitional
14 transportation benefits to meet employment-related costs to
16 ASPIRE-TANF program participants who lose eligibility for
18 TANF assistance due to employment. Benefits must be
20 provided for 90 days following loss of TANF eligibility.
 The department may adopt rules that impose a weekly limit on
 available transitional transportation benefits and that
 require a contribution from each participant toward the cost
 of transportation.

22 C. The department shall make available transitional child
24 care services to families who lose eligibility for TANF as a
26 result of increased earnings or an increase in the number of
28 hours worked and whose gross income is equal to or less than
30 85% of the State's median income for a family of comparable
32 size. The family shall pay a premium of 2% to 10% of gross
34 income, based on the family's gross income compared to the
 federal poverty level in accordance with rules adopted by
 the department. The department shall establish maximum
 rates for child care that are at least equal to the 75th
 percentile of local market rates for various categories of
 child care and higher rates for children with special
 needs. Parents must have a choice of child care within the
 rate established by the department.

36 9. Procedures. The following procedural requirements apply
38 to the program:

40 A. The department shall make information on the program
42 available to the public in written form understandable at
 the 6th-grade reading level and orally, as needed.

44 B. The department shall take written applications for
46 assistance, which must be available on request. The
48 department shall provide the applicant written notice of the
 granting or denial of assistance within 30 days of
 application. If the family is granted assistance, the
 notice must state the amount of the benefit. Assistance
50 must be provided promptly to an eligible family without any

2 delay attributable to the administrative process and must be
3 continued regularly to all eligible individuals until they
4 are found to be ineligible. Applicants and recipients must
5 be provided with timely and adequate notice of any intended
6 action to discontinue, terminate, suspend or reduce
7 assistance or to change the manner of paying cash assistance
8 to a protective payee, vendor or through a 2-party
9 payment. Notices under this paragraph must inform the
10 applicant of the right to a fair hearing before an impartial
11 hearing officer and also inform the applicant how to request
12 a hearing. Hearing requests may be made orally or in
13 writing. Hearings must be conducted pursuant to the Maine
14 Administrative Procedure Act.

15 C. The department shall establish uniform statewide
16 eligibility criteria and benefit levels under the TANF
17 program except as provided in this chapter or chapter
18 1054-A. Eligibility criteria and benefit levels may not
19 result in cash assistance levels below those in effect on
20 June 1, 1997.

21 10. Domestic violence. The following provisions apply with
22 regard to victims of domestic violence.

23 A. The department shall provide all applicants for
24 assistance under this chapter with information both orally
25 and in writing of the availability of services for victims
26 of domestic violence and of the good cause determination for
27 victims of domestic violence under section 3785, subsection
28 13. If an applicant requests a good cause determination
29 under section 3785, subsection 13, the department shall
30 promptly determine whether the applicant qualifies for good
31 cause. An individual may not be required to participate in
32 any TANF activity including orientation until the good cause
33 determination is made.

34 B. When a determination of good cause is made under section
35 3785, subsection 13, the ASPIRE-TANF program may contact
36 the individual and offer domestic violence victim services
37 or other appropriate services on a voluntary basis.

38 11. Treatment of lump sum income. For the purpose of
39 determining eligibility for and the amount of assistance under
40 TANF, the department shall treat any nonrecurring lump sum income
41 received by a family in accordance with this subsection.

42 A. Nonrecurring lump sum income includes, but is not
43 limited to, personal injury awards, lottery winnings,
44 inheritances and similar nonrecurring forms of income. It
45 does not include income earmarked by the payor for
46

2 particular expenses such as awards or insurance proceeds
3 earmarked for medical expenses, attorney's fees or the
4 replacement of lost property. Proceeds from the conversion
5 of a nonliquid asset to a liquid asset must be treated as an
6 asset and not as nonrecurring lump sum income.

7 B. Up to \$10,000 of nonrecurring lump sum income must be
8 disregarded as income and excluded as an asset if used for
9 the following purposes within 30 days of its receipt:

10 (1) Deposit in a separate identifiable account,
11 approved by the department. Withdrawals from such an
12 account may only be for the purposes identified in
13 subparagraphs (2) to (6) and paragraph C;

14 (2) Expenses for education or job training to attend
15 an accredited or approved postsecondary education or
16 training institution;

17 (3) The purchase or repair of a home that is the
18 family's principal residence;

19 (4) The purchase or repair of a vehicle used for
20 transportation to work or to attend an education or
21 training program;

22 (5) Capital to start a small business for any family
23 member 18 years of age or older; or

24 (6) Placement in a family development account
25 authorized by state law, to the extent that the total
26 balance of such an account remains below \$10,000.

27 C. The department shall disregard from income and exclude
28 as an asset nonrecurring lump sum income used within 30 days
29 of receipt or money withdrawn from an account established
30 pursuant to paragraph B, subparagraph (1) or (6), if it is
31 used for the purposes stated in paragraph B, subparagraphs
32 (2) to (6) or to meet the following needs:

33 (1) Health care costs of a household member that are
34 medically necessary and that are not covered by public
35 or private insurance;

36 (2) To address an emergency that may cause the loss of
37 shelter, employment or other basic necessities; or

38 (3) To address other essential family needs approved
39 by the department.

2 D. Nonrecurring lump sum income in excess of the asset
3 limit established in the TANF program that is used for
4 purposes other than those enumerated in paragraphs B or C
5 and nonrecurring lump sum income in excess of \$10,000 plus
6 that asset limit must be counted as income and cause the
7 household to be disqualified from receiving TANF assistance
8 under this chapter. The household is disqualified for a
9 period of months calculated by dividing the income countable
10 under this paragraph by the standard of need established by
11 the department for the household.

12 12. Information about and application for Parents as
13 Scholars. When there are fewer than 2000 enrollees in the
14 Parents as Scholars Program under chapter 1054-B, the department
15 shall inform all persons applying for TANF assistance and all
16 recipients reviewing or requesting to amend their participation
17 in the program of the Parents as Scholars Program and shall offer
18 them the opportunity to apply for the program.

20 13. Reports to Legislature. The department shall provide
21 information annually to the joint standing committee of the
22 Legislature having jurisdiction over health and human services
23 matters in order to allow the Legislature to evaluate the TANF
24 program. Such information must include but is not limited to the
25 number of TANF households and family members, a comparison of
26 TANF eligibility levels with the federal poverty level, the
27 number of TANF participants in training, education and work
28 activity components and the rates at which individuals who have
29 found employment through ASPIRE-TANF return to the TANF program.

30 14. Notification to Legislature. The department shall
31 notify the joint standing committee of the Legislature having
32 jurisdiction over health and human services matters of any
33 request for waivers from the United States Department of Health
34 and Human Services or any other federal agency concerning the
35 implementation of chapters 1053-A, 1054, 1054-A and 1054-B.

38 **§3763. Program requirements**

40 1. Family contract. During the TANF orientation process, a
41 representative of the department and the TANF recipient shall
42 enter into a family contract. The family contract must state the
43 responsibilities of the parties to the agreement including, but
44 not limited to, cooperation in child support enforcement and
45 determination of paternity, the requirements of the ASPIRE-TANF
46 program and referral to parenting activities and health care
47 services. Except as provided in section 3762, subsection 4,
48 refusal to sign the family contract or to abide by the provisions
49 of the contract, except for referral to parenting activities and
50 health care services, will result in sanctions. Failure to

2 comply with referrals to parenting activities or health care
3 services without good cause will result in a review and
4 evaluation of the reason for noncompliance by the representative
5 of the department and may result in sanctions. Written copies of
6 the family contract and a notice of the right to a fair hearing
7 must be given to the individual. The family contract must be
8 amended in accordance with section 3788 when a participant enters
9 the ASPIRE-TANF program and when participation review occurs.

10 2. Participation. A recipient of TANF shall participate in
11 an education, training or employment program pursuant to this
12 chapter unless exempt under paragraph A, B or C. The following
13 individuals are exempt:

14
15 A. A recipient who is the single custodial parent or a
16 caretaker relative of a child under one year of age and is
17 personally providing care for that child. This exemption is
18 limited to no more than 12 months per single custodial
19 parent or caretaker relative;

20
21 B. A recipient who is not a parent or a caretaker relative;
22 and

23 C. A recipient who is a VISTA volunteer under the federal
24 Domestic Volunteer Service Act of 1973.

25
26 3. Custodial parents not yet 20 years of age. A custodial
27 parent under 20 years of age who is a recipient of TANF and has
28 not completed high school or its equivalent shall participate in
29 the ASPIRE-TANF program regardless of the age of the youngest
30 child and attend courses to complete high school, with an
31 emphasis on education in a traditional high school setting.

32
33 4. Households headed by minor parents. The following
34 requirements apply to a custodial parent who is under 18 years of
35 age and is not married:

36
37 A. The family must reside in the household of a parent,
38 legal guardian or other adult relative of that minor parent
39 or in an adult-supervised supportive living arrangement
40 unless:

41
42 (1) The minor parent does not have a living parent or
43 legal guardian whose whereabouts are known;

44
45 (2) A living parent or legal guardian of the minor
46 parent does not allow the minor parent to live in the
47 parent's or guardian's home;
48

2 (3) The minor parent lived apart from the minor's own
4 parent or legal guardian for a period of at least one
 year before the birth of the dependent child or the
 minor parent's application for TANF;

6 (4) The physical or emotional health or safety of the
8 minor parent or dependent child would be jeopardized if
10 that minor parent or dependent child resided in the
 same residence with the minor parent's parent or legal
 guardian; or

12 (5) There exists other good cause, as defined by rule
14 adopted by the department; and

16 B. TANF benefits must be distributed in the form of
 vouchers.

18 5. Home visit. The department may implement a home visit
20 program in which a representative of the department may visit the
 homes of all applicants for and recipients of TANF for the
22 following purposes:

24 A. To review the family contract;

26 B. To reinforce the reporting responsibilities of the
 family, including child support enforcement;

28 C. To verify information provided at the time of
30 application, including checking social security numbers; and

32 D. To request and receive any additional information.

34 6. Substantiation of eligibility. The department may
 appropriately substantiate the facts supporting eligibility
36 stated in any application for TANF assistance. The department
 shall adopt rules for substantiating relevant facts. The rules
38 must provide for assisting the applicant in obtaining
 substantiating information when necessary.

40 7. Earned income tax credit. The department shall advise
42 applicants and recipients of Temporary Assistance for Needy
 Families regarding the federal earned income tax credit,
44 including the opportunity to receive it as an advanced payment.

46 8. Alternative aid. To assist applicants who seek
 short-term assistance to obtain or retain employment, the
48 department shall pay one-time voucher payments of up to 3 times
 the monthly TANF grant for which the family is eligible. If the
50 family reapplies for TANF within 3 months of receiving
 alternative aid, the family must repay any alternative aid

2 received in excess of the amount that the family would have
3 received on TANF. The method of repayment must be the same as
4 that used for the repayment of unintentional overpayments in the
5 TANF program.

6 9. Emergency assistance. The department shall establish
7 and operate a program of emergency assistance to needy families
8 with children. This program must provide benefits to needy
9 families with children in emergency situations in which the
10 family is deprived of the basic necessities essential to its
11 support, including but not limited to, fire and other natural
12 disasters, terminations of utility service or lack of adequate
13 shelter.

14 A. In determining what constitutes an emergency with
15 respect to utility terminations, the department shall grant
16 assistance when an otherwise qualified family has received a
17 disconnection notice and has exhausted their ability to
18 negotiate and pay the terms of a reasonable payment
19 arrangement.

20 B. The program may not be used to supplant local
21 responsibility for operating or funding a general assistance
22 program.

23 C. The department may not expend more than \$750,000 annually
24 of state general assistance funds for the purposes of
25 covering the cost of services set out in this subsection.

26 10. Home survival skills. The department shall provide and
27 may contract with public and private nonprofit agencies to
28 provide instruction and experiential education for TANF
29 recipients in nutrition, food preparation and home and money
30 management.

31 **§3764. Federal grants**

32 The Treasurer of State is the appropriate fiscal officer of
33 the State to receive federal grants on account of the TANF
34 program and administration of those grants, in accordance with
35 the United States Social Security Act, and the State Controller
36 shall authorize expenditures as approved by the department.

37 **§3765. Payments to guardian or conservator**

38 When a relative with whom a child is living is found by the
39 department to be incapable of taking care of the child's money,
40 payment may be made only to a legally appointed guardian or
41 conservator and, notwithstanding Title 18-A, Article V, Part 4,
42 in the matter of infirmities of age or physical disability to
43 the child.

2 manage the child's estate with prudence and understanding, the
3 Probate Court may appoint any suitable person as a conservator.

4 **§3766. Inalienability of assistance**

6 All rights to public assistance are absolutely inalienable
7 by any assignment, sale, execution, pledge or otherwise and may
8 not pass, in case of insolvency or bankruptcy, to any trustee,
9 assignee or creditor.

10 **§3767. Parental responsibility**

12 The parents of a child receiving assistance under this
13 chapter are responsible for partial or total support of that
14 child, if they are of sufficient ability. In determining the
15 ability of the parents, the department must consider the assets
16 and income of the parent.

18 The department may bring proceedings in the District Court
19 or Superior Court in the county where the child resides or in the
20 county where the parent may be found to compel any person liable
21 under this section to contribute to the support of any child
22 receiving that assistance if, after reasonable efforts on the
23 part of the department, voluntary contributions have not been
24 made. The department shall bring the action as a petition for
25 support upon not less than 7 days' notice. The court may order
26 either one or both parents of the child to contribute to the
27 support of the child by paying money weekly or monthly as
28 determined in accordance with Title 19, chapter 7, subchapter I-A
29 and Title 19-A, chapter 63 and may enforce obedience by
30 appropriate decrees, execution issuing for that money when
31 payable. An order for child support under this section may
32 include an order for the payment of part or all of the medical
33 expenses, hospital expenses and other health care expenses of the
34 child or an order to provide a policy or contract for coverage of
35 those expenses. When a parent is committed to jail as a
36 defendant on execution under this section, the county having
37 jurisdiction of the process shall bear the expense of the
38 defendant's commitment and support. The defendant may petition
39 the court issuing that execution for relief and the judge of the
40 court, after due notice to the department and hearing on the
41 petition, may order the defendant's discharge from imprisonment
42 on the terms and conditions justice requires.

44 **§3768. Fraud in obtaining aid, civil recovery**

46 Any sums paid to or in behalf of any person under sections
47 3762 to 3765, as a result of any false statement,
48 misrepresentation or concealment of assets or income, may be

2 recovered in a civil action brought by the department against the
3 person to whom such money was paid.

4 **§3769. Disbursements**

6 1. Payment priority. Payments made on behalf of the
7 department for TANF assistance, the Parents as Scholars Program
8 under chapter 1054-B and for foster care have priority over other
9 payments and must be made without delay whether or not they are
10 pursuant to a state plan or contract. The department shall
11 cooperate with other state agencies to accomplish priority
12 payments.

14 2. Transfer of funds. Notwithstanding any provision of
15 law, except Title 5, section 1585, the department is authorized
16 to transfer to the ASPIRE account, established in Public Law
17 1997, chapter 24, as often as twice per fiscal year funds
18 representing cost savings within the TANF program resulting from
19 ASPIRE-TANF program participants' obtaining employment during
20 that fiscal year. The department shall determine the amount of
21 savings in the aggregate by utilizing the number of ASPIRE-TANF
22 program participants entering employment in each quarter of the
23 fiscal year. Funds appropriated to either account do not lapse
24 at the end of the fiscal year.

26 The department shall provide to the joint standing committees of
27 the Legislature having jurisdiction over appropriations and
28 financial affairs and health and human services matters a report
29 twice per year on the amount of funds transferred and the number
30 of ASPIRE-TANF program participants entering employment.

32 **§3769-A. Rulemaking**

34 The department shall adopt rules to implement this chapter.
35 Except as specifically provided, rules adopted pursuant to this
36 chapter are routine technical rules as defined in Title 5,
37 chapter 375, subchapter II-A.

38 Sec. A-17. 22 MRSA §3774, as repealed and replaced by PL
39 1993, c. 360, Pt. C, §4, is repealed.

42 Sec. A-18. 22 MRSA §3781-A, as amended by PL 1995, c. 418,
43 Pt. A, §25, is further amended to read:

44 **§3781-A. Additional Support for People in Retraining and**
45 **Employment-Temporary Assistance for Needy Families**
46 **established**

48 1. ASPIRE-TANF program defined. "ASPIRE-JOBS---Program
49 ASPIRE-TANF program" means the Additional Support for People in

Retraining and Employment - ~~Job-Opportunities--and-Basic-Skills
Training-Program~~ Temporary Assistance for Needy Families program
established pursuant to this chapter and the ~~Family-Support-Act
federal Personal Responsibility and Work Opportunity
Reconciliation Act of 1996.~~ "TANF" means the program created in
chapter 1053-B.

2. **Administration.** The ~~ASPIRE-JOBS--Program~~ ASPIRE-TANF
program is established. The department shall administer the
program.

3. **Purpose.** The purpose of this program is to provide
services and support to recipients of ~~Aid--to--Families--with
Dependent-Children~~ Temporary Assistance for Needy Families and to
reduce dependence on public assistance to the extent that
adequate funding is available for that purpose. The principal
goal is to focus on helping people obtain and retain employment
that sustains their families.

4. **Limitation or reduction of services when resources
inadequate.** The department shall adopt rules in accordance with
the Maine Administrative Procedure Act that include methods for
limiting or reducing services when adequate resources are not
available.

Sec. A-19. 22 MRSA §3782-A, as amended by PL 1995, c. 418,
Pt. A, §26, is further amended to read:

§3782-A. ASPIRE-TANF program

1. **Case management services.** The department shall provide
case management services to individuals participating in the
~~ASPIRE-JOBS--Program~~ ASPIRE-TANF program, referred to in this
section as the "program." The department shall adopt rules in
accordance with the Maine Administrative Procedure Act defining
or describing those services.

2. **Purchase of services.** The department may contract with
public and private agencies and individuals to deliver
employment, training and other services for program participants
consistent with the purposes of the program.

Program funds may not be used to purchase services from an agency
under this subsection that are available on a nonreimbursable
basis, if those nonreimbursable services meet the needs of a
program participant.

3. **Monitoring of contract agencies.** If the department
contracts for the provision of program services under this
section, it shall monitor each contract agency at least annually

2 to ensure compliance with sections 3786 and 3788 to ensure
3 compliance with the contracts entered into by the parties and to
4 ensure that quality services are provided for program
5 participants. The department shall adopt rules in accordance
6 with the Maine Administrative Procedure Act by which satisfactory
7 performance is measured. The rules must identify the
8 circumstances under which sanctions, including contract
suspension, reduction or termination, are applied.

10 4. Rural access. The department shall adopt rules in
11 accordance with the Maine Administrative Procedure Act to provide
12 access to Additional Support for People in Retraining and
13 ~~Employment - Job-Opportunities-and-Basic-Skills-Training-Program~~
14 Temporary Assistance for Needy Families program services for
15 recipients of ~~Aid-to-Families-with-Dependent-Children~~ Temporary
16 Assistance for Needy Families living in rural areas. Services
17 must be provided on an equitable basis throughout the State.
18 Access to these services may be reasonably limited by the
19 department due to factors such as availability of staff and
20 funding. The rules adopted by the department must include, in
21 addition to other methods necessary to achieve this goal,
22 adequate provisions for itinerant service stationing.

24 5. Child care during participation in employment, education
25 and training. The department shall provide child care in
26 accordance with federal law and this Title when the child care is
27 necessary to permit a TANF-eligible family member to participate
28 in the ASPIRE-TANF program.

30 The department shall provide an ASPIRE-TANF program participant's
31 actual cost for child care up to the maximum rate authorized by
32 federal law. In determining the maximum rate, the State shall
33 use a method that results in an amount that equals, or most
34 closely approaches, the actual market rate in different regions
35 of the State for various types of child care services received by
36 families in the State participating in the ASPIRE-TANF program.

38 6. Rulemaking. The department shall adopt rules to
39 implement this subsection. Except as specifically provided,
40 rules adopted pursuant to this subsection are routine technical
41 rules as defined in Title 5, chapter 375, subchapter II-A.

42 Sec. A-20. 22 MRSA §3785, first ¶, as amended by PL 1993, c.
43 385, §18, is further amended to read:

46 An individual may not be sanctioned under this program or
47 ~~Aid-to-Families-with-Dependent-Children~~ Temporary Assistance for
48 Needy Families for failure to participate in the ASPIRE-JOBS
49 ~~Program~~ ASPIRE-TANF program if that failure to participate is
50 based on good cause. Each individual participating in an

2 ASPIRE-TANF orientation must receive written and oral notice of
3 what constitutes good cause for nonparticipation in ASPIRE-TANF
4 including the domestic violence exception. Good cause for
5 failure to participate in this program must be found when there
6 is reasonable and verifiable evidence of:

7 **Sec. A-21. 22 MRSA §3785, sub-§6,** as amended by PL 1993, c.
8 385, §18, is further amended to read:

10 **6. Assignment to another activity.** Assignment by the
11 department to an activity or component that has not been made
12 part of the individual-opportunity-service family contract;

14 **Sec. A-22. 22 MRSA §3785, sub-§8,** as amended by PL 1995, c.
15 418, Pt. A, §27, if further amended to read:

16 **8. Crisis or special circumstance.** A crisis or special
17 circumstance that causes an individual to be absent from or
18 discontinue a department activity about which the department has
19 been advised and has determined to constitute good cause; or

22 **Sec. A-23. 22 MRSA §3785, sub-§12,** as amended by PL 1993, c.
23 385, §18, is further amended to read:

24 **12. Other good cause.** Any other reason resulting in
25 failure to participate that is beyond the control of the
26 individual or that a reasonable person would determine to be good
27 cause; or

30 **Sec. A-24. 22 MRSA §3785, sub-§13** is enacted to read:

32 **13. Domestic violence.** Inability to participate due to
33 domestic violence when the individual is unable to participate
34 because of physical injuries or the psychological effects of
35 abuse; because of legal proceedings, counseling or other
36 activities related to abuse; because the abuser actively
37 interferes with the individual's participation; because the
38 location puts the individual at risk; or for other good cause
39 related to domestic violence. For the purposes of this
40 subsection, reasonable and verifiable evidence may include but is
41 not limited to the following:

42 **A.** Court, medical, law enforcement, child protective,
43 social services, psychological or other records that
44 establish that the individual has been a victim of domestic
45 violence; or

48 **B.** Sworn statements from persons other than the individual
49 with knowledge of the circumstances affecting the individual.

50

2 Sec. A-25. 22 MRSA §3786, 2nd ¶, as amended by PL 1993, c.
385, §19, is further amended to read:

4 Rules governing services provided under this chapter apply
5 equally to all participating ~~Aid--to--Families--with--Dependent~~
6 Children Temporary Assistance for Needy Families recipients,
7 whether those services are provided by the ~~Department-of--Human~~
8 Services department or any other agency, organization or
9 individual providing ~~ASPIRE-JOBS-Program~~ TANF program services to
10 participants.

12 Sec. A-26. 22 MRSA §3788, as amended by PL 1995, c. 418, Pt.
13 A, §§29 to 33, is further amended to read:

14 **§3788. Program requirements**

15 1. **Notice of program assistance.** The department shall
16 provide written notice to all applicants for and recipients of
17 the ~~Aid-to-Families-with-Dependent-Children~~ Temporary Assistance
18 for Needy Families program of the range of education, employment
19 and training opportunities, and the types of support services,
20 including transitional support services and medical assistance,
21 available under the ~~ASPIRE-JOBS--Program~~ ASPIRE-TANF program,
22 together with a statement that all participants may apply for
23 those opportunities and services.

24 1-A. Information about and application for Parents as
25 Scholars. When there are fewer than 2,000 enrollees in the
26 Parents as Scholars Program under chapter 1054-B, the department
27 shall inform all persons applying for ASPIRE-TANF and all
28 ASPIRE-TANF participants reviewing or requesting to amend their
29 education, training or employment program under ASPIRE-TANF of
30 the program and shall offer them the opportunity to apply for the
31 program.

32 2. **Application; decision.** ~~Notwithstanding--any--provision~~
33 ~~contained--in--an--employability--development--plan--all--participants~~
34 ~~must--be--given--the--opportunity--to--apply--for--any--education,~~
35 ~~training--and--support--services--at--the--office--of--the--program~~
36 ~~-serving--the--area--in--which--that--individual--lives.--The--program~~
37 ~~shall--issue--a--written--decision--promptly--in--accordance--with--rules~~
38 ~~adopted--by--the--department--on--all--applications.--The--participant~~
39 ~~must--be--given--in--writing--the--reasons--and--specific--rules~~
40 ~~supporting--that--denial--and--an--explanation--of--the--individual's~~
41 ~~right--to--request--a--conciliation--meeting--a--fair--hearing--or~~
42 ~~both.--For--the--purposes--of--this--subsection--"participant" means--a~~
43 ~~recipient--of--Aid--to--Families--with--Dependent--Children--who--has~~
44 ~~completed--the--ASPIRE-JOBS--Program--work--evaluation--and--has--been~~
45 ~~informed--by--the--department--that--funds--are--available--to--provide~~
46 ~~ASPIRE-JOBS--Program--services--to--the--recipient. As part of the~~

2 orientation process for ASPIRE-TANF, all participants must be
4 given the opportunity to apply for any education, training and
6 employment and support services at the office of the program
8 -serving the area in which the individual lives. At orientation,
10 each participant shall receive a complete list of all support
12 services and education, training and employment services
14 available under the ASPIRE-TANF program so that the individual
16 may identify the services that the individual considers necessary
18 to participate in the program. A written copy of each amendment
to the family contract must be given to the participant, together
with a complete list of all support services and education,
training and employment services available under the program and
notice of the participant's right to request a conciliation
meeting and a fair hearing. A participant may request an
amendment to the participant's family contract at any time. If
the participant's request is denied, the participant must be
notified in writing of the reason for the denial and must be
given notice of right to a fair hearing.

20 3. Assessment. Each participant's case manager shall
22 conduct an assessment to determine that individual's education,
24 training and employment needs in accordance with the Family
26 Support Act based on available program resources, the
28 participant's skills and aptitudes, the participant's need for
supportive services, local employment opportunities, the
existence of any good cause circumstances under section 3785 and,
to the maximum extent possible, the preferences of the
participant.

30 4. ~~Employability plan.~~ ~~An employability plan must be~~
32 ~~adopted in accordance with the Family Support Act for each~~
34 ~~individual during the work evaluation. The employability plan~~
36 ~~must consider available program resources, the participant's~~
~~skills and aptitudes, the applicant's need for supportive~~
~~services, local employment opportunities and, to the maximum~~
~~extent possible, the preferences of the participant.~~

38 4-A. Family contract amendment. To the extent that
40 sufficient funds, training sites and employment opportunities are
42 reasonably available, the department and a participant in the
44 program shall enter into an individual opportunity service
46 contract that reflects, to the maximum extent possible, the
48 preference of the participant and the services offered by the
program. The individual opportunity service amended family
contract that must include both the department's and the
participant's activities and the support services necessary for
the individual to participate in accordance with the Family
Support Act assessment and federal Personal Responsibility and
Work Opportunity Reconciliation Act of 1996, Public Law 104-193,
110 Stat. 2105. The participant's first individual opportunity

2 ~~service contract must be established promptly in accordance with~~
3 ~~rules adopted by the department. The rules must provide for an~~
4 ~~expedited procedure for the development of the individual~~
5 ~~opportunity service contract when necessary to meet the~~
6 ~~participation or enrollment requirements of an educational~~
7 ~~institution or training program.~~

8 **5. Provision of support services.** Beginning January 1,
9 1990, ~~payment~~ Payment for support services must be furnished
10 promptly in accordance with rules adopted by the department to,
11 or on behalf of, eligible individuals as agreed to in the
12 ~~employability plan~~ family contract. The rules must provide for
13 an expedited procedure for payment for support services when
14 those services are immediately necessary to enable the
15 participant to participate in an approved education, training or
16 employment plan.

17 The support services required to participate in the ~~employability~~
18 ~~plan~~ ASPIRE-TANF must be specified in an ~~individual opportunity~~
19 ~~service contract~~ the family contract and each participant must
20 receive the support services prescribed in that contract, which
21 may include respite care.

22 **6. Education, training and employment services.** The
23 ~~ASPIRE-JOBS Program~~ ASPIRE-TANF program must make available a
24 broad range of education, training and employment services in
25 accordance with section 3781-A, subsection 3 and the Family
26 Support Act federal Personal Responsibility and Work Opportunity
27 Reconciliation Act of 1996, Public Law, 104-193, 110 Stat. 2105.
28 These services and activities must include all of those services
29 and activities offered by the Additional Support for People in
30 Retraining and Employment Program on October 1, 1989, except in
31 2-year and 4-year postsecondary education and except as provided
32 in chapter 1054-B. This section does not prohibit the
33 department from purchasing equivalent services from providers
34 other than those from whom those services were purchased on
35 October 1, 1989. When a particular approved education or
36 training service is available at comparable quality and cost,
37 including the cost of support services, and the implementation of
38 the ~~employability plan~~ family contract would not be unreasonably
39 delayed, the program participant may choose to enroll for that
40 service with the provider of that person's preference. If this
41 decision is not mutually agreed to by the participant and the
42 case manager, the decision must be reviewed by the case manager's
43 supervisor. These services do not include reimbursement for the
44 cost of tuition or mandatory fees for postsecondary education
45 unless:
46
47
48

2 A. The participant is unable to secure other educational
3 funding needed to complete the participant's individual
4 opportunity-service family contract due to:

5 (1) Poor credit as determined by the educational
6 funding source; or

7 (2) The consideration by the educational funding source
8 of resources from past years that are not actually
9 available to the participant;

10 B. In the determination of the department, failure to pay
11 the tuition or fee would result in higher ASPIRE-JOBS
12 Program ASPIRE-TANF program costs to achieve the
13 participant's approved goal; or

14 C. The participant meets an exception specified in rules
15 adopted by the department.

16
17 When a substantially similar postsecondary education or training
18 program of comparable quality is available at both a public and
19 private institution, within a reasonable commuting distance for
20 the participant, the department may choose to approve the program
21 offered at the public institution if the participant's program
22 can be completed at less cost at the institution.

23
24 9. Rules. The department may shall adopt rules in
25 accordance with the Maine Administrative Procedure Act to
26 implement this section.

27
28 10. Program design. The department shall operate the
29 ASPIRE-JOBS ASPIRE-TANF program under which individual
30 participation is required for a minimum of 20 hours per week in
31 time-limited components that include job search, work evaluation,
32 education, training and treatment and workforce-MaineServe.

33
34 A. Individuals who are ready for jobs may participate in
35 job search at any time. Up-front job search must focus on
36 new recipients who are ready for jobs who are eligible for
37 AFDC TANF based on unemployment underemployment of the
38 primary wage earner and new single-parent recipients who are
39 ready for jobs and whose children are 5 years of age or
40 older.

41
42 B. Work evaluation consists of all activities related to
43 orientation, assessment, --employability-plan-development and
44 initial individual--opportunity--service family contract
45 formulation. Work evaluation is limited to a maximum of 90
46 days, unless extended by the commissioner or the designee of
47 the commissioner. If an ASPIRE-JOBS ASPIRE-TANF participant
48
49
50

2 is determined by the department to be job ready, the
participant may access the workforce-MaineServe component
directly from work evaluation.

4
6 C. Education, training and treatment is limited to a
maximum of 24 months, starting with the first day of
8 participation in any allowable and approved job skills or
occupational skills training activity. The 24-month period
10 may be extended by the commissioner or the designee of the
commissioner for good cause shown.

12 The department may approve a job skills or occupational
14 training activity longer than 24 months provided the
participant agrees to perform a minimum of 20 hours a week
16 of work site experience by no later than the end of the
24-month period. Qualifying work site experience may
18 include, but is not limited to, paid employment,
workforce-MaineServe, ASPIRE-Plus, work study,
training-related practicums or any other such work site
20 approved by the department. The 24-month period does not
include periods of nonactivity in which good cause has been
22 determined.

24 For individuals who are satisfactorily participating in an
education or training program prior to the work evaluation,
26 the department must determine the acceptability of the
activity for purposes of meeting the participation
28 requirements of this chapter using the same criteria as is
used for any individual in the ~~ASPIRE-JOBS~~ Program
30 ASPIRE-TANF program.

32 D. Workforce-MaineServe consists of paid employment,
subsidized employment, apprenticeships or other mandatory
34 work activities, which may continue until the participant is
ineligible for AFDC TANF benefits.

36
38 **11. Individual participation requirements.** Participation
in the program components is governed by subsection 10 and this
subsection.

40
42 A. For recipients whose eligibility for AFDC TANF is based
on unemployment or underemployment of the primary wage
44 earner, participation in the workforce-MaineServe component
is required and any participation in the education, training
46 and treatment component is contingent on satisfactory
participation in workforce-MaineServe.

48 B. ~~ASPIRE-JOBS~~ ASPIRE-TANF participants who are attending
school or are involved in an equivalent educational program
50 recognized by the Department of Education or a local school

2 board are considered to be in the education, training or
3 treatment component and their participation is not limited
4 to 24 months. The department shall encourage recipients
5 younger than 20 years of age who have not completed high
6 school to attend traditional high school.

7 C. Subject to the requirements of the Americans with
8 Disabilities Act, if a recipient of AFDC TANF is hindered
9 from obtaining employment or successfully completing any
10 portion of the ~~ASPIRE-JOBS-Program~~ ASPIRE-TANF program by
11 reason of drug or alcohol abuse, the recipient must enter
12 into a drug or alcohol abuse treatment program. This
13 treatment activity may occur at any time during the
14 ~~ASPIRE-JOBS-Program~~ ASPIRE-TANF program.

15 12. **Developing resources.** To assist the department in its
16 efforts to encourage job placement opportunities and provide the
17 services necessary to ensure self-support to recipients of AFDC
18 TANF assistance, the department may contract with public and
19 private agencies to establish job placement opportunities. In
20 addition ~~all agencies are subject to the following requirements.~~

21 In order to assist in the development of job placement
22 opportunities, the department in cooperation with the Department
23 of Labor and other state agencies shall explore the feasibility
24 of developing a shared approach to technology to support access
25 to information talent banks, national job banks, Maine's job
26 listings and any other job opportunity listings, to facilitate
27 linking program resources listings and to coordinate case service
28 providers.

29 In addition, all public and private agencies are subject to the
30 following requirements.

31 A. All agencies that receive funds from any state
32 department or division must provide at least one
33 workforce-MaineServe opportunity for an ~~ASPIRE-JOBS~~
34 ASPIRE-TANF participant.

35 B. All state agencies that provide funding for child care
36 or transportation services must require that recipients of
37 AFDC TANF be given priority for those services.

38 C. All agencies that receive funds from any state agency
39 for the treatment of drug or alcohol abuse must require that
40 recipients of AFDC TANF be given priority for those services.

41 The department shall work with and shall contract with agencies
42 to work with families in which there are multiple barriers to
43 achieving employment and shall provide those agencies incentives
44

2 for working with the families to achieve employment. For each
3 family placed with an agency, the department shall pay a fee.
4 For each family member placed in full-time employment, the
5 department shall pay a premium. For each family member placed in
6 full-time employment in a job that provides health care benefits,
7 the department shall pay an additional bonus payment. The
8 commissioner shall adopt rules as necessary to implement this
9 subsection.

10 ~~13. Determination of types of opportunities. The~~
11 ~~department shall request that the federal Department of Health~~
12 ~~and Human Services delegate to the department the responsibility~~
13 ~~for determining the types of opportunities necessary to provide~~
14 ~~recipients of AFDC with the skills to enable those recipients to~~
15 ~~become self-supporting and that these activities be included in~~
16 ~~determining the level of participation necessary to obtain~~
17 ~~maximum federal funding for the ASPIRE JOBS Program.~~

18 14. Family planning services. To the extent that funds
19 permit, the department, in cooperation with the grant manager of
20 the State's family planning system, shall develop and the grant
21 manager of the statewide association of family planning services
22 providers shall implement an intensive peer education project to
23 increase the use of family planning services to TANF recipients.
24 The target population must include, but is not limited to,
25 recipients at risk of repeat pregnancy, recipients who are minors
26 and individuals at risk of becoming TANF recipients.

27 The peer education project shall provide direct, in-person family
28 planning information, education and counseling to members of the
29 target populations. To the extent that funding is available, the
30 project shall recruit, train and provide permanent employment for
31 TANF recipients as peer education workers.

32 Sec. A-27. 22 MRSA §3788-A, as enacted by PL 1995, c. 418,
33 Pt. A, §34, is amended to read:

34 **§3788-A. MaineServe**

35 The department shall establish a MaineServe program designed
36 to provide parents who are eligible for AFDC TANF assistance
37 opportunities to serve their communities and the State.

38 1. Purposes. The purposes of the MaineServe program are as
39 follows:

40 A. To meet the human, educational, environmental and public
41 safety needs of this State without displacing existing
42 workers;

2 B. To renew the ethic of civic responsibility and the spirit of community throughout the State;

4 C. To encourage parents who are eligible for AFDC TANF assistance to engage in voluntary service to the State;

6 D. To expand and strengthen existing nonprofit and public sector initiatives that are addressing the needs of their communities and of the State; and

8 E. To provide parents who are eligible for AFDC TANF the opportunities to serve their communities and the State in a manner that assists them in developing and renewing their skills in ways that may lead to employment that is sufficient to sustain their families.

16 2. **Eligibility.** Any ASPIRE-JOBS ASPIRE-TANF participant over 16 years of age is eligible to volunteer for MaineServe, except that any person under 20 years of age who has not completed high school or its equivalent must also participate in an educational activity designed to complete high school education.

24 3. **Duration of service.** MaineServe volunteers may serve for up to 9 months. At the end of the service period, the MaineServe volunteer and the ASPIRE-JOBS ASPIRE-TANF case manager shall evaluate the MaineServe placement. If it is determined to be appropriate, the MaineServe volunteer may renew the placement within MaineServe.

30 4. **Conditions of service.** The MaineServe program is an alternative work experience program subject to the standards set out in the Social Security Act, 42 United States Code, Section 682(f) (1996).

36 Sec. A-28. 22 MRSa §3788-B is enacted to read:

38 **§3788-B. ASPIRE-Plus**

40 The department shall establish an on-the-job training program called ASPIRE-Plus to encourage employers to develop jobs for ASPIRE-TANF program participants.

44 Sec. A-29. 22 MRSa §3789-B, as corrected by RR 1995, c. 2, §43, is amended to read:

46 **§3789-B. Interdepartmental Welfare Reform Committee**

48 The Interdepartmental Welfare Reform Committee, referred to in this section as the "committee," is established. The

2 committee consists of the Commissioner of Education, the
3 Commissioner of Labor, the President of the Maine Technical
4 College System, the Commissioner of Mental Health, Mental
5 Retardation and Substance Abuse Services, the Director of the
6 Office of Substance Abuse, the Commissioner of Corrections or a
7 designee from the Maine Youth Center and the Commissioner of
8 Human Services, who serves as chair. The committee shall monitor
9 the efforts of the state departments involved in welfare reform
10 and ensure cooperation among those departments.

11 The committee shall explore the following:

12 1. Clearinghouse model. The development of a clearinghouse
13 model for working with businesses to place and retain mutual
14 clients;

15 2. Education. Education for businesses on the Work
16 Opportunity Tax Credit, established in the federal Small Business
17 Job Protection Act of 1996, Public Law 104-1881, Section 1201 and
18 other resources available to businesses that hire mutual clients;
19 and

20 3. Shared orientation and training. Establishment of a
21 mechanism for the Commissioner of Labor or the commissioner's
22 designee to participate in the Bureau of Family Independence
23 group orientations and training for local departmental staff.

24 Sec. A-30. 22 MRSA §3789-D is enacted to read:

25 §3789-D. Maine Temporary Assistance for Needy Families Advisory
26 Council

27 1. Duties. The Maine Temporary Assistance for Needy
28 Families Advisory Council, as established by Title 5, section
29 12004-I, subsection 36-C, shall advise the commissioner or the
30 commissioner's designee regarding education, training, job
31 opportunities, quality employment and business ownership
32 opportunities, the operation of any postsecondary education
33 programs administered by the department and other matters
34 affecting TANF recipients.

35 2. Members. The commissioner shall appoint the members of
36 the council. Members must include at least the following:

37 A. Two recipients of benefits under the TANF program;

38 B. One representative of employers within the State;

39 C. One representative of organized labor;

2 D. One representative of women's interests;

4 E. One or more representatives of organizations or agencies
6 that have experience in addressing the training, education
8 and job needs of low-income women;

10 F. One representative of the Job Training Partnership Act
12 service delivery area network; and

14 G. Two representatives of postsecondary education, one
16 representing private institutions and one representing
18 public institutions.

20 3. Advice regarding postsecondary education programs. The
22 council shall establish a postsecondary education subcommittee,
24 consisting of up to 15 members and nonmembers of the council.
26 The subcommittee must include but is not limited to the following
28 representatives:

30 A. A representative of the department, appointed by the
32 commissioner;

34 B. A representative of the University of Maine System who
36 represents the interests of women or nontraditional students
38 at one of the campuses, appointed by the chancellor;

40 C. A representative of the Finance Authority of Maine
42 appointed by the chief executive officer;

44 D. Representatives of the Maine Technical College System,
46 including a gender coordinator at one of the campuses,
48 appointed by the president; and

50 E. Representatives of the following groups, appointed by
 the council:

(1) Nonprofit service organizations that assist
 parents who are nontraditional students;

(2) TANF participants or participants of the Parents
 as Scholars Program established in chapter 1054-B who
 are enrolled in postsecondary education programs;

(3) Nonprofit organizations that prepare parents to be
 nontraditional postsecondary education students;

(4) Organizations that represent low-income parents
 and that have significant knowledge of public
 assistance programs;

2 (5) Organizations that advocate for the interests of
 women;

4 (6) The business community; and

6 (7) Private postsecondary educational institutions.

8 By March 1, 1998, the subcommittee shall make recommendations to
10 the council for improving the administration of the Parents as
 Scholars Program under section 3790, improving the program to
12 make it more successful for participants and maximizing resources
 to meet the goals of the program. The council shall approve,
14 disapprove or modify the recommendations of the subcommittee and
 report their recommendation to the commissioner.

16 **Sec. A-31. 22 MRSA §4062, sub-§3,** as enacted by PL 1991, c.
18 747, §4, is amended to read:

20 3. **Priority of payments.** The department shall ensure that
 payments for foster care made under this subchapter have the same
22 priority as payments for ~~aid to families with dependent children~~
 temporary assistance for needy families pursuant to section 3758
24 3769, subsection 7 1.

26 **Sec. A-32. 26 MRSA §1002, sub-§9,** as amended by PL 1993, c.
 630, Pt. B, §10, is further amended to read:

28 9. **Commitment to apprenticeships for women and recipients**
 of temporary assistance for needy families. Cooperate, consult
30 and coordinate with the Maine ~~Aid to Families with Dependent~~
 Children Temporary Assistance for Needy Families Advisory
32 Council, established by Title 22, section 3774 ~~3789-D~~, and other
 relevant groups to identify the obstacles which that may prevent
34 the greater participation of women and of ~~aid to families with~~
 dependent children recipients of temporary assistance for needy
36 families under Title 22, chapter 1053-B in registered
 apprenticeships, and the necessary measures to be taken to
38 overcome them.

40 **Sec. A-33. 36 MRSA §6207, sub-§3, ¶B,** as enacted by PL 1995,
42 c. 395, Pt. S, §4, is amended to read:

44 B. Who are receiving ~~Aid to Families with Dependent~~
 Children temporary assistance for needy families under Title
46 22, chapter 1053-B and are eligible for the housing special
 needs payment pursuant to Title 22, section 3760-D ~~3762~~,
48 subsection 3, paragraph B, subparagraph (6).

50 **Sec. A-34. Maine Revised Statutes amended; revision clause.**
 Wherever in the Maine Revised Statutes the words "Aid to

2 Families with Dependent Children" appear or reference is made to
3 those words, they are amended to read and mean "Temporary
4 Assistance for Needy Families," and the Revisor of Statutes shall
5 implement this revision when updating, publishing or republishing
6 the statutes.

7 **Sec. A-35. ASPIRE-TANF improvements.** The Department of
8 Human Services and the Department of Labor shall convene a set of
9 meetings to streamline the process for businesses working with
10 participants of the ASPIRE-TANF program established in this Act.
11 The meetings must include representatives of the business
12 community and regional economic development councils. The
13 meetings must focus on ways to streamline the application and
14 paperwork process for participating businesses and ways to
15 overcome barriers to expansion of the ASPIRE-TANF program. The
16 departments shall report to the joint standing committee of the
17 Legislature having jurisdiction over health and human services
18 matters by January 1, 1998 on their findings and any
19 recommendations.

20 PART B

21 **Sec. B-1. 22 MRSA c. 1054-B** is enacted to read:

22 CHAPTER 1054-B

23 PARENTS AS SCHOLARS

24 §3790. Parents as Scholars Program

25 1. Established. The department shall establish a student
26 financial aid program based on need for up to 2000 participants
27 known as the Parents as Scholars Program, referred to in this
28 section as the "program," to aid needy students who have
29 dependent children and who are matriculating in postsecondary
30 undergraduate 2-year and 4-year degree-granting education
31 programs. Enrollees in the program must be provided with a
32 package of student aid that includes aid for living expenses
33 equivalent to that provided pursuant to chapter 1053-B, medical
34 assistance pursuant to chapter 855 and services equivalent to
35 those provided pursuant to chapter 1054-A. A family that ceases
36 to receive aid under this chapter as a result of increased child
37 support or increased hours of, or increased income from,
38 employment is eligible to receive transitional support services
39 in accordance with section 3762, subsection 8. The program must
40 be supported with funds other than federal block grant funds
41 provided under the United States Social Security Act, Title IV-A.

42 2. Eligibility criteria. Families that qualify for TANF
43 assistance under chapter 1053-B may apply to participate in the
44 program.

2 program instead of TANF. Individuals with marketable bachelor's
3 degrees are ineligible for enrollment. Eligibility for and the
4 amount of assistance must be determined in accordance with
5 criteria and procedures used in the TANF program, this chapter
6 and the rules adopted pursuant to this chapter and chapter
7 1053-B. Individuals applying to the program must be assessed in
8 accordance with the provisions of section 3788. To the extent
9 that program resources and space permit, enrollment in the
10 program must be granted if the assessment results in findings as
11 follows:

12 A. That the individual does not possess the necessary
13 skills to obtain employment that will enable that individual
14 to support a family at 85% of the median family income in
15 the State for a family of the same size;

16 B. That, considering potential employment opportunities and
17 local labor market conditions, the postsecondary education
18 sought by the individual will significantly improve the
19 ability of the family to be self-supporting; and

20 C. That the individual has the aptitude to successfully
21 complete the proposed postsecondary program.

22 3. Participation requirements. An enrollee must
23 participate in a combination of education, training, study or
24 work-site experience for an average of 20 hours per week in the
25 first 24 months of the program. Aid under this chapter may
26 continue beyond 24 months if the enrollee remains in an
27 educational program and agrees to perform a minimum of 20 hours
28 per week of work-site experience in addition to time spent in
29 education, training or study. For the purposes of this
30 subsection, work-site experience has the same meaning as in
31 section 3788, subsection 10, paragraph C. An enrollee receiving
32 aid under this chapter must make satisfactory progress in the
33 enrollee's educational program. The department shall adopt rules
34 defining satisfactory academic progress. The department may not
35 disapprove an educational plan based solely on the length of the
36 educational program.

37 4. Child support for participating families. A family
38 participating in the program shall assign the right to child
39 support to the department in the same manner as if the family
40 were receiving TANF assistance. The department shall distribute
41 to a family child support collected on behalf of a family in the
42 same manner as if the family were receiving TANF assistance.

43 5. Protection from loss of income. To the extent permitted
44 by federal law, aid received under this chapter must be
45 disregarded as income and excluded as a resource or asset to the
46 department.

2 same extent as assistance under the TANF program under chapters
4 1053-B and 1054-A for the purposes of any state, federal, tribal
6 or municipal assistance program. Aid received under this chapter
8 must be treated in the same manner as assistance received under
10 the TANF program under chapters 1053-B and 1054-A for all tax
12 purposes.

8 6. Maintenance of effort. Aid provided under this chapter
10 may not be paid for with federal funds provided under the United
12 States Social Security Act, Title IV-A, provided that the state
14 funds used for this program may be counted, without penalty,
16 toward the State's federal maintenance of effort requirement.

14 7. Rules. The department shall adopt rules to implement
16 this chapter that must be consistent with the rules adopted under
18 chapter 1053-B. Rules adopted pursuant to this section are
20 routine technical rules, as defined by Title 5, chapter 375,
22 subchapter II-A.

20 **Sec. B-2. Parents as Scholars Program transitional enrollment.**
22 Individuals who are recipients of assistance under the Temporary
24 Assistance for Needy Families program, TANF, under the Maine
26 Revised Statutes, Title 22, chapter 1053-B, and who are
28 successfully participating in a 2-year or 4-year postsecondary
30 educational program on the effective date of this Act are deemed
32 eligible for the Parents as Scholars Program and will be
34 transferred into the program. If the department, in consultation
with the applicant or participant, determines that the person
will lose assistance for which the person would remain eligible
were that person to remain on the TANF program, the department
shall give the person an option to participate in the person's
2-year or 4-year postsecondary degree program while receiving
TANF assistance. This section is repealed on February 1, 1999.

PART C

36 **Sec. C-1. Allocation.** The following funds are allocated from
38 the Federal Block Grant funds under the federal Personal
40 Responsibility and Work Opportunity Reconciliation Act of 1996
42 Federal Block Grant for the fiscal years ending June 30, 1998 and
44 June 30, 1999 to carry out the purposes of this Part.

	1997-98	1998-99
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44 **HUMAN SERVICES,**
46 **DEPARTMENT OF**

48 **Temporary Assistance**
50 **for Needy Families**

2	All Other	\$1,651,890	\$1,132,133
4	Provides for the allocation		
6	of funds pursuant to the		
8	federal Personal		
10	Responsibility and Work		
12	Opportunity Reconciliation		
14	Act of 1996 to provide		
	benefits to families with		
	dependent children who		
	qualify for the Temporary		
	Assistance for Needy Families		
	program, TANF.		

16 **Bureau of Family Independence -
Central**

18	All Other	4,850,000	4,500,000
20	Provides for the allocation		
22	of funds to develop and		
24	implement the Automated		
	Client Eligibility System,		
	ACES, computer system.		

26 **Additional Support for Persons
in Retraining and Employment**

28	All Other	9,721,690	12,650,000
30	Provides for the allocation		
32	of funds for ASPIRE services		
34	associated with TANF		
	recipients' participation in		
	the ASPIRE Program.		

36 **Purchased Social Services**

38	All Other	500,000	500,000
40	Transfers funds to the Social		
42	Services Block Grant for		
44	additional services for		
46	victims of domestic violence		
	to assist them as they move		
	toward being self-supporting.		

48 **Bureau of Family Independence -
50 Regional**

2	All Other	1,050,000	700,000
4	Provides for the allocation		
	of funds for additional data		
6	processing costs.		

8 **Departmentwide**

10	All Other	(18,773,580)	(21,482,133)
12	Deallocates funds and		
	transfers those funds among		
14	several accounts to provide		
	services and benefits		
16	associated with the		
	implementation of welfare		
18	reform in accordance with the		
	federal Personal		
20	Responsibility and Work		
	Opportunity Reconciliation		
22	Act of 1996.		

24 **Child Care Services**

26	All Other	1,000,000	2,000,000
28	Transfers funds from TANF to		
	the Child Care Development		
30	Fund for additional child		
	care services associated with		
32	self-support initiatives.		

34	DEPARTMENT OF HUMAN SERVICES		
	TOTAL	\$-0-	\$-0-

36
38

PART D

40 **Sec. D-1. Allotment of block grant funds authorized.**

42 Notwithstanding the Maine Revised Statutes, Title 5, section

44 1669-A or any other provision of law, the State Budget Officer

46 is authorized to allot funds in the federal block grant Additional

48 Support for Persons in Retraining and Employment program by

financial order in fiscal year 1997-98 up to \$928,310 from an

available fiscal year 1996-97 balance of Temporary Assistance for

Needy Families block grant funds in the Departmentwide program.

2 **Sec. D-2. Report.** The Commissioner of Human Services shall
4 report to the joint standing committee of the Legislature having
jurisdiction over health and human services matters no later than
6 January 1, 1998 on a recommended method to access and expend
unobligated Temporary Assistance for Needy Families block grant
fund balances from prior fiscal years.

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

12 **FISCAL NOTE**

14
16 This bill includes Federal Block Grant allocations and
deallocations from the Temporary Assistance for Needy Families
18 Block Grant within the Department of Human Services for fiscal
years 1997-98 and 1998-99. This bill transfers funds out of
20 existing Departmentwide allocations into other departmental
programs to provide funds for Additional Support for Persons in
Retraining and Employment services, child care services, family
22 crisis and domestic violence services and funding for the
continued development and support for the Automated Client
24 Eligibility System. Funds are also allocated to the Temporary
Assistance for Needy Families program for the additional costs
26 associated with programmatic changes including changing the lump
sum rule, changing the alternative aid program, increasing the
28 asset limit and increasing the sanction period for intentional
program violations.

30
32 This bill also establishes a separate earned income
disregard for recipients who reside in certain counties.
Benefits for this population will be supported by existing
34 General Fund appropriations within the Temporary Assistance for
Needy Families program. These state funds are available since
36 other benefit costs will be supported entirely with Federal Block
Grant allocations.

38
40 This bill also establishes the Parents as Scholars Program.
Benefits for this population will be also supported by existing
42 General Fund appropriations within the Temporary Assistance for
Needy Families program. These state funds are available since
44 other benefit costs will be supported entirely with Federal Block
Grant allocations.

46 This bill also authorizes the Department of Human Services
to allot by financial order in fiscal year 1997-98 up to \$928,310
48 from an available fiscal year 1996-97 balance of Temporary
Assistance for Needy Families block grant funds in the
50 Departmentwide program to support Additional Support for Persons

2 in Retraining and Employment costs that are not allocated in this
bill.

4
6 **SUMMARY**

8 This bill establishes the Temporary Assistance for Needy
Families program, TANF, to replace the Aid for Families with
10 Dependent Children, AFDC, that is administered by the Department
of Human Services. Federal participation in the AFDC program
12 ended with the passage of federal welfare reform legislation, the
Personal Responsibility and Work Opportunity Reconciliation Act
of 1996, Public Law 104-193, 110 Stat. 2105. The bill does the
14 following.

16 1. It directs the Department of Human Services to work
collaboratively on child care services, employment and vocational
18 services, education and mental health, mental retardation and
substance abuse services and economic development.

20 2. It directs the Department of Human Services to
22 administer the TANF program in a manner that continues the \$50
pass through of child support, provides medical and financial
24 assistance to certain noncitizens, provides benefits to certain
families based on incapacity of a parent, provides assistance to
26 dependent children 19 to 21 years of age who are still in
secondary school, provides assistance to pregnant women and
28 continues the special housing allowance.

30 3. It continues the philosophical underpinning of AFDC,
promoting support by both parents, moving families to sustainable
32 employment, using job training partnerships and minimizing
teenage pregnancies.

34 4. It provides transitional support services for Medicaid
and transportation expenses for persons leaving TANF and provides
36 child care assistance for those families and other low-income
families.
38

40 5. It specifies procedural requirements for applications,
decisions and appeals regarding TANF assistance and rulemaking.
42

44 6. It provides an opportunity for a good cause
determination regarding domestic violence and considers such a
determination in the offering of services and the participation
46 requirements.

48 7. It provides for the treatment of lump sum income by
families, allowing use of the income for specified purposes
50 without disqualification from TANF.

2 8. It requires annual reports to the Legislature on the
TANF program and notification to the Legislature on applications
4 for federal waivers.

6 9. It broadens the current use of the family contract
between the department and the TANF recipient and home visits of
8 TANF applicants and recipients, allows the department to verify
eligibility and requires information on the earned income tax
10 credit.

12 10. It establishes an increased earned income disregard for
TANF recipients in 8 counties, funded with state funds.

14 11. It maintains the requirements that minor parents live
16 in a home supervised by an adult, except in certain
circumstances, and receive their benefits in voucher form.

18 12. It requires the department to provide an alternative
20 aid program to help families avoid seeking TANF assistance and an
emergency assistance program for help with basic necessities.

22 13. It requires the department to provide education on
24 nutrition, food preparation and home and money management.

26 14. It maintains the provisions applicable to AFDC on
receipt of federal grants, payments to guardians or conservators,
28 inalienability of assistance, parental responsibility, fraud and
disbursements.

30 15. It changes the ASPIRE-JOBS program into the ASPIRE-TANF
32 program, adding provisions for good cause determinations
regarding domestic violence and incentives for agencies to work
34 with families facing multiple barriers to obtaining employment.

36 16. It maintains the family planning peer education
initiative in ASPIRE-TANF.

38 17. It maintains the Interdepartmental Welfare Reform
40 Committee, changing its focus to working with businesses
regarding education and job placement.

42 18. It changes the AFDC Advisory Council into the TANF
44 Advisory Council, adding a subcommittee on the Parents as
Scholars Program and postsecondary education.

46 This bill establishes the Parents as Scholars Program, a
48 separate state-funded program providing assistance to parents
pursuing 2-year and 4-year postsecondary degrees. It allocates
50 and appropriates funds from state and federal sources.

2

This bill is emergency legislation and takes effect when enacted.