## MAINE STATE LEGISLATURE

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2	DATE: 5-16-01 (Filing No. H- 493)
4	(2.2.2.3 1.00 th 7.10 )
6	HEALTH AND HUMAN SERVICES
8	
10	Reproduced and distributed under the direction of the Clerk of the House.
12	STATE OF MAINE
14	HOUSE OF REPRESENTATIVES 120TH LEGISLATURE
16	FIRST REGULAR SESSION
18	COMMITTEE AMENDMENT "A" to H.P. 789, L.D. 1033, Bill, "An
20	Act to Make Child Care More Accessible for Parents in Transition From Welfare to Work"
22	Amend the bill by striking out everything after the enacting
24	clause and before the summary and inserting in its place the following:
26	'Sec. 1. 22 MRSA §3762, sub-§3, ¶B, as amended by PL 1999, c.
28	401, Pt. S, §3, is further amended by amending subparagraph (6) to read:
30	(6) To provide a special bousing allowance for TANE
32	(6) To provide a special housing allowance for TANF families whose shelter expenses for rent, mortgage or similar payments, homeowners insurance and property
34	taxes equal or exceed 75% of their monthly income. The special housing allowance is limited to \$50 per month
36	for each family. For purposes of this subparagraph, "monthly income" means the total of the TANF monthly
38	benefit and all income countable under the TANF program, plus child support received by the family,
40	excluding the \$50 pass-through payment; and
42	Sec. 2. 22 MRSA §3762, sub-§3, ¶B, as amended by PL 1999, c. 401, Pt. S, §3, is further amended by repealing and replacing
44	subparagraph (7) to read:
46	(7) In determining benefit levels for TANF recipients
48	who have earnings from employment, the department shall disregard from monthly earnings the following:

Page 1-LR2077(2)

2	(a) One hundred and eight dollars;
4	(b) Fifty percent of the remaining earnings that
	are less than the federal poverty level; and
6	
0	(c) All actual child care costs necessary for
8	work, except that the department may limit the
10	child care disregard to \$175 per month per child
10	or \$200 per month per child under 2 years of age or with special needs;
12	or with special needs,
	Sec. 3. 22 MRSA §3762, sub-§3, ¶B, as amended by PL 1999, c.
14	401, Pt. S, §3, is further amended by enacting subparagraphs (8)
	to (11) to read:
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	(8) In cases when the TANF recipient has no child care
18	cost, the monthly TANF benefit is the maximum payment
	level or the difference between the countable earnings
20	and the standard of need established by rule adopted by
	the department, whichever is lower;
22	
	(9) In cases when the TANF recipient has child care
24	costs, the department shall determine a total benefit
	package, including TANF cash assistance, determined in
26	accordance with subparagraph (7) and additional child
2.0	care assistance, as provided by rule, necessary to
28	cover the TANF recipient's actual child care costs up
20	to the maximum amount specified in section 3782-A,
30	subsection 5. The benefit amount must be paid as
32	provided in this subparagraph.
32	(a) Before the first month in which child care
34	assistance is available to an ASPIRE-TANF
J .	recipient under this paragraph and periodically
36	thereafter, the department shall notify the
	recipient of the total benefit package and the
38	following options of the recipient: to receive the
	total benefit package directly; or to have the
40	department pay the recipient's child care
	assistance directly to the designated child care
42	provider for the recipient and pay the balance of
	the total benefit package to the recipient.
44	
	(b) If an ASPIRE-TANF recipient notifies the
46	<u>department that the recipient chooses to receive</u>
	the child care assistance directly, the department
48	shall pay the total benefit package to the
	<u>recipient.</u>

Page 2-LR2077(2)

2	(c) If an ASPIRE-TANF recipient does not respond
4	or notifies the department of the choice to have
4	the child care assistance paid directly to the child care provider from the total benefit
6	package, the department shall pay the child care
	assistance directly to the designated child care
8	provider for the recipient. The department shall
	pay the balance of the total benefit package to
10	the recipient;
12	(10) Child care assistance under this paragraph must
7.4	be paid by the department in a prompt manner that
14	permits an ASPIRE-TANF recipient to access child care
16	necessary for work; and
10	(11) The department shall adopt rules pursuant to
18	Title 5, chapter 375 to implement this subsection.
	Rules adopted pursuant to this subparagraph are routine
20	technical rules as defined in Title 5, chapter 375,
	subchapter II-A.
22	
	Sec. 4. 22 MRSA §3762, sub-§16 is enacted to read:
24	
	16. Authorization of fund transfer. Notwithstanding any
26	provision of law to the contrary, the department is authorized to
2.0	transfer to the TANF account any funds available in the
28	ASPIRE-TANF account necessary to meet the purposes of TANF,
30	including the purposes established in subsection 3, paragraph B.
30	Sec. 5. Implementation date. The Department of Human Services
32	shall implement direct payment of child care under this Act as
-	soon as reasonably possible, but no later than March 1, 2002.
34	The second of th
	Further amend the bill by inserting at the end before the
36	summary the following:
38	FISCAL NOTE
40	
40	The Department of Human Services will incur some minor
42	additional costs to adopt rules to implement the child care assistance provisions. These costs can be absorbed within the
42	department's existing budgeted resources.'
44	department's existing budgeted resources.
46	SUMMARY
48	This amendment replaces the bill. It provides for the
	determination of TANF benefit levels for TANF recipients who have

Page 3-LR2077(2)

## COMMITTEE AMENDMENT "H" to H.P. 789, L.D. 1033

child care costs. It allows TANF recipients to pay their child care costs themselves, with the assistance provided by the Department of Human Services, or they may elect to have the department's assistance paid directly to the child care provider. It requires the department to adopt rules to implement the child care assistance provisions. These rules are routine technical rules. It requires the direct payment of child care assistance to be implemented no later than March 1, 2002. It allows the transfer of funds from the ASPIRE-TANF account to the TANF account for the payment of child care assistance. The amendment also adds a fiscal note to the bill.

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