

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1033

H.P. 789

House of Representatives, February 20, 2001

**An Act to Make Child Care More Accessible for Parents in Transition
From Welfare to Work.**

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative SIMPSON of Auburn.
Cosponsored by Senator LONGLEY of Waldo and
Representatives: DUDLEY of Portland, LAVERRIERE-BOUCHER of Biddeford, LOVETT
of Scarborough, MAILHOT of Lewiston, NORBERT of Portland, O'BRIEN of Augusta,
Senators: CATHCART of Penobscot, TURNER of Cumberland.

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

4 **Sec. 1. 22 MRSA §3762, sub-§3, ¶B,** as amended by PL 1999, c.
6 401, Pt. S, §3, is further amended by amending subparagraph (7)
8 to read:

10 (7) In determining benefit levels for TANF recipients
12 who have earnings from employment, the department shall
14 disregard from monthly earnings the following:

16 (i) One hundred and eight dollars;

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

22 (iii) All actual child care costs paid by TANF
24 recipients necessary for work, except that the
26 department may limit the child care disregard to
28 \$175 per month per child, or \$200 per month per
30 child under 2 years of age or with special needs.

32 The monthly benefit is the lower of the maximum payment
34 level or the difference between the countable earnings
36 and the standard of need.

38 **Sec. 2. 22 MRSA §3782-A, sub-§5,** as enacted by PL 1997, c.
40 530, Pt. A, §19, is amended to read:

42 **5. Child care during participation in employment, education**
44 **and training.** The department shall provide child care in
46 accordance with federal law and this Title when the child care is
48 necessary to permit a TANF-eligible family member to participate
50 in the ASPIRE-TANF program, including participating in paid
employment.

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

Child care assistance provided to an ASPIRE-TANF participant
engaged in paid work must be paid directly to the participant's
child care provider by the department in a prompt manner that
permits the ASPIRE-TANF participant to access child care without
paying for it out-of-pocket in advance. If the ASPIRE-TANF
participant becomes ineligible for Temporary Assistance for Needy
Families, or TANF, under chapter 1053-B or voluntarily withdraws
from TANF, the child care payment from the program must continue

2 for one month after the month in which the TANF ceases. The
4 person continues to be eligible for transitional child care
6 pursuant to section 3762, subsection 8, paragraph C.

8 SUMMARY

10 This bill provides that child care assistance provided to
12 participants in the Temporary Assistance to Needy Families
14 program who are engaged in paid work must be paid directly to the
participant's child care provider by the Department of Human
Services in a prompt manner that permits the participant to
access child care without paying for it out-of-pocket in advance.