

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 254

H.P. 200

House of Representatives, January 27, 2009

### **An Act To Enact a 5-point Welfare Reform Program**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CEBRA of Naples.  
Cosponsored by Senator PLOWMAN of Penobscot and  
Representatives: AUSTIN of Gray, FITTS of Pittsfield, HAMPER of Oxford, JOY of Crystal,  
ROBINSON of Raymond, SARTY of Denmark, SYKES of Harrison, THOMAS of Ripley.

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

2           **Sec. 1. 22 MRSA §3788, sub-§10, ¶C,** as amended by PL 2005, c. 480, §1, is  
3 further amended to read:

4           C. Except for participants who are accepted into the Parents as Scholars Program  
5 established under section 3790, education, training and treatment is limited to a  
6 maximum of 24 months, starting with the first day of participation in any allowable  
7 and approved job skills or occupational skills training activity. The 24-month period  
8 may be extended by the commissioner or the designee of the commissioner for good  
9 cause shown.

10           The Prior to January 1, 2010, the department may approve a job skills or occupational  
11 training activity longer than 24 months provided as long as the participant agrees to  
12 perform a minimum of 20 hours a week of work site experience by no later than the  
13 end of the 24-month period. Qualifying work site experience may include, but is not  
14 limited to, paid employment, workforce-MaineServe, ASPIRE-Plus, work study,  
15 training-related practicums or any other such work site approved by the department.  
16 The 24-month period does not include periods of nonactivity in which good cause has  
17 been determined.

18           Beginning January 1, 2010, the department may approve a job skills or occupational  
19 training activity longer than 24 months as long as the participant agrees to perform by  
20 no later than the end of the 24-month period a minimum of 40 hours per week of  
21 work site experience or, if 40 hours of experience is not available, then as many hours  
22 over 20 and under 40 as are available to the participant. The number of hours or  
23 gross wages of participation, up to one and a half times the normal dollar amount of  
24 the benefits received, may not affect the benefits available to the participant. The  
25 hourly rate of pay may be used in determining the benefit amount for the participant.

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

31           **Sec. 2. 22 MRSA §3788, sub-§15** is enacted to read:

32           **15. Limitation.** Benefits under the ASPIRE-TANF program for an adult are subject  
33 to a lifetime limitation of 60 months.

34           **Sec. 3. 22 MRSA §4301, sub-§3,** as enacted by PL 1983, c. 577, §1, is amended  
35 to read:

36           **3. Eligible person.** "Eligible person" means a person who shows evidence of having  
37 lived in a municipality for 90 days continuously prior to the date of application and who  
38 is qualified to receive general assistance from a municipality according to standards of  
39 eligibility determined by the municipal officers ~~whether or not that person has applied~~ for  
40 general assistance.

1           **Sec. 4. 22 MRSA §4307, sub-§2, ¶A**, as enacted by PL 1987, c. 349, Pt. H, §15,  
2 is amended to read:

3           A. A resident of the municipality. For the purposes of this section, a "resident"  
4 means a person who is physically present in a municipality ~~with the intention of~~  
5 remaining in that municipality to maintain or establish for at least 90 days prior to the  
6 date of application and who maintains or establishes a home and who has no other  
7 residence; and.

8           **Sec. 5. 22 MRSA §4307, sub-§2, ¶B**, as enacted by PL 1987, c. 349, Pt. H, §15,  
9 is repealed.

10           **Sec. 6. 22 MRSA §4307, sub-§3**, as repealed and replaced by PL 1987, c. 349,  
11 Pt. H, §15, is repealed.

12           **Sec. 7. 36 MRSA §5219-DD** is enacted to read:

13           **§5219-DD. New Hire credit**

14           **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
15 following terms have the following meanings.

16           A. "Employing unit" has the same meaning as in Title 26, section 1043, subsection  
17 10.

18           B. "Qualifying person" means a person who, immediately prior to employment with  
19 an employing unit, was a recipient of benefits under the ASPIRE-TANF program  
20 under Title 22, chapter 1053-B.

21           **2. Credit allowed.** For tax years beginning on or after January 1, 2010, a taxpayer  
22 who is an employing unit is allowed a credit for participation in the New Hire program  
23 described in subsection 3.

24           **3. New Hire program.** An employing unit participates in the New Hire program if  
25 that employing unit hires as an employee a qualifying person for at least 20 hours per  
26 week.

27           **4. Amount of credit.** An employing unit is allowed a tax credit under the New Hire  
28 program under subsection 3 against the tax otherwise due under this Part in the amount of  
29 50% of the gross wages paid to a qualifying person during the eligible period under  
30 subsection 5, paragraph B.

31           **5. Limitation.** The credit allowed under this section is subject to the following  
32 limitations.

33           A. The total combined credit for a taxpayer under this section may not exceed  
34 \$10,000 annually and may not reduce the tax otherwise due under this Part to less  
35 than zero. A taxpayer entitled to a credit under this section for any taxable year may  
36 carry over and apply to the tax liability for any one or more of the succeeding 2 years  
37 the portion, as reduced from year to year, of any unused credits.

