

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON HEALTH AND HUMAN  
SERVICES**

May 2014

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**STATE OF MAINE**  
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**LEGISLATIVE DIGEST OF BILL SUMMARIES AND**  
**ENACTED LAWS**

The *Digest* is arranged within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER*.....carried over to a subsequent session of the Legislature  
*CON RES XXX* ..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES* .....House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE* ..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT* ..... action incomplete when session ended; legislation died  
*EMERGENCY* .....enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE*.....emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT*.....legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*.....sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY*.....ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX* ..... chapter # of enacted public Law  
*RESOLVE XXX* ..... chapter # of finally passed resolve  
*VETO SUSTAINED*.....Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the Second Regular Session of the 126<sup>th</sup> Legislature is August 1, 2014. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

## *Joint Standing Committee on Health and Human Services*

Needy Families program benefits to be submitted to the Joint Standing Committee on Health and Human Services no later than November 1, 2014. The report must include data on out-of-state transactions at automated teller machines and electronic points of sale, the types of establishments where benefits are accessed, the type of purchases made using point-of-sale transactions and the duration of continuous access out of state. The Department of Health and Human Services is required to work with the Office of the Attorney General to investigate possible misuse of benefits and whether continuous use outside of the State means the individual accessing those benefits is no longer a resident of the State.

**LD 1822**      **An Act To Increase Integrity in the Temporary Assistance for Needy Families Program through Restriction of Expenditures**      **Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD S CUSHING	OTP-AM OTP-AM OTP-AM	H-787

This bill prohibits benefits provided under the Temporary Assistance for Needy Families program from being expended on tobacco, imitation liquor, liquor, gambling, lotteries or bail.

**Committee Amendment "A" (H-787)**

This amendment, which is the majority report of the committee, replaces the bill. It prohibits the use of the electronic benefits transfer system at tobacco specialty stores. It requires the Department of Health and Human Services to develop an education program for recipients of benefits under the Temporary Assistance for Needy Families program that emphasizes that those benefits are to be used for supporting dependent children and are not to be used to pay for tobacco products, liquor products, gambling activities, lotteries or bail. In addition, the Department of Health and Human Services must collect as much data as possible on the use of Temporary Assistance for Needy Families program benefits for tobacco and liquor products, gambling activities, lotteries and bail. The department is required to report its findings, including recommendations and suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than December 15, 2014.

**Committee Amendment "B" (H-788)**

This amendment, a minority report of the committee, incorporates a fiscal note.

**Committee Amendment "C" (H-789)**

This amendment, which is a minority report of the committee, bans the use of electronic transfer system benefits at tobacco specialty stores. It requires the Department of Health and Human Services to develop an education program for recipients of benefits under the Temporary Assistance for Needy Families program that emphasizes the importance of using benefits for supporting dependent children and the prohibition on using benefits to purchase tobacco products or liquor products or for gambling activities, lotteries or bail. In addition, the Department of Health and Human Services must collect as much data as possible on the use of Temporary Assistance for Needy Families program benefits for tobacco and liquor products, gambling activities, lotteries and bail. The department is required to report its findings, including recommendations and suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than December 15, 2014.

**House Amendment "A" To Committee Amendment "A" (H-802)**

This amendment restores the provisions of the bill that prohibit benefits under the Temporary Assistance for Needy Families program from being expended on tobacco, imitation liquor, liquor, gambling, lotteries or bail. In addition, the Department of Health and Human Services is directed to collect information on the cost and impact of implementing and enforcing the restrictions on the use of Temporary Assistance for Needy Families program

## *Joint Standing Committee on Health and Human Services*

benefits for tobacco and liquor products, gambling activities, lotteries and bail. The department is required to report its findings, including recommendations and suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than March 15, 2015.

### **House Amendment "C" To Committee Amendment "A" (H-805)**

Like the bill, this amendment prohibits benefits provided under the Temporary Assistance for Needy Families program from being expended on tobacco, imitation liquor, liquor, gambling, lotteries or bail. It eliminates the requirement established in Committee Amendment "A" that the Department of Health and Human Services develop an education program for recipients of benefits under the Temporary Assistance for Needy Families program that emphasizes that those benefits are to be used for supporting dependent children and are not to be used to pay for tobacco products, liquor products, gambling activities, lotteries or bail. In addition, it eliminates the requirement that the Department of Health and Human Services collect as much data as possible on the use of Temporary Assistance for Needy Families program benefits for tobacco and liquor products, gambling activities, lotteries and bail. This amendment also makes the following changes to the laws governing the Temporary Assistance for Needy Families program.

1. It removes the provision that prohibits a person from being sanctioned under the Additional Support for People in Retraining and Employment-Temporary Assistance for Needy Families program or the Temporary Assistance for Needy Families program for failure to participate in the Additional Support for People in Retraining and Employment-Temporary Assistance for Needy Families program if that failure to participate is based on good cause.
2. It removes the 24-month limit on education, training and treatment for participants in the Additional Support for People in Retraining and Employment-Temporary Assistance for Needy Families program.
3. It prohibits a recipient of benefits under the Temporary Assistance for Needy Families program from using an electronic benefits transfer card, or EBT card, outside of Maine, either at an automated teller machine or for an electronic point of sale transaction.
4. It creates a work search requirement for job-ready applicants to the Temporary Assistance for Needy Families program.

### **House Amendment "B" To Committee Amendment "A" (H-803)**

This amendment provides that retailers and vendors may not accept TANF benefits through electronic benefits transfer system debit cards for tobacco, imitation liquor, liquor, gambling or lotteries.

### **Senate Amendment "A" To Committee Amendment "A" (S-505)**

This amendment restores the provisions of the bill that prohibit benefits under the Temporary Assistance for Needy Families program from being expended on tobacco, imitation liquor, liquor, gambling, lotteries or bail. In addition, this amendment provides that retailers and vendors may not accept TANF benefits through electronic benefits transfer system debit cards for those prohibited expenditures. This amendment specifies that the recipient of Temporary Assistance for Needy Families program benefits must agree to refrain from expending the benefits in violation of the law. This amendment provides for the education of Temporary Assistance for Needy Families program recipients regarding the appropriate, approved and prohibited uses of Temporary Assistance for Needy Families program benefits. In addition, the Department of Health and Human Services is directed to collect information on the cost and impact of implementing and enforcing the restrictions on the use of Temporary Assistance for Needy Families program benefits for tobacco and liquor products, gambling activities, lotteries and bail. The department is required to report its findings, including recommendations and suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than March 15, 2015.