

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128th Maine Legislature.

The *Digest* is arranged alphabetically by committee and 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. An appendix provides a summary of relevant session statistics.

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 First Regular Session of the 128th Legislature is Wednesday, November 1, 2017. 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

LD 480 An Act To Prioritize Access by Maine's Most Vulnerable Citizens to Welfare Resources

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON D BRAKEY E	ONTP OTP-AM	

This bill accomplishes the following.

1. It repeals the provision that requires the Department of Health and Human Services to provide a food supplement program for noncitizens who are ineligible for benefits under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
2. It repeals the provision that requires the Department of Health and Human Services to provide supplemental security income for noncitizens who are ineligible for benefits under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
3. It repeals the provision that requires the Department of Health and Human Services to provide financial assistance under the Temporary Assistance for Needy Families program to noncitizens who are ineligible for benefits under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Committee Amendment "A" (H-302)

This amendment is the minority report of the committee. It creates a workforce development program to provide to legal immigrants English language classes, citizenship classes, financial literacy classes and training and support for adults and children seeking employment. It permits the Department of Health and Human Services to contract with an entity best suited to administer this program and allows the department to adopt rules to implement the program. The amendment provides for funding to implement the program.

This amendment was not adopted.

LD 481 An Act To Promote Workforce Participation

**PUBLIC 290
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART H CARPENTER M	OTP-AM OTP-AM	H-326 H-548 STEWART H

This bill increases the amount of income earned by recipients of benefits under the Temporary Assistance for Needy Families program that is disregarded in determining the amount of benefits they receive. The amount of the disregard is lowered over time as recipients make the transition to stable employment.

Committee Amendment "A" (H-326)

This amendment, which is the majority report of the committee, removes the emergency preamble and emergency clause.

Committee Amendment "B" (H-327)

This amendment is the minority report of the Joint Standing Committee on Health and Human Services. The amendment specifies that beginning July 1, 2019, in determining benefit levels for TANF recipients who have

Joint Standing Committee on Health and Human Services

earnings from employment, the Department of Health and Human Services must disregard from monthly earnings the following: for a recipient employed 40 or more hours per week and who meets work participation requirements as defined in federal TANF rules, 100% of the gross earned income for the first full month of employment and the next consecutive month of employment, 75% of the gross earned income for the next six consecutive months of employment and 50% of the gross earned income for each additional consecutive month of employment thereafter and for a recipient employed less than 40 hours per week and who meets work participation requirements as defined in federal TANF rules, 100% of the gross earned income for the first full month of employment, 75% of the gross earned income for the next six consecutive months of employment and 50% of the gross earned income for each additional consecutive month of employment thereafter.

The amendment strikes from the bill the department's prohibition on considering the following in determining benefit levels for TANF recipients: \$108 and 50% of the remaining earnings that are less than the federal poverty level. It also specifies that the department may disregard 100% of earnings for a recipient only one time in a 12-month period.

The amendment restores the provision in current law removed by the bill directing the department to disregard from monthly earnings all actual child care costs necessary for work, except that the department may limit the child care disregard to \$175 per month per child or \$200 per month per child under two years of age or with special needs.

The amendment also removes the emergency preamble and emergency clause.

This amendment was not adopted.

House Amendment "A" To Committee Amendment "A" (H-548)

This amendment replaces the income disregards for Temporary Assistance for Needy Families program recipients contained in the original bill and committee amendments with a one-time employment incentive payment of \$400 to a TANF recipient who enters employment and retains employment for the subsequent four months. This provision is repealed December 31, 2018. It retains the emergency preamble and emergency clause from the original bill.

Enacted Law Summary

Public Law 2017, chapter 290 provides for a one-time employment incentive payment of \$400 to a Temporary Assistance for Needy Families program recipient who enters employment and retains employment for the subsequent four months. This provision is repealed December 31, 2018.

Public Law 2017, chapter 290 was enacted as an emergency measure effective July 20, 2017.

LD 482 An Act To Repeal the Maine Certificate of Need Act of 2002

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON D	ONTP OTP-AM OTP-AM	

This bill eliminates the requirement that a person must apply for and receive a certificate of need from the Department of Health and Human Services before introducing additional health care services and procedures in a market area.

Committee Amendment "A" (H-300)

This amendment adds an appropriations and allocations section.