

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1312, L.D. 1822, Bill, “An Act To Increase Integrity in the Temporary Assistance for Needy Families Program through Restriction of Expenditures ”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 22 MRSA §23, sub-§1, ¶B, as corrected by RR 2011, c. 2, §23, is amended to read:

B. A gambling facility, as defined in Title 8, section 1001, subsection 16, except that use of the electronic benefits transfer system is permitted in any portion of the premises of a gambling facility that is set aside separately for the sale primarily of staple foods as defined in 7 United States Code, Section 2012(r); ~~or~~

Sec. 2. 22 MRSA §23, sub-§1, ¶C, as enacted by PL 2011, c. 687, §4, is amended to read:

C. A retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment; or

Sec. 3. 22 MRSA §23, sub-§1, ¶D is enacted to read:

D. A tobacco specialty store, as defined in section 1541, subsection 7.

Sec. 4. Department of Health and Human Services to educate recipients of the Temporary Assistance for Needy Families program. The Department of Health and Human Services shall develop an education program for recipients of benefits under the Temporary Assistance for Needy Families program, referred to in this section as "TANF," that emphasizes that those benefits under TANF are to be used for supporting dependent children. The program must educate TANF recipients regarding:

- 1. Appropriate, approved and specific uses of TANF benefits;
- 2. Refraining from using the electronic benefits transfer system to pay for tobacco products, liquor products, gambling activities, lotteries or bail, including refraining from

COMMITTEE AMENDMENT

1 using the electronic benefits transfer system at automated teller machines to withdraw
2 TANF benefits as cash, which is then used to pay for those products or activities; and

3 3. The prohibition on using the electronic benefits transfer system for transactions
4 for unauthorized spending pursuant to the Maine Revised Statutes, Title 22, section 23.

5 **Sec. 5. Department of Health and Human Services to collect data on**
6 **purchases of certain items.** The Department of Health and Human Services shall
7 collect as much data as possible on the use of Temporary Assistance for Needy Families
8 program benefits to pay for tobacco products, liquor products, gambling activities,
9 lotteries and bail. The Department of Health and Human Services shall report this data,
10 along with recommendations and suggested legislation, to the joint standing committee of
11 the Legislature having jurisdiction over health and human services matters no later than
12 December 15, 2014.'

13 **SUMMARY**

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

26 **FISCAL NOTE REQUIRED**

27 **(See attached)**