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Date: (Filing No. H- )

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 344,  
L.D. 481, Bill, “An Act To Promote Workforce Participation”

Amend the amendment in the first paragraph after the title (page 1, line 11 in amendment) by striking out the following: "all of the emergency preamble and emergency clause." and inserting the following: 'everything after the enacting clause and before the emergency clause and inserting the following:'

Amend the amendment by inserting after the first paragraph after the title the following:

**'Sec. 1. 22 MRSA §3762, sub-§3, ¶B,** as amended by PL 2015, c. 267, Pt. RRRR, §2, is further amended to read:

B. The department may use funds, insofar as resources permit, provided under and in accordance with the United States Social Security Act or state funds appropriated for this purpose or a combination of state and federal funds to provide assistance to families under this chapter. In addition to assistance for families described in this subsection, funds must be expended for the following purposes:

(1) To continue the pass-through of the first \$50 per month of current child support collections and the exclusion of the \$50 pass-through from the budget tests and benefit calculations;

(2) To provide financial assistance to noncitizens legally admitted to the United States who are receiving assistance under this subsection as of July 1, 2011. Recipients of assistance under this subparagraph are limited to the categories of noncitizens who would be eligible for the TANF programs but for their status as aliens under PRWORA. Eligibility for the TANF program for these categories of noncitizens must be determined using the criteria applicable to other recipients of assistance from the TANF program. Any household receiving assistance as of July 1, 2011 may continue to receive assistance, as long as that household remains eligible, without regard to interruptions in coverage or gaps in eligibility for service. A noncitizen legally admitted to the United States who is neither receiving assistance on July 1, 2011 nor has an application pending for assistance on July 1, 2011 that is later approved is not eligible for financial assistance through a state-funded program unless that noncitizen is:

- 1 (a) Elderly or disabled, as described under the laws governing supplemental  
2 security income in 42 United States Code, Sections 1381 to 1383f (2010);
- 3 (b) A victim of domestic violence;
- 4 (c) Experiencing other hardship, such as time necessary to obtain proper  
5 work documentation, as defined by the department by rule. Rules adopted by  
6 the department under this division are routine technical rules as defined by  
7 Title 5, chapter 375, subchapter 2-A; or
- 8 (d) Unemployed but has obtained proper work documentation, as defined by  
9 the department by rule. Rules adopted by the department under this division  
10 are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;
- 11 (3) To provide benefits to certain 2-parent families whose deprivation is based on  
12 physical or mental incapacity;
- 13 (4) To provide an assistance program for needy children, 19 to 21 years of age,  
14 who are in full-time attendance in secondary school. The program is operated for  
15 those individuals who qualify for TANF under the United States Social Security  
16 Act, except that they fail to meet the age requirement, and is also operated for the  
17 parent or caretaker relative of those individuals. Except for the age requirement,  
18 all provisions of TANF, including the standard of need and the amount of  
19 assistance, apply to the program established pursuant to this subparagraph;
- 20 (5) To provide assistance for a pregnant woman who is otherwise eligible for  
21 assistance under this chapter, except that she has no dependents under 19 years of  
22 age. An individual is eligible for the monthly benefit for one eligible person if  
23 the medically substantiated expected date of the birth of her child is not more  
24 than 90 days following the date the benefit is received;
- 25 (6) To provide a special housing allowance for TANF families whose shelter  
26 expenses for rent, mortgage or similar payments, homeowners insurance and  
27 property taxes equal or exceed 75% of their monthly income. The special  
28 housing allowance is limited to \$200 per month for each family. For purposes of  
29 this subparagraph, "monthly income" means the total of the TANF monthly  
30 benefit and all income countable under the TANF program, plus child support  
31 received by the family, excluding the \$50 pass-through payment;
- 32 (7) In determining benefit levels for TANF recipients who have earnings from  
33 employment, the department shall disregard from monthly earnings the  
34 following:
- 35 (a) One hundred and eight dollars;
- 36 (b) Fifty percent of the remaining earnings that are less than the federal  
37 poverty level; and
- 38 (c) All actual child care costs necessary for work, except that the department  
39 may limit the child care disregard to \$175 per month per child or \$200 per  
40 month per child under 2 years of age or with special needs;

1 (7-A) In determining eligibility and benefit levels, the department may apply a  
2 gross income test only to applicants and not to recipients;

3 (7-B) In addition to the earned income disregards provided in subparagraph (7),  
4 a TANF recipient who enters employment must receive a one-time employment  
5 incentive payment of \$400 if that TANF recipient retains employment for the  
6 subsequent 4 months after entering employment, to be paid at the end of that 4-  
7 month period. This subparagraph is repealed December 31, 2018;

8 (8) In cases when the TANF recipient has no child care cost, the monthly TANF  
9 benefit is the maximum payment level or the difference between the countable  
10 earnings and the standard of need established by rule adopted by the department,  
11 whichever is lower;

12 (9) In cases when the TANF recipient has child care costs, the department shall  
13 determine a total benefit package, including TANF cash assistance, determined in  
14 accordance with subparagraph (7) and additional child care assistance, as  
15 provided by rule, necessary to cover the TANF recipient's actual child care costs  
16 up to the maximum amount specified in section 3782-A, subsection 5. The  
17 benefit amount must be paid as provided in this subparagraph.

18 (a) Before the first month in which child care assistance is available to an  
19 ASPIRE-TANF recipient under this paragraph and periodically thereafter, the  
20 department shall notify the recipient of the total benefit package and the  
21 following options of the recipient: to receive the total benefit package  
22 directly; or to have the department pay the recipient's child care assistance  
23 directly to the designated child care provider for the recipient and pay the  
24 balance of the total benefit package to the recipient.

25 (b) If an ASPIRE-TANF recipient notifies the department that the recipient  
26 chooses to receive the child care assistance directly, the department shall pay  
27 the total benefit package to the recipient.

28 (c) If an ASPIRE-TANF recipient does not respond or notifies the  
29 department of the choice to have the child care assistance paid directly to the  
30 child care provider from the total benefit package, the department shall pay  
31 the child care assistance directly to the designated child care provider for the  
32 recipient. The department shall pay the balance of the total benefit package  
33 to the recipient;

34 (10) Child care assistance under this paragraph must be paid by the department  
35 in a prompt manner that permits an ASPIRE-TANF recipient to access child care  
36 necessary for work; and

37 (11) The department shall adopt rules pursuant to Title 5, chapter 375 to  
38 implement this subsection. Rules adopted pursuant to this subparagraph are  
39 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'

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**SUMMARY**

This amendment provides 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 4 months. This provision is repealed December 31, 2018. The amendment also retains the emergency preamble and emergency clause from the bill, which were removed by Committee Amendment "A."

**SPONSORED BY:** \_\_\_\_\_  
**(Representative STEWART)**  
**TOWN: Presque Isle**