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1/14/2026

Senator Ingwersen, Chair
Representative Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 2051 – *An Act to Ensure Access to the Supplemental Nutrition Assistance Program in Maine*

Senator Ingwersen, Representative Meyer, and members of the Joint Standing Committee on Health and Human Services, thank you for the opportunity to provide information in opposition to LD 2051 due to financial constraints. The Department's opposition is due to the cost of the proposal at a time when federal policy changes are imposing significant financial burden on Maine.

LD 2051 bill would further define eligibility for the State-Funded Supplemental Nutrition Assistance Program (SNAP) in a way that is anticipated to expand eligibility. If enacted into law, it would include these groups in the definition of "noncitizen legally admitted to the United States":

- A. Is pursuing a lawful immigration status;
- B. Has permanent residence in the United States under color of law; or
- C. Was eligible to receive Supplemental Nutrition Assistance Program benefits as of July 3, 2025, but is no longer eligible for federally funded food assistance benefits pursuant to the federal One Big Beautiful Bill Act, Public Law 119-21 (2025).

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) (PRWORA) limited SNAP eligibility for certain non-citizens. PRWORA also provided flexibility for states to provide state-funded assistance for ineligible noncitizens when expressly permitted within state law. In the late 1990s, the Maine Legislature passed legislation amending 22 M.R.S. §3104-A, which extended eligibility for SNAP for individuals who would be eligible for federally funded benefits, except for their immigration status.

The following two groups of noncitizens are potentially eligible for State SNAP, if they meet the financial and non-financial requirements for Federal SNAP but for their immigration status:

- (1) Grandfathered Individuals - Individuals who were receiving benefits through the State-funded Program on July 1, 2011.
- (2) Legally admitted noncitizens + hardship - Legally admitted noncitizens that must also meet one of the "hardship criteria" listed at § 3104-A(1)(A)-(D).

The current State SNAP rules (10-144 CMR ch. 301 § 111-2) provide the following non-citizen categories as potentially eligible under Group 2:

- Lawful Permanent Residents (LPR) that do not meet the special conditions for Federally Funded SNAP
- Battered Individuals that do not meet the special conditions for Federally Funded SNAP.
- Parolees that do not meet the special conditions for Federally Funded SNAP.

- Conditional entrants that do not meet the special conditions for Federally Funded SNAP.
- Asylum seekers
- Individuals with temporary protected status

The federal budget reconciliation bill passed in July 2025 amended Section 6(f) of the Food and Nutrition Act of 2008 (7 U.S.C. § 2015(f)) to eliminate federal SNAP eligibility for refugees, asylees, and members of federally recognized tribes born abroad if they are not also legal permanent residents; battered individuals; victims of severe forms of trafficking; and other groups of previously eligible noncitizens.

Having recently received final guidance from the U.S. Department of Agriculture, OFI plans to implement these changes in April 2026. While these Federal changes are implemented, the Department will update the current State SNAP rules under existing statute, which will enable most individuals who may be losing Federal SNAP benefits in April 2026 to retain State SNAP benefits if they meet one of the hardship criteria. This change can be made without the language proposed in Paragraph C.

The proposed language in Paragraphs A and Paragraph B could be interpreted to expand SNAP eligibility, specifically state-funded SNAP eligibility and by extension cost, at a time that the state is facing significant additional fiscal burdens related to the administration of SNAP. OFI is currently unable to estimate the number of individuals who may become eligible for State SNAP under Paragraphs A and B of LD 2051, as these populations are not currently eligible for either federally or state funded SNAP and are largely unknown to our systems.

Please feel free to contact me if you have any questions during your deliberation of this bill and thank you for considering this information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ian Yaffe", with a horizontal line extending from the end of the signature.

Ian Yaffe, Director
Office for Family Independence
Department of Health and Human Services