



PO Box 7860  
Portland, ME 04112  
(207) 774-5444  
www.aclumaine.org

TESTIMONY OF MEAGAN SWAY, ESQ.

**In Opposition to Parts II, NN, and QQ of LD 2214**

**An Act to Make Supplemental Appropriations and Allocations for the Expenditures to State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the FYs Ending June 30, 2024 and June 30, 2025**

Submitted to the

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS &  
JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Rotundo, Representative Sachs, and members of the Joint Standing Committee on Appropriations and Financial Affairs, and Senator Baldacci, Representative Meyer, and members of the Joint Standing Committee on Health and Human Services, greetings. My name is Meagan Sway, and I am policy director for the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, we urge you to reject Parts II (limiting the ability of municipalities to grant emergency general assistance), NN (repealing new eligibility standards for the Medicare Savings Program), and QQ (repealing the hardship exception that allows state-funded Supplemental Nutrition Assistance Program (“SNAP”) benefits for immigrants who have obtained proper work documentation but have yet to find a job) of LD 2214, and to add a provision to the budget providing health care for all, regardless of immigration status. These proposals will disproportionately harm women, people of color, and LGBTQ people. In order to promote an equitable budget that works for all, we urge you to reject these parts.

**PART II Would Cut Off Mainers Facing Emergencies from Lifesaving Basic Necessities.**

General Assistance is a Maine public assistance program, funded and administered by the state and by municipalities for the immediate aid of people who are unable to otherwise obtain the basic necessities essential to maintain themselves and their families. Because of skyrocketing housing costs and inflation, basic necessities have become more difficult to afford over the past

several years. This has led to suffering across the state, including a threefold increase in the number of unhoused people between 2020 and 2023.<sup>1</sup> In many parts of the state, it is impossible to provide for a family's basic needs without exceeding the General Assistance maximums.

While rising homelessness has surely meant an increased use of General Assistance, the answer is not to ignore the state's General Assistance responsibilities or the realities of housing costs. Imposing arbitrary limitations on emergency assistance will increase homelessness and hunger in our state, exacerbating the overall emergencies that everyday people face. Instead of the proposal contained in Part II, which amounts to turning our backs on those most in need, the legislature should increase rental assistance for people with low or no income, so that fewer Maine people find themselves in an emergency for longer than a 30-day period.

#### **Part NN Would Exacerbate Homelessness Among Older Mainers.**

As costs rise across the board, older people across the country are feeling the pain especially acutely. According to the National Alliance to End Homelessness, nearly one in four people experiencing unsheltered homelessness is over age 55, and homelessness among older adults is expected to triple by 2030. This has especially dire consequences in Maine, the oldest state in the country. It is with this in mind that we urge you to reject Part NN of the budget, that would roll back new eligibility levels for the Medicare Savings Program, depriving thousands of older people in Maine the opportunity to save enough money to meet their basic needs.

This proposal would especially hurt older women, LGBTQ people, and Black and Latinx people, who are all more likely to be economically insecure and have incomes below 200 percent of the federal poverty level (earning less than \$30,120 per year). Instead of allowing older people with very low incomes to save money to afford rising housing costs, this proposal jeopardizes their ability to maintain housing, food, and medicine costs. Part NN may save money in the supplemental budget, but is likely to exacerbate costs in other areas when older people are without savings to afford housing and medicine, and must rely on General Assistance and other state-funded help to survive. We urge you to reject Part NN.

---

<sup>1</sup> *MaineHousing 2023 Point in Time Count*, available at <https://www.mainehousing.org/docs/default-source/housing-reports/2023-point-in-time.pdf?sfvrsn=e1c28015>.

**Part QQ Would Repeal Essential Food Assistance to Immigrants Before They Get on Their Feet.**

Part QQ of the LD 2214 would cut food assistance for immigrants by repealing the hardship exception that allows immigrants with work authorization who have not yet found a job to receive state-funded SNAP benefits until they find work. SNAP plays a pivotal role in addressing hunger and food insecurity for a majority of low-income individuals and families. Because it is the first line of defense against hunger, we oppose any changes that deny benefits to people who are unemployed or otherwise further limit who may benefit from the program.

Politicians in both parties have used immigrants as a political football since this country's founding. They have used immigrants' food security as a football in SNAP eligibility rules and laws specifically for over a quarter of a century. Before 1996, most immigrants were eligible for the federal SNAP program on the same basis as US citizens. That changed in 1996 with President Clinton's ill-advised Personal Responsibility and Work Opportunity Reconciliation Act, that left many immigrants, including asylum-seekers, without food assistance. In 1997, Maine stepped in and made sure those whom the federal laws had cast out were not left hungry, making unemployed immigrants with work permits eligible for state food help. In the 2013 budget, the previous administration illegally tried to deny SNAP assistance to asylum seekers with work permits who were not yet employed; the Law Court overturned that decision in 2018. Amidst rising anti-immigrant sentiment across the country and at the federal level, once again immigrants are being denied basic food assistance in 2024. We urge you to reject this cut. Denying food security on the basis of immigration status contradicts the spirit of the Equal Protection Clause, dividing those who deserve to eat and those who must starve based on something over which a person has no control: their country of origin.

**The Legislature Should Fund MaineCare Access Regardless of Immigration Status.**

We urge you to increase funding in the budget for MaineCare so that access to health care is equitable. People should not face illness and even death without health care, simply because they have the wrong immigration status to qualify for state insurance. Health care is a basic right recognized by international human rights laws, including Article 25 of the Universal Declaration of Human Rights. Denying access to health insurance because of people's immigration status or country of origin violates basic notions of fairness as well as the principles of the 14<sup>th</sup> Amendment to the U.S. Constitution and Article 1, section 6-A of the Maine Constitution. We

urge you to uphold these ideals and include funding so that all people with low incomes have access to health care insurance.

For the reasons stated above, we urge you to vote ought not to pass on Parts II, NN, and QQ of LD 2214, and to include a provision allowing access to health care for all people with low-income regardless of their immigration status.