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Testimony of Representative Dale Denno introducing LD 336, An Act To Amend the Requirements of the Temporary Assistance for Needy Families Program April 24, 2017

Good morning, Senator Brakey, Representative Hymanson and fellow members of the Health and Human Services Committee. My name is Dale Denno, and I am the Representative for District 45 encompassing Cumberland and part of Gray. I am here today to introduce LD 336, An Act To Amend the Requirements of the Temporary Assistance for Needy Families Program.

If you were an Eligibility Specialist in any of our DHHS offices, you might have the distasteful and morally offensive obligation of keeping track of the amount of contact a non-custodial parent (usually the dad) has with his own kids. If he stops by to see them too often, if he watches them while their mom goes to a medical appointment, if he takes them for a ride to get an ice-cream cone—then the mom and kids are at risk of losing their TANF benefits. Does this sound family-friendly to you?

Maine is one of the small number of states (I believe that the number has now dwindled to 11) to retain an anachronistic rule that goes back to the old days of AFDC: the children and mom are not entitled to TANF benefits unless they can establish *deprivation*; that is, they need to show that the family is *deprived* of the support of the non-custodial parent.

While the likely intent of that rule was originally to assure that TANF was not paid to families where the non-custodial dad was providing financial support, it has morphed over time to an interpretation that demands complete family separation as the price of receiving benefits.

The federal TANF enabling statute identifies as one of its 4 key goals to “*encourage the formation and maintenance of two-parent families*” (42 U.S.C. Sec. 601). The deprivation rule is in direct conflict with the TANF law’s stated goal. In fact, the current Maine statute works *against* the ability of families to remain intact. If the non-custodial dad wants to be involved with his kids’ lives, he risks having them lose their basic sustenance to keep a roof over their heads and food in their bellies. Not many of us would want to make that choice.

The proposal also proposes to increase the special housing allowance from \$200 to \$300, reflecting the rapidly rising cost of housing. This allowance only kicks in when housing costs exceed 75% of a family’s income. This increase is not intended to be adequate; it’s just an effort to reflect a portion of the cost of housing in Maine.

The TANF caseload has fallen in the past several years from over 14,000 families when I stepped in as Director of the Office for Family Independence in 2011, to just over 4,000 families today. However, the amount of funds in the TANF account remains the same, year after year (Federal block grant + State Maintenance of Effort). As a result, the State has accumulated in excess of \$150M in unexpended TANF funds.

The Department has undertaken an effort to redeploy those funds toward purposes peripheral to the direct objectives of the TANF program. This proposal, contrary to those efforts, is geared to the central purposes of TANF, and is clearly allowable. Be clear that the fiscal note on this bill reflects only the allocation of these accumulated TANF dollars, which can be used only for narrow purposes, and are not available to General Fund purposes. Said differently, implementation of this bill will not require the appropriation of any General Fund dollars.

Whether or not you believe these poorest families deserve temporary assistance while they acquire the job skills to become independent, I hope you agree that we have an obligation to not enforce the separation of fathers from their own children. Doing so is an injustice to both father and children, and serves no economic or other objective. If we value parent-child relationships, then we must end this antiquated and foolish deprivation requirement.

Thank you very much for your consideration. I look forward to working with you on this bill.