

127th Legislature
Senate of
Maine
Senate District 20

Senator Eric L. Brakey
Chair, Health and Human Services
3 State House Station
Augusta, ME 04333-0003
(207) 406-0897
sen.eric.brakey@gmail.com

**Testimony of Senator Eric Brakey before the
Joint Standing Committee on Health and Human Services**

April 15, 2015

LDs 368, 369, 722, 1035, 1036 and 1037

Representative Gattine and distinguished members of the Joint Standing Committee on Energy and Public Utilities, my name is Senator Eric Brakey and I represent the people of Auburn, New Gloucester, Poland, Minot and Mechanic Falls. I am here today to present six bills, all aimed to creating reforms for Maine's welfare and general assistance programs.

The way I have chosen to approach this is to summarize the bills individually and speak about them off the cuff. So I will begin.

***LD 368 : An Act To Integrate the State's General Assistance and
Temporary Assistance for Needy Families Programs***

This bill provides that a person who has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families program benefits is ineligible to receive municipal general assistance program benefits.

***LD 369: An Act To Align Municipal General Assistance Programs with the
Immigration Status Policies of the Department of Health and Human Services***

This bill provides that a person who has been determined ineligible to receive benefits administered by the Department of Health and Human Services on the basis of a law, rule or regulation related to that person's immigration status is ineligible to receive municipal general assistance program benefits.

LD 722: An Act To Strengthen Penalties for Abuse of General Assistance

This bill provides that a person who makes a false representation of a material fact to obtain municipal general assistance is ineligible to receive further assistance for a period of the longer of 120 days and until that reimbursement is made. Current law provides for a period of ineligibility of 120 days.

LD 1035: An Act To Create a 9-month Time Limit on General Assistance Benefits

This bill limits to a maximum of 275 days every 5 years the general assistance benefits a person who does not have any dependents and who is capable of working may receive.

LD 1036: An Act To Prioritize Use of Available Resources in General Assistance Programs

This bill makes an applicant for general assistance who voluntarily abandons or refuses to use an available resource without just cause ineligible to receive general assistance to replace the abandoned resource for a period of 120 days from the date the applicant abandons the resource. The bill defines "available resource" as a resource that is immediately available or can be secured without delay. The bill also makes an applicant who forfeits an available resource due to fraud, misrepresentation or intentional violation or refusal to comply with rules without just cause ineligible to receive general assistance to replace the forfeited resource for the duration of the sanction imposed on the applicant for violation of a rule or 120 days, whichever is greater. The bill identifies circumstances relating to use of an available resource under which just cause must be found.

LD 1037: An Act To Establish a 180-day Residency Requirement for Welfare Benefits

This bill establishes a 180-day residency requirement for applicants for the MaineCare program, the statewide food supplement program, the Temporary Assistance for Needy Families program and municipal general assistance.

Miscellaneous Proposals

It has also been brought to my attention that some municipalities face difficulties from the lack of an income look-back on General Assistance programs. This has created situations where an individual with a seasonal job can make a large amount of regular income in one part of the year, and claim disparity when that seasonal job is temporarily no longer available. Establishing a 6-month look-back would help address that, and I hope we might consider attaching this as an amendment to one of these proposals.