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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1312, L.D. 1822, Bill, “An Act To Increase Integrity in the Temporary Assistance for Needy Families Program through Restriction of Expenditures ”

Amend the bill by inserting before section 1 the following:

**'Sec. 1. 22 MRSA §23, sub-§1, ¶B,** as corrected by RR 2011, c. 2, §23, is amended to read:

B. A gambling facility, as defined in Title 8, section 1001, subsection 16, except that use of the electronic benefits transfer system is permitted in any portion of the premises of a gambling facility that is set aside separately for the sale primarily of staple foods as defined in 7 United States Code, Section 2012(r); ~~or~~

**Sec. 2. 22 MRSA §23, sub-§1, ¶C,** as enacted by PL 2011, c. 687, §4, is amended to read:

C. A retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment-; or

**Sec. 3. 22 MRSA §23, sub-§1, ¶D** is enacted to read:

D. A tobacco specialty store, as defined in section 1541, subsection 7.'

Amend the bill by adding after section 1 the following:

**'Sec. 2. Department of Health and Human Services to educate recipients of the Temporary Assistance for Needy Families program.** The Department of Health and Human Services shall develop an education program for recipients of benefits under the Temporary Assistance for Needy Families program, referred to in this section as "TANF," that emphasizes that those benefits under TANF are to be used for supporting dependent children. The program must educate TANF recipients regarding:

- 1. Appropriate, approved and specific uses of TANF benefits;
- 2. The prohibition on using the electronic benefits transfer system, or automated teller machines to withdraw cash, to pay for tobacco products, liquor products, gambling

**COMMITTEE AMENDMENT**

1 activities, lotteries or bail pursuant to the Maine Revised Statutes, Title 22, section 3763,  
2 subsection 11; and

3 3. The prohibition on using the electronic benefits transfer system for transactions  
4 for unauthorized spending pursuant to Title 22, section 23.

5 **Sec. 3. Department of Health and Human Services to collect data on**  
6 **purchases of certain items.** The Department of Health and Human Services shall  
7 collect as much data as possible on the use of Temporary Assistance for Needy Families  
8 program benefits to pay for tobacco products, liquor products, gambling activities,  
9 lotteries and bail. The Department of Health and Human Services shall report this data,  
10 along with recommendations and suggested legislation, to the joint standing committee of  
11 the Legislature having jurisdiction over health and human services matters no later than  
12 December 15, 2014.'

13 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
14 section number to read consecutively.

15 **SUMMARY**

16 This amendment, which is the minority report of the committee, bans the use of  
17 electronic transfer system benefits at tobacco specialty stores. It requires the Department  
18 of Health and Human Services to develop an education program for recipients of benefits  
19 under the Temporary Assistance for Needy Families program that emphasizes the  
20 importance of using benefits for supporting dependent children and the prohibition on  
21 using benefits to purchase tobacco products or liquor products or for gambling activities,  
22 lotteries or bail. In addition, the Department of Health and Human Services must collect  
23 as much data as possible on the use of Temporary Assistance for Needy Families program  
24 benefits for tobacco and liquor products, gambling activities, lotteries and bail. The  
25 department is required to report its findings, including recommendations and suggested  
26 legislation, to the joint standing committee of the Legislature having jurisdiction over  
27 health and human services matters no later than December 15, 2014.

28 **FISCAL NOTE REQUIRED**

29 **(See attached)**