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Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Stamps for the Purchase of Taxable Food Items

Sec. 1 Waiver to prohibit use of benefits for the purchase of taxable food items.

Resolved: That the Department of Health and Human Services shall request a waiver from the United States Department of Agriculture to permit the State to prohibit the use of benefits under the federal Supplemental Nutrition Assistance Program for the purchase of food items that are subject to the state sales tax. The department shall request the waiver no later than October 1, 2009; and be it further

Sec. 2 Rulemaking; notice. Resolved: That, within 30 days of the grant of the waiver by the United States Department of Agriculture under section 1, the Department of Health and Human Services shall amend its rules to prohibit the use of federal Supplemental Nutrition Assistance Program benefits for the purchase of food items that are subject to the state sales tax. The department shall inform retailers in the State participating in the statewide food stamp program pursuant to the Maine Revised Statutes, Title 22, section 3104 of the rule change. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This resolve requires the Department of Health and Human Services to request a waiver from the United States Department of Agriculture to allow Maine to prohibit the use of Supplemental Nutrition Assistance Program benefits for the purchase of food items that are subject to the state sales tax.