

HOUSE No. 3686

The Commonwealth of Massachusetts



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To the Honorable Senate and House of Representatives,

Pursuant to Part the Second, Chapter I, Section I, Article II of the Constitution of the Commonwealth, I am returning to you unsigned House Bill No. 3594, “An Act to Lift the Cap on Kids.”

This bill would eliminate the “family cap” within the Transitional Aid to Families with Dependent Children (“TAFDC”) program administered by the Department of Transitional Assistance. It would effectively re-enact legislation that first appeared as a number of outside sections to the Fiscal Year 2019 conference committee budget and that then was enacted as freestanding legislation towards the close of the last legislative session. In both cases, I returned the legislation to you unsigned because, as I explained, eliminating the “family cap” should be accompanied by other reforms to the TAFDC program designed to align the eligibility determination with federal standards and support recipients as they return to work.

I now return House Bill No. 3594 unsigned for the same reasons. In place of the bill I am returning, I encourage the Legislature to adopt the proposal presented in my Fiscal Year 2020 House 1 budget recommendation, which would eliminate the “family cap” as one component of a broader set of TAFDC reforms.

The package I proposed, for example, would require that adult Supplemental Security Income (“SSI”) be counted in the eligibility calculation for TAFDC. This correction would align TAFDC income determinations with income determinations under the federal Supplemental

Nutrition Assistance Program, and would treat SSI the same as other sources of benefit income – like veteran’s or retirement, survivors, and disability insurance (“RSDI”) benefits – that are already counted in determining eligibility and benefit level under TAFDC. Another reform in my House 1 proposal would allow an applicant seeking benefits to disregard the value of a single car, so as to protect the family’s access to transportation, including for job-seeking, without disqualifying them from receiving benefits. Finally, my budget proposal ensures that homeless families would no longer see a benefit reduction for accessing temporary shelter.

In sum, I urge you to enact the broader TAFDC reforms I have proposed in order to create a more equitable and streamlined approach to the calculation of TAFDC benefits, while establishing the right set of incentives.

For these reasons, I am returning House Bill No. 3594 unsigned.

I approve the remainder of this Act.

Respectfully submitted

Charles D. Baker,
Governor