

October 24, 2006

970315

SUBJECT: FSP – Maine – ABAWD Waiver

TO: Mary Ann Ferris
Regional Director
Food Stamp Program
Northeast Region

This is in response to the Maine State Agency's request to extend its current waiver of the provisions of 7 CFR 273.24. Under the waiver, residents of nine counties, two Labor Market Areas (LMAs), and 38 towns would be exempt from the work requirements of 7 CFR 273.24 based on insufficient jobs as indicated by an unemployment rate for the areas greater than 20 percent above the national average for specified 24-month periods.

Our response approving the waiver is attached. If you have any questions, please contact Larry Tropp by email or telephone at (703) 305-2504.

/s/

Harriet Kornegay
Assistant Chief
Certification Policy Branch
Program Development Division

FINAL:USDA:FNS:FSP:PDD:CPB:LTropp:mcl:10-24-06
DIR:I:CPB:WAIVERS:2007:970315 ME ABAWD – 2007 ext

Symbol	Surname	Date	Symbol	Surname	Date

WAIVER RESPONSE

1. **Waiver serial number:** 970315
2. **Type of request:** Extension
3. **Primary regulation citation, if any:** 7 CFR 273.24
4. **Secondary regulation citation, if any:**
5. **State:** Maine
6. **Region:** Northeast
7. **Regulatory requirements:** The Food Stamp Program Regulations at 7 CFR 273.24 provide that no individual shall be eligible to participate in the Food Stamp Program as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than 3 months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program for 20 hours or more per week; or did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.

The Food Stamp Program Regulations at 7 CFR 273.24 (f) allow States the opportunity to request a waiver when it is determined that the area in which the individual resides has an unemployment rate over 10 percent; or there are not sufficient jobs to provide employment for the individuals. The regulations at 7 CFR 273.24(f) establish the procedures for approving such waivers.

8. **Proposed procedures:** The State is requesting to exempt from these requirements individuals residing in the following nine counties: Aroostook, Franklin, Hancock, Knox, Oxford, Piscataquis, Somerset, Waldo, and Washington Counties. The State is also requesting to exempt residents in the following two Labor Market Areas (LMAs): Lincoln and Millinocket LMAs. Finally, the state is also requesting to exempt residents in the following thirty-eight towns: Alton, Bradford, Burlington, Carroll plantation, Clinton, Corinna, Dexter, Dixmont, East Central Penobscot unorganized, East Millinocket, Enfield, Etna, Garland, Greenbush, Howland, Kingman unorganized, Lagrange, Lee, Lincoln, Livermore Falls, Mattawamkeag, Maxfield, Medway, Millinocket, Newport, Ogunquit, Passadumkeag, Patten, Plymouth, Prentiss unorganized, Seboeis plantation, Springfield, Stacyville, Stetson, Webster plantation, and Winn towns. The nine contiguous counties in the State have an average unemployment rate of at least 20 percent above the national average during August 2004-July 2006. The request includes areas of the State with an average unemployment rate of at least 6.0 during August 2004-July 2006.

Combined Area:

Area	Unemployment Rate, AUG 2004 – JUL 2006
Aroostook	6.5
Franklin County	5.7
Hancock County	5.3
Knox County	4.0
Oxford County	5.6
Piscataquis County	7.0
Somerset County	7.4
Waldo County	5.2
Washington County	8.0
Total for Sub-region	6.0

Aroostook, Piscataquis, Somerset and Washington Counties qualify based on having average unemployment rates of at least 20 percent above the national average for August 2004-July 2006. Franklin, Hancock, Knox, Oxford, and Waldo Counties qualify based on the area’s aggregate average unemployment rate, which is at least 20 percent above the national average for August 2004-July 2006.

The State is requesting to exempt residents in the areas listed below based on having an average unemployment rate of at least 20 percent above the national average during August 2004-July 2006. The request includes areas of the State with an average unemployment rate of at least 6.0 during August 2004-July 2006.

AREA	Unemployment Rate, AUG 2004 – JUL 2006
Alton town	6.2
Bradford town	7.1
Burlington town	8.2
Clinton town	6.7
Corinna town	7.0
Dexter town	6.5
Dixmont town	6.8
East Central Penobscot unorganized	6.7
East Millinocket town	8.5
Enfield town	6.5
Etna town	6.6
Garland town	6.6
Greenbush town	6.2
Howland town	7.2
Kingman unorganized	16.2

AREA	Unemployment Rate, AUG 2004 – JUL 2006
Lagrange town	6.1
Lee town	7.8
Lincoln LMA	7.5
Lincoln town	8.0
Livermore Falls town	8.1

Mattawamkeag town	9.3
Maxfield town	14.0
Medway town	12.0
Millinocket LMA	9.8
Millinocket town	10.1
Newport town	6.7
Ogunquit town	6.4
Passadumkeag town	7.4
Patten town	7.9
Plymouth town	6.2
Prentiss unorganized	6.3
Seboeis plantation	10.3
Springfield town	9.6
Stacyville town	13.6
Stetson town	6.6
Webster plantation	6.5
Winn town	7.5

The State is requesting to exempt residents in the Carroll plantation based on having an average unemployment rate of at least 20 percent above the national average during February 2004-January 2006. To qualify for waivers, areas must have an average unemployment rate of at least 6.3 during February 2004-January 2006. During this period, Carroll plantation had unemployment rates of 6.3.

AREA	Unemployment Rate, FEB 2004 – JAN 2006
Carroll plantation	6.4

9. **Action and reason for approval or denial:** Based on the labor force data provided by the State agency we are approving its request to exempt individuals residing the areas specified in the above paragraph from the work requirements of 7 CFR 273.24. As required under 7 CFR 273.24(f) the State agency used data from the Bureau of Labor Statistics (BLS) to calculate the 24-month labor force data for the affected areas. Although we are approving exemptions for all of the areas requested, we are not approving separate exemptions for Carroll Plantation and the towns of Burlington, Lee and Lincoln. All of those areas are included in the Lincoln LMA and are exempt based on their inclusion in the LMA rather as separate entities although they would qualify whether evaluated separately or as part of the LMA. While we realize that this is strictly a technical rather than a substantive distinction, we wish to maintain the principle prohibiting the same areas from being considered

both as separate entities and as part of a larger area containing multiple smaller entities since, in other situations, the distinction may be substantive.

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10. **Regulatory or legislative basis for action:** This modification is approved pursuant to 7 CFR 273.24 (f) which allows the Secretary to waive the applicability of the work requirement provision in 7 CFR 273.24 for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate over 10 percent or has insufficient jobs. This approval is effective November 1, 2006.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** To receive an extension the State agency must provide verifiable data indicating that there are insufficient jobs in the State as outlined in 7 CFR 273.24(f).
13. **Expiration:** October 31, 2007
14. **Limitations, if any, on regional office approval of like requests:** This waiver is limited to the Maine Department of Health and Human Services.
15. **Quality Control Procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** September 12, 2006
18. **Date of regional office transmittal of request:** September 25, 2006
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**