

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1248

H.P. 895

House of Representatives, April 11, 1995

An Act to Establish the Work-Not-Welfare Pilot Program.

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MARTIN of Eagle Lake.

Cosponsored by Representative: FITZPATRICK of Durham, Senator: SMALL of Sagadahoc.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 22 MRSA §3760-B**, as amended by PL 1989, c. 502, Pt.
5 A, §75, is further amended to read:

6 **§3760-B. Notification to the Legislature**

7 The department shall notify the joint standing committee of
8 the Legislature having jurisdiction over human resources of any
9 request for waivers from the United States Department of Health
10 and Human Services or any other federal agency concerning the
11 implementation of chapters 1053, 1053-A, 1054 and 1054-A and
12 1065.

13 **Sec. 2. 22 MRSA c. 1065** is enacted to read:

14 **CHAPTER 1065**

15 **WORK-NOT-WELFARE PILOT PROGRAM**

16 **§3941. Title**

17 This chapter may be known and cited as the Work-Not-Welfare
18 Pilot Program Act.

19 **§3942. Definitions**

20 As used in this chapter, unless the context otherwise
21 indicates, the following terms have the following meanings.

22 1. AFDC. "AFDC" means the federal Aid to Families with
23 Dependent Children program.

24 2. Benefit period. "Benefit period" means, with respect to
25 a work-not-welfare group, a period commencing on the
26 work-not-welfare group's enrollment date and ending 48 months
27 later, unless the benefit period is extended under section 3945.

28 3. Enrollment date. "Enrollment date" means the first day
29 of the first month for which a work-not-welfare group receives a
30 benefit payment determined under section 3945. If the
31 work-not-welfare group has not received a benefit payment
32 determined under section 3945 within the previous 36 months, the
33 enrollment date means the first day of the first month, after
34 that 36-month period, for which the work-not-welfare group
35 receives a benefit payment determined under section 3945.

36 4. Work-not-welfare group. "Work-not-welfare group" means
37 all persons in an AFDC family if the head of household is subject
38 under section 3944 to the work-not-welfare pilot program.
39 "Work-not-welfare group" includes a caretaker of dependent
40 children, regardless of whether the needs of the caretaker are
41 met.

2 not considered in determining the amount of the benefit
4 determined under section 3945 or section 3952, subsections 1 to 6
6 and all dependent children in the household, including dependent
8 children born more than 10 months after the work-not-welfare
10 group's enrollment date.

12 **§3943. Waiver; applicability**

14 By October 1, 1995, the department shall apply to the
16 federal Department of Health and Human Services and the federal
18 Department of Agriculture for a waiver to conduct a
20 work-not-welfare pilot program as part of the AFDC program, the
22 food stamp program under 7 United States Code, Sections 2011 to
24 2032 and the medical assistance program under chapter 855. If
26 the department receives the federal waivers and if sufficient
28 funds are available, the department shall conduct the pilot
30 program, beginning on January 1, 1997 in 2 pilot counties
32 selected by the department. Sections 3944 to 3952 apply only
34 while the waiver is in effect and the department is conducting
36 the program.

38 **§3944. Participation**

40 A person is subject to the work-not-welfare pilot program
42 under this chapter if at least one of the following conditions is
44 met.

46 **1. Current AFDC recipient in pilot county.** The person
48 resides in a pilot county; is receiving, or is the caretaker of a
50 child who is receiving, AFDC benefits on January 1, 1997; and has
52 had a regularly scheduled redetermination of eligibility under
54 department rules after January 1, 1996.

56 **2. AFDC applicant in pilot county.** The person resides in a
58 pilot county and applies for AFDC benefits for that person or for
60 a child dependent on that person, on or after January 1, 1997.

62 **3. AFDC recipient moving to pilot county.** The person moves
64 to a pilot county on or after January 1, 1997 and, at the time of
66 the move, the person is receiving, or is the caretaker of a child
68 who is receiving, AFDC benefits.

70 **4. AFDC recipient moved from pilot county.** The person
72 resides in this State in a county other than a pilot county and,
74 within the preceding 36 months, the person resided in a pilot
76 county, was subject to the work-not-welfare program under
78 subsection 1, 2 or 3 and received benefits determined under
80 section 3945.

82 **§3945. Cash benefits**

2 1. Relation with other public assistance benefits. Except
3 as determined under this section, section 3948 or section 3952,
4 subsections 1 to 6, a member of a work-not-welfare group may not
5 receive an AFDC benefit, other than AFDC benefits under this
6 chapter. Except as determined under this section or section
7 3952, subsections 1 to 6, a member of a work-not-welfare group
8 may not receive food stamp benefits under 7 United States Code,
9 Sections 2011 to 2032 for a month unless the work-not-welfare
10 group has received the maximum number of benefit payments
permitted under this section.

12 2. Eligibility requirements. The department shall
13 determine the eligibility of a work-not-welfare group for
14 benefits determined under this section in the same manner as it
15 determines eligibility for AFDC benefits under chapter 1053,
16 except as follows.

18 A. Once eligibility for a work-not-welfare group is
19 established, the work-not-welfare group does not lose
20 continued eligibility solely because one or more wage
21 earners in the work-not-welfare group work more than 100
22 hours in a month.

24 B. Once eligibility for a work-not-welfare group is
25 established, the work-not-welfare group remains eligible
26 until the next eligibility review, unless the benefit
27 determined under this subsection may be adjusted under
28 subsection 4 before the next regularly scheduled
29 redetermination of eligibility.

30 C. Instead of the child support disregard under the
31 department's AFDC rules, the department shall disregard \$50
32 of the unearned income received under subsection 8 by a
33 work-not-welfare group in a month.

36 3. Calculation of benefit amount. Notwithstanding law or
37 rules to the contrary, subject to the limitations in subsections
38 4 to 7 and except as otherwise provided in this chapter, the
39 department shall pay to a work-not-welfare group that is eligible
40 under subsection 2 a combined monthly AFDC benefit and monthly
41 food stamp benefit. The combined monthly benefit amount is the
42 sum of the following:

44 A. An amount equal to the AFDC benefit that would be
45 payable if the waiver under section 3943 were not in effect,
46 except that:

48 (1) Child support payments must be treated as provided
49 in subsection 8;

50 (2) The benefit amount may not be increased to reflect
51 the birth of a child into the work-not-welfare group if
52

2 the birth occurs more than 10 months after the
work-not-welfare group's enrollment date;

4 (3) The amount of child support to be disregarded must
be determined by applying subsection 2, paragraph C;

6 (4) Instead of the earned income disregard under the
8 AFDC rules, \$120 and 1/6 of the remaining monthly
10 income earned from the unsubsidized employment of a
12 person who is a member of a work-not-welfare group are
14 disregarded from the monthly earned income of that
16 person. Notwithstanding any state law to the contrary,
the disregard in this subparagraph applies to a person
for as long as the person is a member of a
work-not-welfare group;

18 (5) The benefit amount must be based on the average
20 income of the work-not-welfare group, estimated
22 prospectively for a 6-month period, except that for the
24 first 2 months for which benefits calculated under this
subsection are paid, the portion of the benefit amount
calculated under this paragraph is based on the
estimated average income for those first 2 months; and

26 (6) The income received as a result of the application
28 of paragraph B is not considered income in determining
the benefit amount calculated under this paragraph; and

30 B. An amount equal to the cash value of the food coupons
32 that the work-not-welfare group would receive under the food
stamp program if the waiver under section 3943 were not in
effect, except that:

34 (1) Child support payments must be treated as provided
36 in subsection 8; and

38 (2) The benefit under this paragraph must be based on
40 the average income of the work-not-welfare group,
42 estimated prospectively for a 6-month period, except
44 that for the first 2 months for which benefits
calculated under this subsection are paid, the portion
of the benefit amount calculated under this paragraph
is based on the estimated average income for those
first 2 months.

46 **4. Partial freezing of benefits.** Notwithstanding state law
48 to the contrary, the benefit amount calculated under subsection 3
50 may be adjusted, after the first 2 months for which benefits
52 calculated under subsection 3 are paid, only at a regularly
scheduled redetermination of benefits under department rules,
except that:

2 A. The benefit amount calculated under subsection 3 may be
3 adjusted to reflect a significant change in circumstances.
4 A work-not-welfare group experiences a significant change in
5 circumstances, for purposes of this paragraph in any month
6 in which at least one of the following occurs:

7 (1) The number of persons in the work-not-welfare
8 group changes;

10 (2) A person in the work-not-welfare group is
11 sanctioned under section 3946, subsection 6 or state
12 AFDC rules;

14 (3) A person in the work-not-welfare group obtains a
15 new source of unsubsidized employment;

16 (4) A person in the work-not-welfare group receives a
17 new source of unearned income in an amount greater than
18 was estimated and that source of unearned income is
19 expected to continue until the next regularly scheduled
20 redetermination of eligibility;

22 (5) The work-not-welfare group experiences an increase
23 or decrease in the amount of unearned income for that
24 month that differs from the estimated amount of monthly
25 unearned income by more than \$50;

26 (6) The combined equity value of all of a
27 work-not-welfare group's assets exceeds the limitation
28 established by the department by rule;

30 (7) A person in the work-not-welfare group enters the
31 7th month of pregnancy; or

32 (8) A person in the work-not-welfare group experiences
33 a life-threatening emergency, as defined by the
34 department by rule.

35 B. The benefit amount calculated under subsection 3 may be
36 adjusted to reflect a decrease in earned income if there is
37 good cause, as defined by the department by rule, for the
38 decrease; and

39 C. The benefit amount calculated under subsection 3 may be
40 adjusted to reflect an increase in earned income if the head
41 of household of the work-not-welfare group requests a
42 reduction in the benefit amount determined under this
43 section.

44 5. Maximum number of benefit payments. Except as provided
45 in subsection 7, a work-not-welfare group may not receive more
46 than

2 than 24 monthly benefit payments determined under this section
3 during the work-not-welfare group's benefit period. The benefit
4 payments need not be for consecutive months.

6 **6. Period of ineligibility.** A work-not-welfare group may
7 not receive a benefit payment determined under this section after
8 the work-not-welfare group's benefit period has elapsed unless it
9 has been at least 36 months since the work-not-welfare group
10 received a benefit payment determined under this section.

12 **7. Additional monthly payments; extension of benefit**
13 **period.** A work-not-welfare group is entitled to receive one
14 monthly benefit payment in addition to the 24 monthly benefit
15 payments permitted under subsection 5 and a one-month extension
16 to the work-not-welfare group's benefit period for each month
17 after the group's enrollment date in which each person in the
18 group meets at least one of the following conditions.

20 A. The person receives a supplemental security income
21 payment under 42 United States Code, Sections 1381 to 1383c
22 or other supplemental payment under chapter 855-C for the
23 month.

24 B. The person is the head of the household of the
25 work-not-welfare group, is a nonlegally responsible relative
26 of a dependent child in the group and is not included in
27 determining the payment under this section.

28 C. The person is required to attend school under section
29 3741-C or chapter 1054-A.

32 D. The person is under 18 years of age.

34 E. The person is incapacitated or is needed in the home to
35 care for a member of the work-not-welfare group who is
36 incapacitated.

38 F. The person is needed in the home to care for a child who
39 is under one year of age and who was born not more than 10
40 months after the work-not-welfare group's enrollment date.

42 G. The person requires child care services in order to
43 participate in the employment and training program under
44 section 3946, is subject to the employment and training
45 requirements under section 3946, subsection 2 and child care
46 services are not available to the person under section 3951,
47 subsection 3, paragraph C for at least the number of hours
48 specified as part of the person's assignment under section
49 3946.

50 A work-not-welfare group may receive monthly benefit payments in
51 addition to the 24 monthly benefit payments permitted under
52 section 3946.

2 subsection 5 and extensions to the group's benefit period if the
3 department determines, in accordance with its rules, that unusual
4 circumstances exist that warrant an additional benefit payment
5 and an extension of the benefit period.

6 8. Child support payments. Notwithstanding any provision
7 of state law to the contrary, the rights of work-not-welfare
8 group members to support or maintenance from other persons,
9 including rights to unpaid amounts accrued on the
10 work-not-welfare group's enrollment date and rights to unpaid
11 amounts accruing during the time that a group member is subject
12 to the work-not-welfare pilot program under section 3944, are not
13 assigned to the State. Child support payments must be treated as
14 unearned income in determining eligibility for benefits and in
15 determining the amount of a monthly benefit under this section.
16 If child support payments are being received by the
17 work-not-welfare group regularly, those payments must be budgeted
18 prospectively in determining the amount of any benefit under this
19 section. If child support payments are not being received
20 regularly, the payments may not be budgeted prospectively in
21 determining the amount of any benefit under this section.

22 **§3946. Employment and training requirements**

23 1. Relation with other public assistance employment and
24 training requirements. The department shall conduct the
25 employment and training program described in this section as part
26 of the ASPIRE-JOBS program under chapter 1054-A. Compliance with
27 the employment and training program described in this section by
28 a person in a work-not-welfare group satisfies the employment and
29 training requirements of the ASPIRE-JOBS program and the foods
30 stamps workfare program under 7 Code of Federal Regulations,
31 273.22.

32 2. Persons subject to employment and training
33 requirements. Except as provided in subsection 3, every person
34 in a work-not-welfare group who is over 16 years of age must
35 comply with the requirements of the employment and training
36 program described in this section, as a condition to receiving a
37 benefit determined under section 3945.

38 3. Exemptions. A person is not subject to the requirements
39 of the employment and training program described in this section
40 in any month in which at least one of the following conditions is
41 met.

42 A. The person is ill, incapacitated or of an advanced age
43 within the meaning of 7 United States Code, Section 602 (a)
44 (19) (C) (i).

2 B. The person is needed in the home because of the illness
or incapacity of another member of the work-not-welfare
4 group.

6 C. The person receives a supplemental security income
payment under 42 United States Code, Sections 1381 to 1383c
8 or a supplemental payment under chapter 855-C for that month.

10 D. The person is a nonlegally responsible relative of a
dependent child in the work-not-welfare group and the
12 person's needs are not considered in calculating the amount
of the benefit determined under section 3945.

14 E. The person is required to attend school under section
16 3741-C or chapter 1054-A.

18 F. The person is the head of household of the
work-not-welfare group and is under 18 years of age.

20 G. The person is the caretaker of a child who is under 6
22 months of age.

24 H. The person is the caretaker of a child who is under one
year of age and who was born no more than 10 months after
26 the work-not-welfare group's enrollment date.

28 I. The person is pregnant and a physician has indicated
that the person is unable to work.

30 J. The department determines under section 3785 and in
32 accordance with rules adopted by the department that the
person has good cause for not complying with the employment
34 and training requirements of this section.

36 4. Participation requirements. Within a 2-month period
beginning on the work-not-welfare group's enrollment date, each
38 member of the group who is subject to the employment and training
program described in this section shall participate in
40 orientation activities under section 3951, subsection 3,
paragraph B. Beginning on the first day of the month following
42 the completion of those orientation activities, those members of
the work-not-welfare group are required to participate in the
44 employment and training program for a specified number of hours
each month. The number of hours of participation required must
46 be based on the amount of the monthly benefit determined under
section 3945 that is paid to the work-not-welfare group and on
48 the number of persons in the work-not-welfare group who are
subject to the employment and training program described in this
50 section. The department shall adopt a rule specifying the manner
in which the number of required hours is to be calculated. A
52 person may not be required to spend more than 40 hours per week
participating in the employment and training program described

2 under this section. The number of hours of participation
3 required under this subsection may not exceed the number of hours
4 that a person is assigned under section 3951, subsection 3,
5 paragraph C. If the person needs child care services, the number
6 of hours of participation required under this subsection also may
7 not exceed the number of hours for which the child care is made
8 available under section 3951, subsection 3, paragraph C.

9
10 5. Program components and requirements. The department
11 shall operate the employment and training program described in
12 this section in a manner designed to provide members of a
13 work-not-welfare group who are over 16 years of age with the
14 means to achieve long-term independence from public assistance,
15 including, when appropriate, education. The employment and
16 training program described in this section must include all of
17 the same program components and requirements as described in
18 chapter 1054-A, except for the following.

19
20 A. The services priorities described in section 3741-E do
21 not apply to persons who are subject to the employment and
22 training program described in this section, who must all
23 receive equal priority.

24 B. The department may not give a person subject to the
25 employment and training program described in this section an
26 education or training assignment, if the education or
27 training is not likely to be completed within a 24-month
28 period. A person who is subject to the employment and
29 training program described in this section may not fulfill
30 the hours of participation required under subsection 4, in
31 whole or in part, through participation in a self-initiated
32 education or training program, if the program is not likely
33 to be completed within a 24-month period.

34
35 C. A person who is subject to the employment and training
36 program described in this section may be required to work
37 more than 32 hours per week and more than 16 weeks in a
38 12-month period in a community work experience program.

39
40 D. The department may require participation in a work
41 supplementation program.

42
43 E. A person in need of a high school diploma must be
44 assigned to a course of study meeting the standards
45 established by the Department of Education for the granting
46 of a declaration of equivalency of high school graduation,
47 unless the person demonstrates a basic literacy level or the
48 employability plan for the individual identifies a long-term
49 employment goal that does not require a high school diploma
50 or a declaration of equivalency.

2 F. In addition to the employment and training activities
4 under chapter 1054-A, the employment and training program
described in this section must include a jobs program
providing for subsidized employment in the public sector.

6 G. Participation in alcohol and other drug abuse prevention
8 and treatment programs may be required to fulfill employment
and training requirements described in this section.

10 H. The employment and training requirements described in
12 this section may be satisfied through working the number of
14 hours required under subsection 4 in unsubsidized employment
or in a combination of unsubsidized employment and
employment and training activities.

16 I. The subsidized employment components of the employment
18 and training program may not, as a result of its operation:

20 (1) Displace any regular employee or reduce the wages,
22 employment benefits or hours of work of any regular
employee;

24 (2) Impair an existing contract for services or a
collective bargaining agreement;

26 (3) Fill a position when any other person is on layoff
28 from the same or a substantially equivalent job within
the same organizational unit;

30 (4) Have the effect of filling a vacancy created by an
32 employer terminating a regular employee or otherwise
reducing the employer's work force for the purpose of
34 hiring an individual under this section; or

36 (5) Infringe on the promotional opportunities of a
regular employee.

38 J. The department shall establish a grievance procedure for
40 resolving complaints by regular employees or their
42 representatives that the subsidized employment components of
the employment and training program under this subsection
violate paragraph I.

44 **6. Sanctions.** If, after the first month for which a
46 work-not-welfare group receives cash benefits determined under
section 3945, a person in the work-not-welfare group fails to
48 meet the employment and training requirements under this section,
the department may sanction the work-not-welfare group by
50 reducing, or by not paying, the benefit amount determined under
section 3945 for that month. For purposes of the maximum number
52 of monthly benefit payments permitted under section 3945,
subsection 5, a work-not-welfare group is considered to have

2 received a monthly benefit in a month in which, as a result of
3 sanctions under this subsection, a reduced monthly benefit or no
4 monthly benefit is paid. The department shall adopt by rule
5 notice and fair hearing and review provisions that apply to a
6 sanction imposed under this subsection, which must be at a
7 minimum equivalent to procedures for the imposition of sanctions
8 under chapter 1054-A.

9 **7. Voluntary participation.** To the extent that funding
10 permits:

11 A. Persons who are exempt under subsection 3 may
12 participate in the employment and training program under
13 this section; and

14 B. Persons may participate in the employment and training
15 program described in this section for more hours than are
16 required under subsection 4.

17 **§3947. Transitional child care**

18 **1. Eligibility.** Except as provided in subsection 2, a
19 work-not-welfare group is eligible for transitional child care
20 services under subsection 3 in any month in which all of the
21 following conditions are met.

22 A. The work-not-welfare group has received at least one
23 monthly cash benefit determined under section 3945.

24 B. The work-not-welfare group will not require benefits
25 determined under section 3945 or 3952, subsections 1 to 6
26 for the month.

27 C. The work-not-welfare group's benefit period has not yet
28 expired.

29 D. At least one person in the work-not-welfare group is
30 employed in unsubsidized employment.

31 **2. Time limitations on transitional child care benefits.** A
32 work-not-welfare group that is eligible for transitional child
33 care under subsection 1 may receive transitional child care
34 benefits under subsection 3 for a maximum of 12 months during a
35 benefit period. These months need not be consecutive. A
36 work-not-welfare group may not receive transitional child care
37 benefits under this section after the work-not-welfare group's
38 benefit period has elapsed, unless it has been at least 36 months
39 since the work-not-welfare group received benefits determined
40 under section 3945 or section 3952, subsections 1 to 6.

41 **3. Benefits.** The department shall provide assistance in
42 paying the child care costs of a work-not-welfare group that is
43 eligible for transitional child care services under subsection 3.

2 eligible to receive benefits in accordance with chapter 1052-A
3 and rates and standards established by rule under chapter 1052-A
4 and under this section.

6 **§3948. Shelter payments**

8 **1. Eligibility.** A work-not-welfare group is eligible for
9 shelter payment benefits if all of the following conditions are
10 met.

12 A. The work-not-welfare group has received the maximum
13 number of benefit payments determined under this chapter.

14 B. The period of ineligibility for the work-not-welfare
15 group has not yet expired.

16 C. The work-not-welfare group is in danger of becoming
17 homeless, as defined by the department by rule.

20 **2. Benefits.** For a work-not-welfare group that is eligible
21 for benefits, the department shall pay a shelter benefit equal to
22 the lesser of either the group's shelter expenses or the benefit
23 amount that the work-not-welfare group would have received under
24 chapter 1053 if a waiver under section 3943 were not in effect,
25 based only on the number of children in the group. The shelter
26 benefit must be paid directly to the provider of the shelter or
27 in the form of a voucher that may be used only for shelter
28 expenses.

30 **§3949. Transitional medical benefits**

32 **1. Eligibility.** Except as provided in subsection 2, all
33 members of a work-not-welfare group are eligible for transitional
34 medical benefits under subsection 3 for any month in which all of
35 the following conditions are met.

36 A. The work-not-welfare group has received at least one
37 monthly cash benefit determined under section 3945.

38 B. The work-not-welfare group will not receive benefits
39 determined under section 3945 or section 3952, subsections 1
40 to 6 for the month.

41 C. The work-not-welfare group's benefit period has not yet
42 expired.

43 D. At least one member of the work-not-welfare group is
44 employed in unsubsidized employment.

45 E. The income of the work-not-welfare group is not greater
46 than 185% of the poverty line for a family the size of the
47 work-not-welfare group.

2 If the income of the work-not-welfare group is greater than 185%
3 of the poverty line for a family the size of the work-not-welfare
4 group, the work-not-welfare group must pay a health care services
5 premium to the department.

6 2. Time limitation on benefits. The work-not-welfare group
7 is eligible for transitional medical benefits under subsection 3
8 for a maximum of 12 months during a benefit period. The months
9 need not be consecutive. A work-not-welfare group may not
10 receive transitional medical benefits under this section after
11 the work-not-welfare group's benefit period has elapsed, unless
12 it has been at least 36 months since the work-not-welfare group
13 received benefits determined under section 3945 or section 3952,
14 subsections 1 to 6.

15 3. Benefits. Each person in a work-not-welfare group who
16 is eligible for benefits under this section in a month must
17 receive medical assistance coverage under section 3741-G or, if a
18 person could be covered by an insurance plan offered by the
19 employer of one of the members of the work-not-welfare group and
20 if the department determines that it would be cost-effective to
21 do so, the department shall pay the premium that is required to
22 be paid by the employee member of the work-not-welfare group, if
23 any.

24
25 **§3950. Cooperation requirement**

26
27 As a condition for continued benefits under this chapter, a
28 person who is subject to the work-not-welfare pilot program must
29 comply with reasonable requests for cooperation by
30 work-not-welfare case management workers in applying for programs
31 or resources that these workers believe may be available to the
32 person.

33 **§3951. Administration in pilot counties**

34
35 The department shall provide the following in each pilot
36 county.

37
38 1. Community steering committee. The department shall
39 coordinate the creation of a community steering committee with
40 the Department of Labor to provide the services described in this
41 subsection for persons subject to the employment and training
42 program described in this chapter. The department may either
43 contract with the pilot county's employment and training review
44 panels established under Title 26, section 2015-A, subsection 9
45 for provision of the services listed in this subsection, or may
46 create a new committee. In either case, in addition to
47 performing the duties listed in Title 26, section 2015-A,
48 subsection 9, the community steering committee shall:
49
50

2 A. Identify and encourage employers to provide permanent jobs;

4 B. Create, and encourage others to create, appropriate subsidized jobs;

6 C. Create, and encourage others to create, on-the-job training sites;

8 D. Foster and guide the entrepreneurial efforts of persons subject to the employment and training program; and

12 E. Provide mentors, both from its membership and from recruitment of members of the community, to provide job-related guidance, including assistance in resolving job-related issues and the provision of job leads or references.

18 2. Children's services network. In each pilot county the department shall establish a children's services network. The children's services network shall provide information about community resources available to the children in a work-not-welfare group during the group's benefit period and the period of ineligibility under section 3945, subsection 6, including charitable food and clothing centers; the state supplemental food program for women, infants and children; and child care programs.

28 3. Case management services. The department shall provide each work-not-welfare group with the services described in this subsection.

32 A. The department shall assign to each group a case management team composed of case managers representing the income maintenance, job opportunities and basic skills and child care and child support components of the work-not-welfare pilot program.

38 B. During the month beginning with the work-not-welfare group's enrollment date, the department shall provide orientation services, which must include provision of oral and written explanations of the limitations on the benefits described in this chapter and of the participation requirements of the employment and training program described in section 3946. As a condition of receiving benefits under this chapter, adult work-not-welfare group members must sign a statement, which may be referred to as an "Independence Pact," indicating that they received a copy of the written explanation of benefits and understand the employment and training requirements and the time-limited benefits of the work-not-welfare pilot program. The orientation services must also include the provision of a

2 benefit account book, in which the case management team
3 shall indicate the remaining number of months of eligibility
4 for cash and transitional benefits under this chapter.

6 C. To the extent that assignments are available, the case
7 management team shall assign to a person who is subject to
8 the employment and training requirements described in
9 section 3946 an employment or training assignment that
10 enables the person to fulfill the participation
11 requirements. To the extent that funding for child care is
12 available, the case management team shall also assist that
13 person in obtaining child care services if needed.

14 4. Child support assistance. From the appropriation under
15 chapter 1052-A, the department may provide funds to pilot
16 counties for assistance in establishing paternity and obtaining
17 child support.

18 **§3952. Administration in nonpilot counties**

20 The department, in a nonpilot county, may not pay AFDC
21 benefits under chapter 1053 to any person in a work-not-welfare
22 group, except as provided in this section. With respect to
23 persons in a work-not-welfare group residing in a nonpilot
24 county, the department shall:

26 1. Determine eligibility. Determine the eligibility of a
27 work-not-welfare group member for AFDC without regard to section
28 3945, subsection 2;

30 2. Determine AFDC benefit. Determine the amount of AFDC
31 without regard to section 3945, subsection 3;

34 3. Issue food coupons. Issue food coupons in administering
35 the food stamp program without regard to section 3945, subsection
36 3, paragraph B;

38 4. Adjust benefits. Adjust AFDC and food stamp benefits
39 without regard to section 3945, subsection 4;

42 5. Apply limitations. Apply the limitations contained in
43 section 3945, subsections 5 and 7 to AFDC payments;

44 6. Calculate child support. Treat child support payments
45 without regard to section 3945, subsection 8;

48 7. Disregard certain provisions. Administer the
49 ASPIRE-JOBS program and the food stamp employment and training
50 program without regard to section 3946;

52 8. Give service priority. Give priority for receipt of
53 services under chapter 1054-A; and

2 9. Provide transitional benefits. Provide transitional
3 child care services under section 3947, shelter payments under
4 section 3948 and transitional medical assistance coverage under
5 section 3949.

6 **§3953. Evaluation**

8 The department shall enter into a contract with a public or
9 private agency for the preparation of evaluations of the
10 work-not-welfare program. These evaluations must include an
11 implementation evaluation, an outcome evaluation and an impact
12 evaluation.

14 **Sec. 3. 26 MRSA §2015-A, sub-§9, ¶C,** as enacted by PL 1987, c.
15 775, §3, is amended to read:

16 C. Set performance standards in their areas, including
17 placement of participants in jobs, wage levels at placement,
18 retention of employment and career ladder options;-and

20 **Sec. 4. 26 MRSA §2015-A, sub-§9, ¶D,** as amended by PL 1989, c.
21 541, §12, is further amended to read:

24 D. Ensure use of training agents who have demonstrated
25 effectiveness in delivering training in their areas
26 according to the performance standards established in this
27 section-; and

28 **Sec. 5. 26 MRSA §2015-A, sub-§9, ¶E** is enacted to read:

30 E. If designated as a community steering committee under
31 Title 22, section 3951, subsection 1, provide the services
32 specified in that section.

34
35
36 **STATEMENT OF FACT**

38 This bill, based on 1993 Wisconsin legislation, establishes
39 a pilot program in selected counties that changes the State's
40 system of public assistance. It limits cash benefits under the
41 Aid to Families With Dependent Children (AFDC) program to 24
42 months within a 4-year period, except in certain circumstances
43 and as determined by a case management team. Each recipient of
44 assistance must comply with an employment plan within 30 days of
45 entering the program as a condition of receiving cash benefits.
46 The bill provides waivers to extend medical assistance
47 eligibility and transitional child care for up to 12 months after
48 a family leaves AFDC. Within 2 months of enrollment in the pilot
49 program, those subject to the employment and training program
50 must begin participation in that program. Counties must operate
51 employment and training programs designed to provide participants
52 over the age of 16 with the means to achieve long-term

2 independence from public assistance, including, when appropriate,
education.

4 Persons are subject to the program if one of the following
conditions is met:

6
8 1. The person resides in a county that has a pilot
work-not-welfare program, is receiving, or is the caretaker of a
10 child who is receiving, benefits under the AFDC on January 1,
1997 and has had regularly scheduled reinvestigations after
January 1, 1996;

12
14 2. The person resides in a pilot county and applies for
AFDC for that person or a child dependent on that person on or
after January 1, 1997;

16
18 3. The person moves to a pilot county on or after January
1, 1997 and at the time of the move the person is receiving, or
is the caretaker of a child who is receiving, AFDC benefits; or

20
22 4. The person resides in the State in a county other than a
pilot county and, within the previous 36 months, had resided in a
pilot county and was subject to the work-not-welfare program.