

MAINE STATE LEGISLATURE

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Date: 4-1-08

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
SENATE
123RD LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to S.P. 362, L.D. 1110, Bill, "An Act To Create the Maine Council on Poverty and Economic Security"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 5 MRSA §12004-I, sub-§6-H is enacted to read:

6-H.

<u>Economic</u>	<u>Maine Council on</u>	<u>Legislative per</u>	<u>5 MRSA §13171</u>
<u>Development</u>	<u>Poverty and</u>	<u>diem for</u>	
	<u>Economic</u>	<u>appointed</u>	
	<u>Security</u>	<u>members plus</u>	
		<u>expenses</u>	

Sec. 2. 5 MRSA c. 391 is enacted to read:

CHAPTER 391

POVERTY AND ECONOMIC SECURITY

§13171. Maine Council on Poverty and Economic Security

The Maine Council on Poverty and Economic Security, as established in Title 5, section 12004-I, subsection 6-H and referred to in this section as "the council," advises the Governor and the Legislature on approaches that this State can successfully employ to end poverty and provide economic security to those who are poor or near poor in the State and benchmarks to measure the State's progress in reaching those goals. For purposes of this chapter, "poverty" means either having family income below the nonfarm income official poverty line or below the annual basic needs budget as adjusted to family size determined by the Department of Labor under Title 26, section 1405.

COMMITTEE AMENDMENT

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1 1. Membership; terms; meetings. The council consists of 21 appointed, voting
2 members and 5 ex officio, nonvoting members.

3 A. Voting members of the council are as set out in this paragraph:

4 (1) Two members of the Senate, who may not be from the same political party,
5 appointed by the President of the Senate;

6 (2) Four members of the House of Representatives, of whom no more than 2
7 may be members of the same political party, appointed by the Speaker of the
8 House of Representatives;

9 (3) One member of the nonprofit community serving individuals living in or near
10 poverty, appointed by the Governor based on recommendations of statewide
11 organizations serving low-income persons;

12 (4) One member representing faith-based organizations, appointed by the
13 Governor based on recommendations of statewide faith-based organizations;

14 (5) Two individuals living in or near poverty, one of whom has had experience
15 with homelessness, appointed by the Governor based on recommendations of
16 statewide poverty advocacy organizations;

17 (6) One representative of an advocacy organization specializing in public policy
18 related to poverty, appointed by the Governor based on recommendations of
19 statewide advocacy organizations;

20 (7) One person who has experienced poverty who is disabled, appointed by the
21 Governor based on the recommendations of statewide disability organizations;

22 (8) One representative of children living in or near poverty, appointed by the
23 Governor based on the recommendations of statewide children's advocacy
24 organizations;

25 (9) Two members representing the business community, appointed by the
26 Governor based on the recommendations of statewide business organizations;

27 (10) One person who has experienced poverty who is a woman, appointed by the
28 Governor based on the recommendations of statewide women's organizations
29 with expertise in issues related to poverty;

30 (11) One representative of a statewide organization with expertise in economic
31 policy analysis relating to challenges faced by low-income persons, appointed by
32 the Governor based on the recommendations of statewide organizations with
33 expertise in issues related to poverty;

34 (12) Two representatives of economic development organizations, appointed by
35 the Governor based on the recommendations of economic development
36 organizations;

37 (13) One person who has experienced poverty who is elderly, appointed by the
38 Governor based on the recommendations of statewide organizations representing
39 or serving elderly individuals; and

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- 1 (14) One representative of Native Americans, appointed by the Governor based
- 2 on the recommendations of the Aroostook Band of Micmacs, the Houlton Band
- 3 of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation.

- 4 B. The following individuals, or their designees, shall serve on the council as ex
- 5 officio, nonvoting members: the Director of the State Planning Office within the
- 6 Executive Department; the Commissioner of Health and Human Services; the
- 7 Commissioner of Labor; the Commissioner of Education; and the Director of the
- 8 Maine State Housing Authority.

- 9 C. Members of the council must have experience with issues of poverty and
- 10 economic insecurity and represent the geographic diversity of the State.

- 11 D. Members of the council serve for a term of 3 years except that initial
- 12 appointments must be for 1, 2 and 3 years in order to provide for staggered terms. At
- 13 the end of a term an outgoing member serves until a successor has been appointed. A
- 14 member may not serve more than 2 consecutive terms.

- 15 E. The members of the council shall elect a chair from among their members by
- 16 majority vote at the first meeting of the council. The chair serves for the duration of
- 17 that member's term unless a majority of the membership elects another chair. At the
- 18 end of the chair's term as member, the membership shall elect a new chair by
- 19 majority vote.

- 20 **2. Duties of council.** The council shall:

- 21 A. Identify the number of those living at or near the poverty level in the State, and
- 22 among certain subpopulations, including children, households headed by single
- 23 females, the elderly, racial minorities and people with disabilities;

- 24 B. Identify the risk factors and underlying causes of poverty through consultation
- 25 with experts, service providers and individuals living in or near poverty and review
- 26 research literature to identify the best practices for prevention and reduction of
- 27 poverty;

- 28 C. Examine the long-term effects of poverty on individuals, their families and their
- 29 communities, including the costs of poverty to municipalities, the State and the
- 30 State's economy;

- 31 D. Examine programs that are targeted to assist people living in poverty or near
- 32 poverty and identify any inadequacies or gaps in such programs;

- 33 E. Recommend public policy strategies and procedures for the elimination of poverty
- 34 in the State;

- 35 F. Establish measurable benchmarks for the elimination of poverty in the State by
- 36 setting percentage reductions in the number of people living in or near poverty in the
- 37 next 5, 10 and 20 years; and

- 38 G. Establish procedures for the operation of the council.

- 39 **3. Staff assistance.** The Department of Health and Human Services shall provide
- 40 necessary staffing services to the council.

COMMITTEE AMENDMENT

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1 4. Compensation. Legislative members of the council are entitled to receive the
2 legislative per diem described in Title 3, section 2 and reimbursement for travel and other
3 necessary expenses related to their attendance at authorized meetings of the council.
4 Public members not otherwise compensated by their employers or other entities that they
5 represent are entitled, to the extent that funds are available, to receive reimbursement of
6 necessary expenses and, upon a demonstration of financial hardship, a per diem equal to
7 the legislative per diem for their attendance at authorized meetings of the council.

8 5. Outside funding. The council may not accept General Fund funding but may
9 seek outside funding to cover costs of the council.

10 6. Report. The council shall report to the Governor and the Legislature by February
11 15th annually on the State's progress in reducing the number of people living in or near
12 poverty and with recommendations, including legislative recommendations, for ensuring
13 that the goal of ending poverty is reached in a timely and effective manner consistent
14 with benchmarks established by the council.

15 **Sec. 3. Appropriations and allocations.** The following appropriations and
16 allocations are made.

17 **LEGISLATURE**

18 **Legislature 0081**

19 Initiative: Allocates funds for per diem and expenses for legislative members who will
20 serve as members of the Maine Council on Poverty and Economic Security.

21	OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
22	Personal Services	\$0	\$1,320
23	All Other	\$0	\$1,200
24			
25	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$2,520

26

27 **SUMMARY**

28 This amendment replaces the bill and creates the Maine Council on Poverty and
29 Economic Security.

30 **FISCAL NOTE REQUIRED**

31 (See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 1110

LR 1499(02)

An Act To Create the Maine Council on Poverty and Economic Security

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Health and Human Services
Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$2,520	\$2,520	\$2,520

Legislative Cost/Study

This bill includes an annual allocation of Other Special Revenue Funds to the Legislature of \$2,520 beginning in fiscal year 2008-09 to provide funds for the per diem and expenses for legislative members who will serve as members of the Maine Council on Poverty and Economic Security. This allocation is contingent on the acceptance of outside funding to cover the costs of the legislative members and the council. Since the Department of Human Services is providing staffing services to the council, it may be necessary for the department to transfer funds to the Legislature at the beginning of each fiscal year.

Fiscal Detail and Notes

Additional costs to the Department of Human Services, the State Planning Office, the Department of Labor, the Department of Education and the Maine State Housing Authority associated with serving on the council can be absorbed within each agency's existing budgeted resources.