

# MAINE STATE LEGISLATURE

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SNO  
R. 43

Date: 4/6/16 Majority

HEALTH AND HUMAN SERVICES

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
127TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 868, L.D. 1268, Bill, "An Act To Reform Welfare by Establishing Bridges to Sustainable Employment"

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

Sec. 1. 5 MRSA §12004-J, sub-§18 is enacted to read:

18.

<u>Human Services</u>	<u>Independent</u>	<u>Not Authorized</u>	<u>22 MRSA §3110</u>
	<u>Citizens Oversight</u>		
	<u>Committee</u>		

Sec. 2. 22 MRSA §§3109 to 3111 are enacted to read:

**§3109. Promoting accountable public programs that reduce child poverty and increase sustainable employment for individuals receiving public assistance**

The department shall implement a system of accountability measurements to determine the performance of certain programs administered by the department under this subtitle by examining the outcomes of families and individuals participating in those programs on an annual basis in accordance with this section. These outcome measures must provide the basis to measure over time the extent to which those programs have alleviated poverty and hardship among children, families and individuals through employment, education and training, individualized services for those with barriers to employment and other services.

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Automated client eligibility system" means the department's fully integrated system for the coordination of all benefits eligibility programs.

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1 B. "Federal poverty level" has the same meaning as in section 3762, subsection 1,  
2 paragraph C.

3 C. "Food insecurity" means limited or uncertain availability of nutritionally adequate  
4 and safe foods or limited or uncertain ability to acquire acceptable foods in socially  
5 acceptable ways.

6 D. "TANF" means the Temporary Assistance for Needy Families program  
7 established under chapter 1053-B.

8 **2. Child poverty measures.** The department shall obtain data on the following  
9 outcomes for families in this State on an annual basis:

10 A. The percentage of households with dependent children living at or below 100% of  
11 the federal poverty level;

12 B. The percentage of households with dependent children headed by single parents  
13 living at or below 100% of the federal poverty level;

14 C. The percentage of households with dependent children living at or below 50% of  
15 the federal poverty level;

16 D. The percentage of households with dependent children who are homeless;

17 E. The percentage of TANF participants with a high school diploma or general  
18 equivalency diploma or the equivalent;

19 F. The percentage of TANF participants with a postsecondary degree or certificate;

20 G. The percentage of people experiencing food insecurity; and

21 H. The percentage of people experiencing very low food security as defined by the  
22 United States Department of Agriculture.

23 **3. Employment and earnings measures.** The department shall obtain income,  
24 earnings and other data required to determine outcomes pursuant to this section from its  
25 automated client eligibility system as verified and supplemented from a quarterly wage  
26 database compiled by the United States Department of Health and Human Services. The  
27 department shall gather data on the following outcomes for all TANF cash assistance  
28 cases that include an adult leaving TANF in each quarter during the state fiscal year:

29 A. The number and percentage of families with earnings in the 2nd and 4th quarters  
30 of the fiscal year after leaving TANF;

31 B. The mean and median amount of earnings for families in the 2nd and 4th quarters  
32 of the fiscal year after leaving TANF;

33 C. The number and percentage of families with earnings below 100%; between  
34 100% and 150%; between 151% and 200%; and in excess of 200% of the federal  
35 poverty level in the 2nd and 4th quarters of the fiscal year after leaving TANF;

36 D. For families that continue to participate in the statewide food supplement program  
37 established pursuant to section 3104 or MaineCare, the number and percentage of  
38 families with no income and those with income including, but not limited to, earnings  
39 from employment below 50%; between 51% and 100%; between 101% and 150%;

1 and between 151% and 200% of the federal poverty level in the 2nd and 4th quarters  
2 of the fiscal year after leaving TANF; and

3 E. For families with children under 5 years of age that continue to participate in the  
4 statewide food supplement program established pursuant to section 3104 or  
5 MaineCare, the number and share of families with no income and those with income  
6 including, but not limited to, earnings from employment below 50% and between  
7 51% and 100% of the federal poverty level.

8 **4. Benchmarks and goals established.** The department shall use the data gathered  
9 pursuant to subsections 2 and 3 to establish benchmarks for earnings measures under  
10 subsection 3, as well as goals for the department along with performance measures to  
11 establish progress in meeting those goals. By January 15, 2017, the department shall  
12 establish a performance baseline for each earnings measure under subsection 3.

13 **5. Report.** By January 30, 2018, and annually thereafter, the department shall report  
14 the results of the benchmarks established pursuant to subsection 4 and the progress in  
15 meeting goals in the preceding year to the joint standing committee of the Legislature  
16 having jurisdiction over human services matters. If the department does not successfully  
17 meet the goals, the department shall identify the factors that affected the ability to meet  
18 those goals and provide a plan for overcoming the obstacles in order to meet the  
19 benchmarks the following year. The department's plan must be reviewed by both the  
20 Independent Citizens Oversight Committee established pursuant to section 3110 and the  
21 joint standing committee of the Legislature having jurisdiction over human services  
22 matters. The joint standing committee of the Legislature having jurisdiction over human  
23 services matters may introduce legislation that it considers necessary to improve the  
24 department's ability to meet its benchmarks and goals in the following year.

25 **§3110. Independent Citizens Oversight Committee**

26 The Independent Citizens Oversight Committee, referred to in this section as "the  
27 committee," is established to monitor the department's progress in establishing  
28 benchmarks and progress in meeting goals as described in section 3109, subsection 4 and  
29 to inform the public concerning the progress made by the department with regard to these  
30 benchmarks and goals.

31 **1. Support.** The department shall provide the committee with the necessary  
32 technical assistance, administrative assistance and resources to publicize the conclusions  
33 of the committee.

34 **2. Information sharing.** The department shall provide the committee with  
35 responses to all findings, recommendations and concerns addressed in the annual  
36 independent report on progress made with respect to meeting benchmarks and goals  
37 under subsection 5.

38 **3. Public meetings.** All meetings of the committee are open to the public and public  
39 notice must be provided pursuant to Title 1, section 406.

40 **4. Membership.** The committee consists of at least 9 members who serve for a  
41 minimum term of 2 years and for no more than 3 consecutive terms. Members may not  
42 receive compensation. Members are appointed as follows:

- 1           A. A member active in a business organization representing the business community,
- 2           appointed by the President of the Senate;
- 3           B. A member representing a senior citizens organization, appointed by the President
- 4           of the Senate;
- 5           C. A member representing a charitable community foundation, appointed by the
- 6           President of the Senate;
- 7           D. A member representing an organization that represents the interests of persons
- 8           with disabilities, appointed by the President of the Senate;
- 9           E. A member of a community college or state university, appointed by the Speaker
- 10           of the House of Representatives;
- 11           F. A member who is a parent or guardian of at least one minor child, appointed by
- 12           the Speaker of the House of Representatives;
- 13           G. A member representing a community social service organization, appointed by
- 14           the Speaker of the House of Representatives;
- 15           H. A member representing an organization that provides vocational or employment
- 16           services, appointed by the Speaker of the House of Representatives; and
- 17           I. A member of an organization serving the community's health needs, appointed by
- 18           the Speaker of the House of Representatives.

19           Notwithstanding paragraphs D and G, a state employee or official, vendor, contractor or

20           consultant of the State may not be appointed to the committee.

21           5. Report. By March 1, 2018, and annually thereafter, the committee shall provide a

22           report to the joint standing committee of the Legislature having jurisdiction over human

23           services matters on the department's progress in meeting benchmarks and goals

24           established in section 3109, subsection 4.

25           **§3111. Streamlining and coordinating access to assistance**

26           The department shall promote family economic self-support by ensuring that families

27           and individuals are aware of, and have expedient access to, programs that may assist them

28           in gaining and maintaining employment and meeting their basic needs. To achieve that

29           goal, the department shall provide through its automated client eligibility system, as

30           defined in section 3109, subsection 1, paragraph A, the opportunity to apply for or obtain

31           the state earned income credit established pursuant to Title 36, section 5219-S, the

32           property tax fairness credit established pursuant to Title 36, section 5219-II, income tax

33           credits for child care expenses established pursuant to Title 36, section 5218,

34           unemployment insurance benefits established pursuant to Title 26, chapter 13 and

35           assistance from available low-income heating assistance programs.

36           Sec. 3. 22 MRSA §3762, sub-§3, ¶B, as amended by PL 2015, c. 267, Pt. RRRR,

37           §2, is further amended to read:

38           B. The department may use funds, insofar as resources permit, provided under and in

39           accordance with the United States Social Security Act or state funds appropriated for

40           this purpose or a combination of state and federal funds to provide assistance to

1 families under this chapter. In addition to assistance for families described in this  
2 subsection, funds must be expended for the following purposes:

3 (1) To continue the pass-through of the first \$50 per month of current child  
4 support collections and the exclusion of the \$50 pass-through from the budget  
5 tests and benefit calculations;

6 (2) To provide financial assistance to noncitizens legally admitted to the United  
7 States who are receiving assistance under this subsection as of July 1, 2011.  
8 Recipients of assistance under this subparagraph are limited to the categories of  
9 noncitizens who would be eligible for the TANF programs but for their status as  
10 aliens under PRWORA. Eligibility for the TANF program for these categories of  
11 noncitizens must be determined using the criteria applicable to other recipients of  
12 assistance from the TANF program. Any household receiving assistance as of  
13 July 1, 2011 may continue to receive assistance, as long as that household  
14 remains eligible, without regard to interruptions in coverage or gaps in eligibility  
15 for service. A noncitizen legally admitted to the United States who is neither  
16 receiving assistance on July 1, 2011 nor has an application pending for assistance  
17 on July 1, 2011 that is later approved is not eligible for financial assistance  
18 through a state-funded program unless that noncitizen is:

19 (a) Elderly or disabled, as described under the laws governing supplemental  
20 security income in 42 United States Code, Sections 1381 to 1383f (2010);

21 (b) A victim of domestic violence;

22 (c) Experiencing other hardship, such as time necessary to obtain proper  
23 work documentation, as defined by the department by rule. Rules adopted by  
24 the department under this division are routine technical rules as defined by  
25 Title 5, chapter 375, subchapter 2-A; or

26 (d) Unemployed but has obtained proper work documentation, as defined by  
27 the department by rule. Rules adopted by the department under this division  
28 are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;

29 (3) To provide benefits to certain 2-parent families whose deprivation is based on  
30 physical or mental incapacity;

31 (4) To provide an assistance program for needy children, 19 to 21 years of age,  
32 who are in full-time attendance in secondary school. The program is operated for  
33 those individuals who qualify for TANF under the United States Social Security  
34 Act, except that they fail to meet the age requirement, and is also operated for the  
35 parent or caretaker relative of those individuals. Except for the age requirement,  
36 all provisions of TANF, including the standard of need and the amount of  
37 assistance, apply to the program established pursuant to this subparagraph;

38 (5) To provide assistance for a pregnant woman who is otherwise eligible for  
39 assistance under this chapter, except that she has no dependents under 19 years of  
40 age. An individual is eligible for the monthly benefit for one eligible person if  
41 the medically substantiated expected date of the birth of her child is not more  
42 than 90 days following the date the benefit is received;

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1 (6) To provide a special housing allowance for TANF families whose shelter  
2 expenses for rent, mortgage or similar payments, homeowners insurance and  
3 property taxes equal or exceed 75% of their monthly income. The special  
4 housing allowance is limited to \$200 per month for each family. For purposes of  
5 this subparagraph, "monthly income" means the total of the TANF monthly  
6 benefit and all income countable under the TANF program, plus child support  
7 received by the family, excluding the \$50 pass-through payment;

8 (6-A) Beginning October 1, 2016, to provide housing assistance for TANF  
9 families whose shelter expenses for rent equal or exceed 50% of their monthly  
10 income and who have applied for, but not yet received, a housing choice voucher  
11 administered by the United States Department of Housing and Urban  
12 Development, Office of Housing Choice Vouchers and funded with federal  
13 TANF block grant dollars. This housing assistance must be administered through  
14 the Maine State Housing Authority, and the department shall provide a  
15 reasonable administrative fee to the Maine State Housing Authority for the cost  
16 of administering the housing assistance program. The following conditions  
17 apply:

18 (a) A TANF family may receive the housing assistance if the rent for the  
19 family's housing meets the fair market rent standards published by the United  
20 States Department of Housing and Urban Development pursuant to 24 Code  
21 of Federal Regulations, Section 888.115 for the area in which the family's  
22 housing is located and meets any housing quality standards adopted by the  
23 Maine State Housing Authority;

24 (b) A TANF family receiving housing assistance shall pay the same portion  
25 of the family's income toward rent as required by the formula used by a  
26 housing choice voucher program administered by the United States  
27 Department of Housing and Urban Development, Office of Housing Choice  
28 Vouchers;

29 (c) A TANF family who receives housing assistance under this subparagraph  
30 is not eligible to receive the special housing allowance under subparagraph  
31 (6) and, in addition, must have a reduction in the family's monthly TANF  
32 assistance of \$100;

33 (d) A TANF family who receives no TANF cash assistance as a result of the  
34 reduction under division (c) continues to remain eligible for TANF and all  
35 other services available under this chapter as long as the TANF family  
36 continues to meet all other conditions of eligibility for ASPIRE-TANF; and

37 (e) A TANF family who is ineligible for or who cannot accept a housing  
38 choice voucher under this subparagraph and whose shelter expenses for rent  
39 equal or exceed 75% of the family's monthly income is eligible to receive the  
40 special housing allowance provided under subparagraph (6).

41 The department shall adopt routine technical rules, as defined in Title 5, chapter  
42 375, subchapter 2-A, to implement the provisions of this subparagraph;

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COMMITTEE AMENDMENT "A" to H.P. 868, L.D. 1268

1 (7) In determining benefit levels for TANF recipients who have earnings from  
2 employment, the department shall disregard from monthly earnings the  
3 following:

- 4 (a) One hundred and eight dollars;
- 5 (b) Fifty percent of the remaining earnings that are less than the federal  
6 poverty level; and
- 7 (c) All actual child care costs necessary for work, except that the department  
8 may limit the child care disregard to \$175 per month per child or \$200 per  
9 month per child under 2 years of age or with special needs;

10 (7-A) In determining eligibility and benefit levels, the department may apply a  
11 gross income test only to applicants and not to recipients;

12 (8) In cases when the TANF recipient has no child care cost, the monthly TANF  
13 benefit is the maximum payment level or the difference between the countable  
14 earnings and the standard of need established by rule adopted by the department,  
15 whichever is lower;

16 (9) In cases when the TANF recipient has child care costs, the department shall  
17 determine a total benefit package, including TANF cash assistance, determined in  
18 accordance with subparagraph (7) and additional child care assistance, as  
19 provided by rule, necessary to cover the TANF recipient's actual child care costs  
20 up to the maximum amount specified in section 3782-A, subsection 5. The  
21 benefit amount must be paid as provided in this subparagraph.

22 (a) Before the first month in which child care assistance is available to an  
23 ASPIRE-TANF recipient under this paragraph and periodically thereafter, the  
24 department shall notify the recipient of the total benefit package and the  
25 following options of the recipient: to receive the total benefit package  
26 directly; or to have the department pay the recipient's child care assistance  
27 directly to the designated child care provider for the recipient and pay the  
28 balance of the total benefit package to the recipient.

29 (b) If an ASPIRE-TANF recipient notifies the department that the recipient  
30 chooses to receive the child care assistance directly, the department shall pay  
31 the total benefit package to the recipient.

32 (c) If an ASPIRE-TANF recipient does not respond or notifies the  
33 department of the choice to have the child care assistance paid directly to the  
34 child care provider from the total benefit package, the department shall pay  
35 the child care assistance directly to the designated child care provider for the  
36 recipient. The department shall pay the balance of the total benefit package  
37 to the recipient;

38 (10) Child care assistance under this paragraph must be paid by the department  
39 in a prompt manner that permits an ASPIRE-TANF recipient to access child care  
40 necessary for work; and

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1 (11) The department shall adopt rules pursuant to Title 5, chapter 375 to  
2 implement this subsection. Rules adopted pursuant to this subparagraph are  
3 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

4 **Sec. 4. 22 MRSA §3762, sub-§8, ¶G** is enacted to read:

5 G. The department shall make available transitional housing assistance to a family  
6 who loses eligibility for TANF as a result of increased earnings or an increase in the  
7 number of hours worked and whose income does not exceed 50% of the median  
8 income for the county or metropolitan area in which the family lives. Housing  
9 assistance must be administered by the Maine State Housing Authority in the same  
10 manner as provided for in subsection 3, paragraph B, subparagraph (6-A). The  
11 family's share of rent must increase relative to the family's earnings in the same  
12 manner as the housing choice voucher program administered by the United States  
13 Department of Housing and Urban Development, Office of Housing Choice  
14 Vouchers.

15 **Sec. 5. 22 MRSA §3762, sub-§21** is enacted to read:

16 **21. Transitional Jobs Program.** The department shall establish the Transitional  
17 Jobs Program for participants unable to find employment through conventional means in  
18 accordance with the service delivery model described in section 3788-C. The  
19 Transitional Jobs Program, referred to in this subsection as "the program," must assist a  
20 participant in gaining access to transitional employment with earnings to improve  
21 employability in a competitive work environment through increased work experience.  
22 The program must be established in accordance with this subsection.

23 A. In addition to those determined eligible to participate in the program pursuant to  
24 section 3788-A, the department shall provide notice and an opportunity to all families  
25 to apply for a transitional job who are within 90 days of reaching the 60-month limit  
26 on assistance pursuant to subsection 18 and are not yet employed or engaged in a  
27 qualified educational program such as Parents as Scholars Program as established in  
28 chapter 1054-B.

29 B. A person determined eligible to participate in the program receives assistance in  
30 accordance with rules adopted by the department for:

31 (1) Subsidized wages for employment for 6 months not to exceed 40 hours a  
32 week in accordance with department rules; and

33 (2) Support services that are necessary to successfully engage in employment  
34 and that are available under the ASPIRE-TANF program.

35 C. An employer participating in the program receives a subsidy toward wages paid to  
36 a person determined eligible to participate in the program under paragraph B  
37 equalling 75% of total wages for the first 3 months and 50% of wages for the next 3  
38 months if the employer:

39 (1) Provides wages, hours and other conditions of work comparable to those  
40 available for similar employment in the employer's locality;

41 (2) Agrees to provide meaningful work experience that will increase the person's  
42 future employability;

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- 1           (3) Provides wage and employment data as required by the department; and
- 2           (4) Agrees to give preference for any job available at that employer's
- 3           establishment at the end of the 6-month period for which a person is qualified to
- 4           participate if that person has performed satisfactorily during the transitional 6-
- 5           month employment period.
- 6           D. The department shall collect the following information to evaluate the
- 7           performance of the program:
  - 8           (1) The number of employees participating in the program;
  - 9           (2) The average and median length of time persons participated in the program;
  - 10           (3) The average and median wages paid to employees in the program;
  - 11           (4) The employment status of the employee at the completion of participation in
  - 12           the program;
  - 13           (5) The employment status of employees who have completed the program at the
  - 14           end of the 2nd and 4th quarters following the end of their participation in the
  - 15           program;
  - 16           (6) The number of employers participating in the program; and
  - 17           (7) The number of employees who remained as permanent employees at the
  - 18           termination of the program.
- 19           E. By February 1, 2018, and annually thereafter, the department shall submit an
- 20           annual report to the joint standing committee of the Legislature having jurisdiction
- 21           over human services matters on the status of the program and on the evaluation data
- 22           collected and analyzed pursuant to paragraph D.
- 23           The department shall adopt rules to implement the program in a manner that maximizes
- 24           successful and meaningful employment opportunities for participants and provides for the
- 25           program's fair and efficient administration in accordance with this subsection. Rules
- 26           adopted pursuant to this subsection are routine technical rules as defined in Title 5,
- 27           chapter 375, subchapter 2-A.
- 28           Sec. 6. 22 MRSA §3788-C is enacted to read:
- 29           §3788-C. Self-sufficiency continuum
  - 30           The department shall design and implement a service delivery model to address
  - 31           individual family needs based on the varying levels of education, work experience,
  - 32           physical or mental health and other conditions that affect the ability to work. Based on
  - 33           the family profile developed during the comprehensive screening and assessment
  - 34           completed pursuant to section 3788, subsection 3-A that identifies barriers to employment
  - 35           including those related to health, education, training and disability, a family must be
  - 36           referred to the program that provides the most appropriate array of services and supports
  - 37           needed for the family to reach self-sufficiency.
  - 38           1. Crisis resolution track. A family facing emergency circumstances, including
  - 39           domestic violence, homelessness or imminent risk of homelessness or other

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circumstances that threaten the immediate health or safety of the family, must be referred to a crisis resolution track. A family may remain in this track for up to 4 months, during which time the focus must be on stabilizing the health and safety of the family so that the parent or caretaker relative may become ready to engage in another track and move toward employment.

**2. Employment track.** A person who is not facing emergency circumstances as described in subsection 1 and is not yet employed shall engage in the most appropriate employment track based on the family profile developed during the comprehensive screening and assessment under section 3788, subsection 3-A unless the assessment indicates that participation in an education and training track provided under subsection 3 is more appropriate due to low education or skill levels. The department shall determine which of the following employment tracks is appropriate.

A. The department shall provide a person with low personal or health barriers and moderate to high levels of education or skills, as determined by the comprehensive screening and assessment completed pursuant to section 3788, subsection 3-A, with services geared toward rapid employment. The focus of such services is on job preparation, job search, job placement, job retention and family sustainability through employment.

B. The department shall provide a person who has been unsuccessful in finding employment through conventional means with a work-based source of earned income and labor market experience through the Transitional Jobs Program established pursuant to section 3762, subsection 21 to prepare that person for unsubsidized employment.

C. The department shall provide a person with high personal or health barriers and high levels of education or skills, as determined by the comprehensive screening and assessment completed pursuant to section 3788, subsection 3-A, with case management and connect the person to intensive social and medical services, including but not limited to health services, mental health services and rehabilitation services to address these barriers.

D. The department shall provide a person with high personal or health barriers due to temporary or permanent disability and low levels of education or skills, as determined by the comprehensive screening and assessment completed pursuant to section 3788, subsection 3-A, with case management services including physical and mental health services and rehabilitative services to address these barriers. A person with a permanent disability must receive access to a supplemental security income advocacy program that helps people with disabilities attain federal social security disability insurance benefits or federal supplemental security income benefits.

**3. Education and training track.** A person with low education or skill levels, as determined by the comprehensive screening and assessment completed pursuant to section 3788, subsection 3-A, or for whom work-limiting illness or disability prevents the person in finding employment that is appropriate for the person's work experience who would benefit from additional education or training shall take steps toward increasing employability by participating in the most appropriate education and training track based on the family profile developed during the comprehensive screening and assessment under section 3788, subsection 3-A. To the greatest extent feasible, no adult will leave

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1 the ASPIRE-TANF program without a high school diploma or equivalent. Once a person  
2 is ready for employment, that person must move to the employment track. The  
3 department shall determine which of the following education and training tracks is  
4 appropriate.

5 A. The department shall provide a person with low education or skills, as determined  
6 by the comprehensive screening and assessment completed pursuant to section 3788,  
7 subsection 3-A, the opportunity to enhance that person's education or skills through  
8 school, vocational training, work experience and community service in order to  
9 become employable.

10 B. A person eligible for the Parents as Scholars Program pursuant to chapter 1054-B  
11 must be informed of the program and offered the opportunity to enroll. As long as  
12 the enrollment limit established in section 3790 has not been reached, the family must  
13 be permitted to meet the family's program requirements through participation in the  
14 Parents as Scholars Program.

15 4. Working families track. The department shall disregard certain monthly  
16 earnings in accordance with section 3762, subsection 3, paragraph B, subparagraph (7)  
17 for families in unsubsidized employment pursuant to section 3762, subsection 21. These  
18 families must receive work supports needed for employment in accordance with this  
19 chapter until the family becomes ineligible for TANF. Following termination from  
20 TANF as a result of wages or hours or employment, the family is eligible to receive  
21 transitional support services for working families in accordance with section 3762.

22 **Sec. 7. 22 MRSA §3790, sub-§2-A** is enacted to read:

23 2-A. Alternative eligibility. Notwithstanding subsection 2, a family with minor  
24 children that does not qualify for TANF but whose income does not exceed 150% of the  
25 federal poverty level, as defined section 3762, subsection 1, paragraph C, is eligible to  
26 participate in the program as long as the enrollment limit in subsection 1 has not been  
27 reached. A participant is eligible for the same support services that are available to a  
28 person eligible for the TANF program who is enrolled in the Parents as Scholars Program  
29 but the participant is not eligible to receive cash assistance as provided under the TANF  
30 program. The department shall adopt routine technical rules, as defined in Title 5,  
31 chapter 375, subchapter 2-A, to implement the provisions of this subsection.

32 **Sec. 8. 22 MRSA §3790, sub-§3-A** is enacted to read:

33 3-A. Coordination with state educational institutions and programs. The  
34 department shall accept referrals from educational institutions or programs that are part of  
35 the University of Maine System; the Maine Community College System; the Jobs for  
36 Maine's Graduates Program as established in Title 20-A, section 6901; an adult education  
37 program as established in Title 20-A, chapter 315; and the career centers established by  
38 the Department of Labor for eligible applicants for the program along with a letter from  
39 the prospective student expressing a desire to enroll in the program. Such a letter, along  
40 with a referral, must be considered an application for enrollment in the program and must  
41 be processed in accordance with department rule. The department shall notify these  
42 institutions or programs of the opportunity to refer prospective students in accordance  
43 with this subsection.

R. of S.

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**Sec. 9. Federal funding.** Any administrative, technological or other costs associated with the purposes of the Act for families eligible for the Temporary Assistance for Needy Families program must be funded by using the federal block grant funding allocated to the Department of Health and Human Services within the State Family Assistance Grant of the TANF program.

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**Sec. 10. Appropriations and allocations.** The following appropriations and allocations are made.

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**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)  
Temporary Assistance for Needy Families 0138**

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Initiative: Provides funding for one Management Analyst I position to streamline and coordinate access to assistance programs and for 20 Eligibility Specialist positions to implement a new eligibility program for educational services, to provide access and application support for various tax credits and to support an additional eligibility group.

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<b>FEDERAL BLOCK GRANT FUND</b>	<b>2015-16</b>	<b>2016-17</b>
POSITIONS - LEGISLATIVE COUNT	0.000	21.000
Personal Services	\$0	\$1,424,689
All Other	\$0	\$179,665
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$1,604,354</b>

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**Temporary Assistance for Needy Families 0138**

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Initiative: Provides funds for technology updates to obtain data and determine measures related to employment and earnings.

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<b>FEDERAL BLOCK GRANT FUND</b>	<b>2015-16</b>	<b>2016-17</b>
All Other	\$0	\$1,259,000
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$1,259,000</b>

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<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS) DEPARTMENT TOTALS</b>	<b>2015-16</b>	<b>2016-17</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>\$0</b>	<b>\$2,863,354</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$2,863,354</b>

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**Sec. 11. Appropriations and allocations.** The following appropriations and allocations are made.  
**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**COMMITTEE AMENDMENT**

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 868, L.D. 1268

1 **Temporary Assistance for Needy Families 0138**  
2 Initiative: Provides funding for housing assistance.

3	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2015-16</b>	<b>2016-17</b>
4	All Other	\$0	\$10,996,201
5			
6	<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<u>\$0</u>	<u>\$10,996,201</u>

7 **Temporary Assistance for Needy Families 0138**  
8 Initiative: Provides funding for transitional housing.

9	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2015-16</b>	<b>2016-17</b>
10	All Other	\$0	\$7,009,985
11			
12	<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<u>\$0</u>	<u>\$7,009,985</u>

13	<b>HEALTH AND HUMAN SERVICES,</b>		
14	<b>DEPARTMENT OF (FORMERLY DHS)</b>		
15	<b>DEPARTMENT TOTALS</b>	<b>2015-16</b>	<b>2016-17</b>
16			
17	<b>FEDERAL BLOCK GRANT FUND</b>	\$0	\$18,006,186
18			
19	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$18,006,186</u>

20 **Sec. 12. Appropriations and allocations.** The following appropriations and  
21 allocations are made.

22 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

23 **Temporary Assistance for Needy Families 0138**  
24 Initiative: Provides funding for alternative eligibility.

25	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2015-16</b>	<b>2016-17</b>
26	All Other	\$0	\$8,083,369
27			
28	<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<u>\$0</u>	<u>\$8,083,369</u>
29			

30 **SUMMARY**

31 This amendment, which is the majority report of the committee, replaces the bill. It  
32 makes the following changes to the Temporary Assistance for Needy Families, TANF,  
33 program.

**COMMITTEE AMENDMENT**

R. of S.

- 1           1. It requires the Department of Health and Human Services to establish a service  
2 delivery model with different tracks that are based on the levels of education, work  
3 experience, family physical and mental health and other conditions that affect a person's  
4 ability to work. The family profile developed during the comprehensive screening and  
5 assessment program in the Maine Revised Statutes, Title 22, section 3788, subsection 3-A  
6 is used to determine which track a family should be on. Tracks are based on crisis  
7 resolution, employment, education and work incentive disregards.
- 8           2. It changes eligibility for the Parents as Scholars Program so that families that do  
9 not qualify for TANF but earn no more than 150% of the federal poverty level qualify for  
10 the program.
- 11          3. It allows educational institutions and programs in the State to refer eligible  
12 applicants to the Parents as Scholars Program.
- 13          4. It establishes the Transitional Jobs Program in the Department of Health and  
14 Human Services for families unable to find employment through conventional means.  
15 Employers receive subsidies and must meet certain requirements to participate in the  
16 program. Performance data on the program must be collected by the department.
- 17          5. It develops a voucher program through the Maine State Housing Authority for  
18 families with shelter expenses that exceed 50% of their monthly income.
- 19          6. It requires the Department of Health and Human Services to collect data related to  
20 performance measures of the TANF program, including reducing child poverty and food  
21 insecurity and improving educational attainment, employment and income levels. It also  
22 requires the department to set benchmarks to measure improvement and success of the  
23 TANF program.
- 24          7. It establishes the Independent Citizens Oversight Committee to monitor the  
25 Department of Health and Human Services' progress with respect to meeting benchmarks  
26 for success of the TANF program.
- 27          8. It requires any administrative, technological or other costs associated with the  
28 changes to the TANF program outlined in the amendment to be funded by using the  
29 federal block grant funding allocated to the Department of Health and Human Services  
30 within the State Family Assistance Grant of the TANF program.

**FISCAL NOTE REQUIRED**

**(See attached)**

**COMMITTEE AMENDMENT**



# 127th MAINE LEGISLATURE

LD 1268

LR 1547(02)

## An Act To Reform Welfare by Establishing Bridges to Sustainable Employment

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-650)

Committee: Health and Human Services

Fiscal Note Required: Yes

### Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
<b>Appropriations/Allocations</b>				
Federal Block Grant Fund	\$0	\$28,952,909	\$27,733,119	\$27,775,901
<b>Revenue</b>				
Federal Block Grant Fund	\$0	\$28,952,909	\$27,733,119	\$27,775,901

### Fiscal Detail and Notes

This bill includes a Federal Block Grant Fund allocation to the Department of Health and Human Services (DHHS) of \$28,952,909 in fiscal year 2016-17 to establish a service delivery model with different pathways that are based on the levels of education, work experience, family physical and mental health and other conditions that affect a person's ability to work, to establish a Transitional Jobs Program for families unable to find employment through conventional means and collect performance data on the program and to change the eligibility for the Parents as Scholars program so that families that do not qualify for TANF but earn no more than 150% of the federal poverty level qualify. It also will require the DHHS to enhance some technologies to collect data related to the performance of the TANF program, including reducing poverty rates and food insecurity, improving educational attainment, employment and income levels and to set benchmarks to measure improvement and success of the TANF program. Finally, it establishes an independent citizen oversight committee to monitor the DHHS's progress with respect to meeting benchmarks for success of the TANF program.

This bill requires any administrative, technological or other costs associated with the changes to the TANF program outlined in this bill to be funded by utilizing the federal funding within the State Family Assistance Grant of the TANF program.

The Maine State Housing Authority expects that the costs to administer the housing assistance program will be covered by the provisions included in this legislation and no General Fund appropriations will be required.