

MAINE STATE LEGISLATURE

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Date: 4/6/16 Majority

L.D. 1631
(Filing No. H-651)

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. 1107, L.D. 1631, Bill, "An Act To Reduce the Liability of Maine Taxpayers by Aligning Maine's Welfare Programs with Federal Law"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Establish the Commission on Child Poverty and Extreme Child Poverty and To Place a Moratorium on Actions To Enter into a Contract for the Administration of the ASPIRE-TANF Program'

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

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Commission on Child Poverty and Extreme Child Poverty will examine the scope and magnitude of child poverty and extreme child poverty in this State and the roots of poverty and recommend policy solutions to improve the situation of child poverty and extreme child poverty in this State; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report prepared in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission on Child Poverty and Extreme Child Poverty, referred to in this resolve as "the commission," is established; and be it further

COMMITTEE AMENDMENT

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Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 13 members appointed as follows:

- 1. Two members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature;
- 2. Two members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;
- 3. Nine members who possess expertise in the subject matter of the study as follows:
 - A. A representative of an organization involved in hunger relief appointed by the President of the Senate;
 - B. A representative of an organization involved in the Head Start program appointed by the President of the Senate;
 - C. A representative of an organization that offers transitional employment and job training services to families or individuals in poverty appointed by the President of the Senate;
 - D. A member of a state or local Chamber of Commerce appointed by the President of the Senate;
 - E. A representative of an organization that advocates for public policies and practices that improve the lives of children, youth and families in the State appointed by the Speaker of the House;
 - F. A representative of an organization that is engaged in solutions to poverty and improving the lives of low-income people in the State appointed by the Speaker of the House;
 - G. An individual who is a low-income mother appointed by the Speaker of the House;
 - H. A representative of an organization that prepares at-risk children for school, with expertise in adverse childhood events appointed by the Speaker of the House; and
 - I. An individual who conducts academic research in poverty and public assistance programs appointed by the Speaker of the House; and

4. In addition to the 13 members appointed, the director of the office of family independence within the Department of Health and Human Services or the director's designee and the Director of the Office of Child and Family Services within the Department of Health and Human Services or the director's designee must be invited to participate as ex officio nonvoting members; and be it further

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members,

COMMITTEE AMENDMENT

1 the chairs shall call and convene the first meeting of the commission. If 30 days or more
2 after the effective date of this resolve a majority of but not all appointments have been
3 made, the chairs may request authority and the Legislative Council may grant authority
4 for the commission to meet and conduct its business; and be it further

5 **Sec. 5. Duties. Resolved:** That the commission shall study the scope and
6 magnitude of child poverty and extreme child poverty in the State, the roots of poverty
7 and the reasons for any recent increase in child poverty or extreme child poverty and
8 recommend policy solutions to improve the situation of children in poverty and in
9 extreme poverty in this State. The commission shall:

10 1. Review statistics and data trends relating to poverty, child poverty and extreme
11 child poverty in the State;

12 2. Identify critical data points that serve as benchmarks for measuring progress in
13 mitigating the effect of poverty on children, including food insecurity, obesity and
14 diabetes rates and educational achievements;

15 3. Determine the efficacy of resources available to low-income families with
16 children and barriers to participating in public assistance programs;

17 4. Gather information about the systemic causes of child poverty and extreme child
18 poverty;

19 5. Determine the effect of policy changes on trends in the rate of child poverty and
20 extreme child poverty in the last decade;

21 6. Investigate the effect of adverse childhood events and parenting skills on poverty
22 and the ability of parents to obtain and maintain employment;

23 7. Review public assistance programs, utilization data, block grant funding and
24 general funds allocated to programs and actual spending on programs;

25 8. Review national strategies for improving the lives of children living in poverty;

26 9. Determine how the State's programs align with federal requirements and law
27 without reducing current resources allocated to children living in households on public
28 assistance programs; and

29 10. Determine effective methods of administering the ASPIRE-TANF program to
30 achieve the goal of promoting sustainable employment and reducing child poverty,
31 including the effectiveness of administering the program through the Department of
32 Health and Human Services directly or through a contracted request for proposals
33 process; and be it further

34 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
35 necessary staffing services to the commission; and be it further

36 **Sec. 7. Report. Resolved:** That, no later than November 2, 2016, the
37 commission shall submit a report that includes its findings and recommendations,
38 including suggested legislation, to the joint standing committee of the Legislature having
39 jurisdiction over health and human services matters. The committee may report out
40 legislation on the subject matter of the report to the First Regular Session of the 128th
41 Legislature; and be it further

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Sec. 8. Moratorium. Resolved: That the Department of Health and Human Services shall suspend its request for proposals for administering the ASPIRE-TANF program, RFP #201512226, and may not conduct further requests for proposals or take other actions to contract for the administration of the ASPIRE-TANF program prior to 90 days after the adjournment of the First Regular Session of the 128th Legislature.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.'

SUMMARY

This amendment, which is the majority report of the committee, replaces the bill with a resolve establishing the Commission on Child Poverty and Extreme Child Poverty. The commission has 13 members appointed by the President of the Senate and the Speaker of the House of Representatives. The commission must invite the director of the office of family independence within the Department of Health and Human Services or the director's designee and the Director of the Office of Child and Family Services within the Department of Health and Human Services or the director's designee to participate. The commission must study the scope and magnitude of child poverty and extreme child poverty in the State, the roots of poverty and reasons for any recent increases in poverty and recommend policy solutions to improve the situation of children in poverty and extreme poverty in this State. The commission must submit a report to the Legislature no later than November 2, 2016.

The amendment also establishes a moratorium on actions to contract for the administration of the ASPIRE-TANF program until 90 days after the adjournment of the First Regular Session of the 128th Legislature in order to allow the commission to examine and recommend effective methods of administering the ASPIRE-TANF program and the Legislature to review and act on those recommendations before changes to administration of the program are made.

FISCAL NOTE REQUIRED

(See attached)



127th MAINE LEGISLATURE

LD 1631

LR 2712(02)

An Act To Reduce the Liability of Maine Taxpayers by Aligning Maine's Welfare Programs with Federal Law

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Health and Human Services

Fiscal Note Required: Yes

"A" (H-651)

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$500 in fiscal year 2015-16 and \$1,750 in fiscal year 2016-17. The Legislature's budget includes \$10,000 in fiscal year 2015-16 and \$10,000 in fiscal year 2016-17 for legislative studies. The balance currently available in fiscal year 2015-16 is \$2,725. Whether the amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

Fiscal Detail and Notes

Any additional costs to the Department of Health and Human Services to participate on the commission are expected to be minor and can be absorbed within existing budgeted resources.