

# MAINE STATE LEGISLATURE

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L.D. 1774

Date: 3/26/18

(Filing No. H-687)

**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1223, L.D. 1774, Bill, "An Act To Reduce Child Poverty by Leveraging Investments in Families for Tomorrow"

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

'Sec. 1. 22 MRSA c. 1054-C is enacted to read:

**CHAPTER 1054-C**

**HIGHER OPPORTUNITY FOR PATHWAYS TO EMPLOYMENT PROGRAM**

**§3790-A. Higher Opportunity for Pathways to Employment Program**

1. Program established. The department shall establish a student financial aid program based on need to be known as the Higher Opportunity for Pathways to Employment Program, referred to in this chapter as "the program," for a parent or caretaker relative of a minor child who is qualified to receive federal Temporary Assistance for Needy Families funds but does not receive Temporary Assistance for Needy Families cash assistance pursuant to chapter 1053-B and is matriculating in an education or training program, or is enrolled in a program providing remedial services necessary for the parent or caretaker relative to matriculate, that results in a high-value, industry-recognized certificate or similar credential, a postsecondary undergraduate 2-year degree or a postsecondary undergraduate 4-year degree in a health care, technology or engineering field. The department shall specify the health care, technology and engineering fields for the postsecondary undergraduate 4-year degree in department rules.

Enrollment in the program may not exceed 500 participants. To administer the program, the department may not divert funding from assistance and support services to families under the Temporary Assistance for Needy Families program pursuant to chapter 1053-B or from the operation of the Additional Support for People in Retraining and Employment - Temporary Assistance for Needy Families program pursuant to chapter 1054-A. If the commissioner reasonably anticipates that available funds will not support continued

**COMMITTEE AMENDMENT**

1 operation of the program, the commissioner shall limit or suspend enrollment or program  
2 services to the extent necessary to avoid negative effects to services provided under  
3 chapters 1053-B and 1054-A.

4 The program must be supported with funds provided under the Temporary Assistance for  
5 Needy Families block grant that are available under Title IV-A of the United States  
6 Social Security Act or funds transferred from that block grant to the social services block  
7 grant authorized under Title XX of the United States Social Security Act or the child care  
8 and development block grant authorized under the federal Child Care and Development  
9 Block Grant Act of 1990 and Section 418 of the United States Social Security Act. The  
10 department may not expend federal Temporary Assistance for Needy Families funds for  
11 services that meet the definition of "assistance" under regulations promulgated pursuant  
12 to the United States Social Security Act. To the extent allowable under federal law and  
13 subject to federal approval procedures associated with such funds, the program may also  
14 be supported with other federal funds, including, but not limited to, employment and  
15 training funds from the Supplemental Nutrition Assistance Program.

16 2. Eligibility criteria. To the extent that enrollment limits under subsection 1  
17 permit, enrollment or continued participation in the program must be granted if the  
18 applicant or participant:

19 A. Does not already have a marketable bachelor's degree;

20 B. Has the aptitude to successfully complete the proposed education or training  
21 program;

22 C. Is pursuing a postsecondary undergraduate degree, industry-recognized certificate  
23 or similar credential in a field or occupation that has at least an average job outlook  
24 as identified by the Center for Workforce Research and Information within the  
25 Department of Labor. For fields or occupations for which the job outlook is lower  
26 than average, the commissioner or the commissioner's designee must approve the  
27 applicant's or participant's education plan. If the applicant or participant is pursuing a  
28 postsecondary undergraduate 4-year degree, it must be in a health care, technology or  
29 engineering field as specified in department rules;

30 D. Is making satisfactory progress in the education or training program;

31 E. Has income that is equal to or below 185% of the nonfarm income official poverty  
32 line for a family of the size involved as defined by the federal Office of Management  
33 and Budget and revised annually in accordance with the United States Omnibus  
34 Budget Reconciliation Act of 1981, Section 673, Subsection 2; and

35 F. Has countable assets as described in department rules in the Temporary  
36 Assistance for Needy Families program pursuant to chapter 1053-B that are equal to  
37 or below \$10,000.

38 3. Program assistance. A program participant must be provided with a package of  
39 student aid that includes all support services necessary for participation in the program  
40 that are at least equivalent to those provided under chapter 1054-A.

41 4. Campus-based student support and navigation. The department shall provide  
42 annually up to \$1,000,000 in Temporary Assistance for Needy Families funds described  
43 in subsection 1 to educational institutions to establish or supplement personalized

1 professional guidance, support and navigation services provided directly to program  
 2 participants to promote program completion and student success.

3 5. Protection from loss of income. To the extent permitted by federal law, aid  
 4 received under this section must be disregarded as income and excluded as a resource or  
 5 asset for the purposes of any state, federal, tribal or municipal assistance program.

6 6. Rules. The department shall adopt rules to implement this section. Rules adopted  
 7 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,  
 8 subchapter 2-A.

9 **Sec. 2. Appropriations and allocations.** The following appropriations and  
 10 allocations are made.

11 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

12 **Temporary Assistance for Needy Families 0138**

13 Initiative: Provides an allocation for campus-based student support and navigation  
 14 services in the Higher Opportunity for Pathways to Employment Program.

15	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
16	All Other	\$0	\$420,000
17			
18	<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$420,000</b>

19 **Temporary Assistance for Needy Families 0138**

20 Initiative: Provides allocations for the Higher Opportunity for Pathways to Employment  
 21 Program available to persons with minor children who do not receive cash assistance  
 22 under the Temporary Assistance for Needy Families program, who have incomes at or  
 23 below 185% of the federal poverty level and who are pursuing a postsecondary degree,  
 24 industry-recognized certificate or similar credential.

25	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
26	All Other	\$0	\$1,461,136
27			
28	<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$1,461,136</b>

29 **Temporary Assistance for Needy Families 0138**

30 Initiative: Provides an allocation for one Family Independence Program Manager for the  
 31 Higher Opportunity for Pathways to Employment Program.

32	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
33	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
34	Personal Services	\$0	\$98,635
35	All Other	\$0	\$6,286

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FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$104,921
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**Temporary Assistance for Needy Families 0138**

Initiative: Provides allocations for 2 Senior Planner positions for the Higher Opportunity for Pathways to Employment Program.

	2017-18	2018-19
FEDERAL BLOCK GRANT FUND		
POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$167,953
All Other	\$0	\$12,572
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$180,525

**HEALTH AND HUMAN SERVICES,  
DEPARTMENT OF  
DEPARTMENT TOTALS**

	2017-18	2018-19
FEDERAL BLOCK GRANT FUND	\$0	\$2,166,582
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$2,166,582

**SUMMARY**

This amendment strikes and replaces the bill. It removes the food supplement employment and training program established in the bill. It makes the following changes to the Working Families Parents as Scholars Program.

1. It renames the program the Higher Opportunity for Pathways to Employment Program and establishes it in a new chapter in the Maine Revised Statutes, Title 22.

2. It changes eligibility for the program from applicants or participants who are not qualified for Temporary Assistance for Needy Families cash assistance to those who are qualified but are not receiving Temporary Assistance for Needy Families cash assistance.

3. It limits participation in the program to 500 participants.

4. It adds an asset limit for eligibility.

5. It allows the Commissioner of Health and Human Services to limit or suspend the program if sufficient funding is not available.

6. It limits participation for 4-year undergraduate degrees to those fields of health care, technology and engineering determined by department rules to allow for changing employment needs in the State.

- 1 7. It removes the responsibility for determining aptitude for completion of an
- 2 educational program and determining satisfactory educational progress from the
- 3 institution providing the educational program.
  
- 4 8. It removes the provision related to expanding work study opportunities.
  
- 5 The amendment also adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**

(See attached)



# 128th MAINE LEGISLATURE

LD 1774

LR 2747(02)

## An Act To Reduce Child Poverty by Leveraging Investments in Families for Tomorrow

Fiscal Note for Bill as Amended by Committee Amendment *A (H-687)*

Committee: Health and Human Services

Fiscal Note Required: Yes

### Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
<b>Appropriations/Allocations</b>				
Federal Block Grant Fund	\$0	\$2,166,582	\$2,130,192	\$2,140,505
<b>Revenue</b>				
Federal Block Grant Fund	\$0	\$2,166,582	\$2,130,192	\$2,140,505

#### Fiscal Detail and Notes

The bill includes Federal Block Grant Fund allocations to the Department of Health and Human Services of \$2,166,582 in fiscal year 2018-19 for funding provided to educational institutions for campus-based student support and navigation services and for student financial aid through the Higher Opportunities for Pathways Program available to persons with minor children who do not receive cash assistance under the TANF program, who have incomes at or below 185% of the federal poverty level and who are pursuing a postsecondary degree, industry-recognized certificate or similar credential.