

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2008

**CHAPTER 641
S.P. 362 - L.D. 1110**

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

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

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

6-H.

<u>Economic</u>	<u>Maine</u>	<u>Legislative</u>	<u>5 MRSA</u>
<u>Devel-</u>	<u>Council on</u>	<u>per diem</u>	<u>§13171</u>
<u>opment</u>	<u>Poverty and</u>	<u>for ap-</u>	
	<u>Economic</u>	<u>pointed</u>	
	<u>Security</u>	<u>members</u>	
		<u>plus ex-</u>	
		<u>penses</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.

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

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

- (1) Two members of the Senate, who may not be from the same political party, appointed by the President of the Senate;
- (2) Four members of the House of Representatives, of whom no more than 2 may be members of the same political party, appointed by the Speaker of the House of Representatives;
- (3) One member of the nonprofit community serving individuals living in or near poverty,

appointed by the Governor based on recommendations of statewide organizations serving low-income persons;

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

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

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

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

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

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

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

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

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

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

(14) One representative of Native Americans, appointed by the Governor based on the recommendations of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indi-

ans, the Passamaquoddy Tribe and the Penobscot Nation.

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

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

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

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

2. Duties of council. The council shall:

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

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

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

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

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

F. Establish measurable benchmarks for the elimination of poverty in the State by setting percentage reductions in the number of people living

in or near poverty in the next 5, 10 and 20 years; and

G. Establish procedures for the operation of the council.

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

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

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

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

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

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

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

See title page for effective date.