

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## An Act To Establish an Independent Citizens Oversight Committee on Maine's Welfare Programs

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

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

**18.**

Human Services      Independent Citizens      Not Authorized      22 MRSA §3110  
Oversight Committee

**Sec. 2. 22 MRSA §3109** is 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.

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

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

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

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

- A. The percentage of households with dependent children living at or below 100% of the federal poverty level;
- B. The percentage of households with dependent children headed by single parents living at or below 100% of the federal poverty level;
- C. The percentage of households with dependent children living at or below 50% of the federal poverty level;
- D. The percentage of households with dependent children that are homeless;
- E. The percentage of TANF participants with a high school diploma or general equivalency diploma or the equivalent;
- F. The percentage of TANF participants with a postsecondary degree or certificate;
- G. The percentage of people experiencing food insecurity; and
- H. The percentage of people experiencing very low food security as defined by the United States Department of Agriculture.

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

- A. The number and percentage of families with earnings in the 2nd and 4th quarters of the fiscal year after leaving TANF;
- B. The mean and median amount of earnings for families in the 2nd and 4th quarters of the fiscal year after leaving TANF;
- C. The number and percentage of families with earnings below 100%; between 100% and 150%; between 151% and 200%; and in excess of 200% of the federal poverty level in the 2nd and 4th quarters of the fiscal year after leaving TANF;
- D. For families that continue to participate in the statewide food supplement program established pursuant to section 3104 or MaineCare, the number and percentage of families with no income and those with income including, but not limited to, earnings from employment below 50%; between 51% and 100%; between 101% and 150%; and between 151% and 200% of the federal poverty level in the 2nd and 4th quarters of the fiscal year after leaving TANF; and
- E. For families with children under 5 years of age that continue to participate in the statewide food supplement program established pursuant to section 3104 or MaineCare, the number and share of families with no income and those with income including, but not limited to, earnings from employment below 50% and between 51% and 100% of the federal poverty level.

**4. Benchmarks and goals established.** The department shall use the data gathered pursuant to subsections 2 and 3 to establish benchmarks for earnings measures under subsection 3, as well as goals for the department along with performance measures to establish progress in meeting those goals. By January 15, 2018, the department shall establish a performance baseline for each earnings measure under subsection 3.

**5. Report.** By January 30, 2019, and annually thereafter, the department shall report the results of the benchmarks established pursuant to subsection 4 and the progress in meeting goals in the preceding year to the joint standing committee of the Legislature having jurisdiction over human services matters. If the department does not successfully meet the goals, the department shall identify the factors that affected the ability to meet those goals and provide a plan for overcoming the obstacles in order to meet the benchmarks the following year. The department's plan must be reviewed by both the Independent Citizens Oversight Committee established pursuant to section 3110 and the joint standing committee of the Legislature having jurisdiction over human services matters. The joint standing committee of the Legislature having jurisdiction over human services matters may introduce legislation that it considers necessary to improve the department's ability to meet its benchmarks and goals in the following year.

**Sec. 3. 22 MRSA §3110** is enacted to read:

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

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

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

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

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

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

A. A member active in a business organization representing the business community, appointed by the President of the Senate;

B. A member representing a senior citizens organization, appointed by the President of the Senate;

- C. A member representing a charitable community foundation, appointed by the President of the Senate;
- D. A member representing an organization that represents the interests of persons with disabilities, appointed by the President of the Senate;
- E. A member representing a public postsecondary institution in this State, appointed by the Speaker of the House of Representatives;
- F. A member who is a parent or guardian of at least one minor child, appointed by the Speaker of the House of Representatives;
- G. A member representing a community social service organization, appointed by the Speaker of the House of Representatives;
- H. A member representing an organization that provides vocational or employment services, appointed by the Speaker of the House of Representatives; and
- I. A member representing an organization serving the community's health needs, appointed by the Speaker of the House of Representatives.

Notwithstanding paragraphs D and G, a state employee or an official, vendor, contractor or consultant of the State may not be appointed to the committee.

**5. Report.** By March 1, 2019, and annually thereafter, the committee shall provide a report to the joint standing committee of the Legislature having jurisdiction over human services matters on the department's progress in meeting benchmarks and goals established in section 3109, subsection 4.

## SUMMARY

This bill requires the Department of Health and Human Services to collect data related to performance measures of the Temporary Assistance for Needy Families, or TANF, program, including reducing child poverty and food insecurity and improving educational attainment, employment and income levels. It also requires the department to set benchmarks to measure improvement and success of the TANF program.

It establishes the Independent Citizens Oversight Committee to monitor the Department of Health and Human Services' progress with respect to meeting benchmarks for success of the TANF program.