

1 S.280

2 Introduced by Senator Ingram

3 Referred to Committee on Health and Welfare

4 Date: January 3, 2018

5 Subject: Human services; child poverty; advisory council

6 Statement of purpose of bill as introduced: This bill proposes to establish the

7 Child Poverty Advisory Council.

8 ~~An act relating to the Child Poverty Advisory Council~~

~~An act relating to the Advisory Council for Strengthening Families~~

*An act relating to the Advisory Council on Child Poverty and Strengthening Families*

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 ~~Sec. 1. CHILD POVERTY ADVISORY COUNCIL~~

~~(a) Creation. There is created the ~~Child Poverty Advisory Council~~  
*Advisory Council for Strengthening Families* to examine structural issues in  
Vermont that create conditions that prevent families from moving out of  
poverty. The Advisory Council shall provide guidance and recommend  
legislation to the General Assembly that either reduces or mitigates the effects  
of childhood poverty.~~

11 ~~(b)(1) Voting membership. The Advisory Council shall be composed of~~  
12 ~~the following 13 voting members:~~

- 1 ~~(A) the President Pro Tempore of the Senate or designee;~~
- 2 (B) the Speaker of the House or designee;
- 3 (C) the Chair of the Senate Committee on Education or designee;
- 4 (D) the Chair of the Senate Committee on Health and Welfare or  
5 designee;
- 6 (E) the Chair of the House Committee on Education or designee;
- 7 (F) the Chair of the House Committee on Human Services or  
8 designee;
- 9 (G) a member appointed by Voices for Vermont's Children;
- 10 (H) a member appointed by the Vermont Low Income Advocacy  
11 Council;
- 12 (I) a member appointed by Vermont Legal Aid;
- 13 (J) a member appointed by the Vermont Coalition for Disability  
14 Rights;
- 15 (K) a member appointed by the Vermont Affordable Housing  
16 Coalition;
- 17 (L) a nongovernmental designee of the Child and Family Trauma  
18 Work Group who does not otherwise represent an organization with  
19 membership on this Council; and
- 20 (M) an employee of the prekindergarten through grade 12 public  
21 ~~education delivery system in Vermont appointed jointly by the Executive~~

1 ~~Directors of the Vermont Superintendents Association, the Vermont Principals'~~  
2 ~~Association, and the Vermont Council of Special Education Coordinators.~~

~~(1) Voting membership. The Advisory Council shall be composed of the following 13 voting members:~~

~~(A) three members of the Senate, not all from the same political party, appointed by the Committee on Committees, including one member from the Committee on Education and one member from the Committee on Health and Welfare;~~

~~(B) three members of the House, not all from the same political party, appointed by the Speaker of House, including one member from the Committee on Education and one member from the Committee on Human Services;~~

~~(C) a member appointed by Voices for Vermont's Children;~~

~~(D) a member appointed by the Vermont Low Income Advocacy Council;~~

~~(E) a member appointed by Vermont Legal Aid;~~

~~(F) a member appointed by the Vermont Coalition for Disability Rights;~~

~~(G) a member appointed by the Vermont Affordable Housing Coalition;~~

~~(H) a nongovernmental designee of the Child and Family Trauma Work Group who does not otherwise represent an organization with membership on this Council; and~~

~~(I) an employee of the prekindergarten through grade 12 public education delivery system in Vermont appointed jointly by the Executive Directors of the Vermont Superintendents Association, the Vermont Principals' Association, and the Vermont Council of Special Education Coordinators.~~

3 (2) Nonvoting membership. The Advisory Council shall be composed  
4 of the following five nonvoting members or designees:

5 (A) the Secretary of Education;

6 (B) the Secretary of Human Services;

7 (C) the Commissioner for Children and Families;

1 (D) the Commissioner of Health; and

2 (E) the Commissioner of Labor.

3 (c) Powers and duties. The Advisory Council shall examine structural  
4 issues in Vermont that create conditions that prevent families from moving out  
5 of poverty and shall provide related guidance and recommendations to the  
6 General Assembly. It shall serve as an educational forum for both its members  
7 and the public. The Council shall use data to understand better existing and  
8 emerging challenges to children and families living in poverty.

9 (d) Assistance. The Advisory Council shall have the administrative,  
10 technical, and legal assistance of the Office of Legislative Council.

11 (e) Work products.

12 (1) Recommendations. On or before January 1 of each year, the  
13 Advisory Council may submit a list of recommendations and legislative  
14 priorities from the previous calendar year to the General Assembly that are  
15 aimed at reducing or mitigating the effects of childhood poverty.

16 (2) Legislation. On or before November 15 of each year, the Advisory  
17 Council may prepare legislation for introduction by one or more of its  
18 legislative members that contains any of the Advisory Council's  
19 recommendations for reducing or mitigating the effects of childhood poverty.

20 (3) Compilation of minutes. On or before January 1 of each year, the  
21 Advisory Council shall submit to the General Assembly a compilation of its

1 ~~meeting minutes from the previous calendar year, which summarizes the~~

2 Advisory Council's activities and decisions.

3 (f) Meetings.

4 (1) The Speaker of the House or designee shall call the first meeting of  
5 the Advisory Council to occur on or before July 1 of each year.

6 (2) Each year the Council shall select a chair from among its legislative  
7 members at the first meeting. The Council may select a vice chair from among  
8 its legislative members.

9 (3) A majority of the membership shall constitute a quorum.

10 (4)(A) The Advisory Council shall cease to exist on July 1, 2028.

11 (B) Five years prior, in 2023, the Advisory Council shall conduct a  
12 midterm review of its achievements and effectiveness using results-based  
13 accountability. Among any other benchmarks that the Advisory Council  
14 chooses to measure pursuant to subdivision (C) of this subdivision (4), it shall  
15 review, as compared to 2016:

16 (i) the number and percentage of children living in families at  
17 50 percent, 100 percent, and 200 percent of the federal poverty level; and

18 (ii) the number and percentage of children living in families  
19 paying more than 30 percent of their cash income for housing and related  
20 expenses.

21 ~~(C) On or before January 1, 2019, the Advisory Council shall identify~~

1 ~~any additional benchmarks it plans to measure during its 2023 midterm review.~~

2 (g) Compensation and reimbursement.

3 (1) For attendance at meetings during adjournment of the General  
4 Assembly, a legislative member of the Advisory Council serving in his or her  
5 capacity as a legislator shall be entitled to per diem compensation and  
6 reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than six  
7 meetings.

8 (2) Other members of the Advisory Council who are not employees of  
9 the State of Vermont and who are not otherwise compensated or reimbursed  
10 for their attendance shall be entitled to per diem compensation and  
11 reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than six  
12 meetings.

13 (3) Payments to members of the Advisory Council authorized under this  
14 subsection shall be made from monies appropriated to the General Assembly.

15 Sec. 2. EFFECTIVE DATE

16 ~~This act shall take effect on July 1, 2018.~~

*Sec. 1. ADVISORY COUNCIL ON CHILD POVERTY AND  
STRENGTHENING FAMILIES*

*(a)(1) There is created the Advisory Council on Child Poverty and  
Strengthening Families to:*

*(A) identify and examine structural and other issues in Vermont that:*

*(i) lead to families living in poverty; and*

*(ii) create conditions that prevent families from moving out of  
poverty; and*

(B) advance policies that:

(i) promote financial stability and asset building;

(ii) support safety nets for families with low income; and

(iii) mitigate the effects of childhood poverty.

(2) The Advisory Council shall provide guidance and recommend policies that either reduce incidences of or mitigate the effects of childhood poverty. It shall serve as an educational forum for both its members and the public. The Advisory Council shall use data better to understand existing and emerging challenges to children and families living in poverty.

(3) The Advisory Council shall monitor the development and implementation of the Agency of Human Services' childhood trauma response plan required pursuant to 2017 Acts and Resolves No. 43, Sec. 4.

(b)(1) Voting membership. The Advisory Council shall be composed of the following 15 voting members:

(A) three members of the Senate, not all from the same political party, appointed by the Committee on Committees, including one member from the Committee on Education and one member from the Committee on Health and Welfare;

(B) three members of the House, not all from the same political party, appointed by the Speaker of House, including one member from the Committee on Education and one member from the Committee on Human Services;

(C) a member appointed by Voices for Vermont's Children;

(D) a member appointed by the Vermont Low Income Advocacy Council;

(E) a member appointed by Vermont Legal Aid;

(F) a member appointed by the Vermont Coalition for Disability Rights;

(G) a member appointed by the Vermont Affordable Housing Coalition;

(H) a nongovernmental designee of the Child and Family Trauma Work Group who does not otherwise represent an organization with membership on this Council;

(I) an employee of the prekindergarten through grade 12 public education delivery system in Vermont appointed jointly by the Executive Directors of the Vermont Superintendents Association, the Vermont Principals' Association, and the Vermont Council of Special Education Coordinators;

(J) a business owner appointed by the Vermont Businesses Roundtable; and

(K) a member appointed by the Vermont Community Action Partnership.

(2) Nonvoting membership. The Advisory Council shall be composed of the following five nonvoting members or designees:

(A) the Secretary of Education;

(B) the Secretary of Human Services;

(C) the Commissioner for Children and Families;

(D) the Commissioner of Health; and

(E) the Commissioner of Labor.

(c) Assistance. The Advisory Council shall have the administrative, technical, and legal assistance of the Office of Legislative Council and the Joint Fiscal Office.

(d) Work products.

(1) Compilation of minutes. On or before January 1 of each year, the Advisory Council shall submit to the General Assembly a compilation of its meeting minutes from the previous calendar year that summarizes the Advisory Council's activities and decisions.

(2) Recommendations. On or before January 1 of each year, the Advisory Council shall submit a list of policy recommendations and legislative priorities from the previous calendar year to the General Assembly or to the appropriate State agency or organization that are aimed at reducing incidences of or mitigating the effects of childhood poverty.

(3) Legislation. On or before November 15 of each year, the Advisory Council may prepare legislation for introduction by one or more of its legislative members that contains any of the Advisory Council's policy recommendations for reducing incidences of or mitigating the effects of childhood poverty.

(e) Meetings.

(1) The member of the House Committee on Human Services shall call the first meeting of the Advisory Council to occur on or before July 1 of each year.

(2) Each year the Advisory Council shall select a chair from among its legislative members at the first meeting. The Advisory Council may select a vice chair from among its legislative members.



(3) A majority of the voting members shall constitute a quorum.

(4) At least once annually, the Advisory Council shall meet in a location other than the State House for the purpose of receiving testimony from members of Vermont families experiencing poverty or organizations providing direct services to Vermont families experiencing poverty.

(5)(A) The Advisory Council shall cease to exist on July 1, 2028.

(B) Five years prior, in 2023, the Advisory Council shall conduct a midterm review of its achievements and effectiveness using results-based accountability. Among any other benchmarks that the Advisory Council chooses to measure pursuant to subdivision (C) of this subdivision (5), it shall review, as compared to 2016:

(i) the number and percentage of children living in families at 50 percent, 100 percent, and 200 percent of the federal poverty level; and

(ii) the number and percentage of children living in families paying more than 30 percent of their cash income for housing and related expenses.

(C) On or before January 1, 2019, the Advisory Council shall identify any additional benchmarks it plans to measure during its 2023 midterm review.

(f) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Advisory Council serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than six meetings.

(2) Other members of the Advisory Council who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than six meetings.

(3) Payments to members of the Advisory Council authorized under this subsection shall be made from monies appropriated by the General Assembly.

Sec. 2. 2015 Acts and Resolves No. 60, Sec. 23 is amended to read:

Sec. 23. JOINT LEGISLATIVE CHILD PROTECTION OVERSIGHT  
COMMITTEE

\* \* \*

(c) Powers and duties.

(1) The Committee shall:

~~(A) Exercise exercise oversight over Vermont's ~~system~~ systems for youth justice and protecting children from abuse and neglect, including:~~

~~(i)(A) evaluating whether the branches, departments, agencies, and persons that are responsible for protecting children from abuse and neglect are effective;~~

~~(ii)(B) determining if there are deficiencies in the system and the causes of those deficiencies;~~

~~(iii)(C) evaluating which programs are the most cost-effective;~~  
~~and~~

~~(iv)(D) determining whether there is variation in policies, procedures, practices, and outcomes between different areas of the State and the causes and results of any such variation;~~

~~(v) evaluating whether licensed mandatory reporters should be required to certify that they completed training on the requirements set forth under 33 V.S.A. § 4913; and~~

~~(vi) evaluating the measures recommended by the Working Group to Recommend Improvements to CHINS Proceedings established in Sec. 24 of this act to ensure that once a child is returned to his or her family, the court or the Department for Children and Families may continue to monitor the child and family where appropriate.~~

~~(B) The Committee shall report any proposed legislation on or before January 15, 2016 to the House and Senate Committees on Judiciary, the House Committee on Human Services, and the Senate Committee on Health and Welfare.~~

~~(2) The Committee may review and make recommendations to the House and Senate Committees on Appropriations regarding budget proposals and appropriations relating to protecting children from abuse and neglect.~~

\* \* \*

~~(h) Sunset. On June 1, 2018 2022, this section (creating the Joint Legislative Child Protection Oversight Committee) is repealed and the Committee shall cease to exist.~~

*Sec. 3. EFFECTIVE DATES*

*This act shall take effect on passage; provided, however, that if the date of passage is after June 1, 2018, then notwithstanding 1 V.S.A. § 214, Sec. 2 shall apply retroactively to June 1, 2018.*