SENATE DOCKET, NO. 1600 FILED ON: 1/21/2011

# SENATE . . . . . No. 1839

## The Commonwealth of Massachusetts

PRESENTED BY:

***James B. Eldridge***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act promoting financial stability and asset development.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *James B. Eldridge* | |
| *Linda Dorcena Forry* | *12th Suffolk* |
| *Peter V. Kocot* | *1st Hampshire* |
| *Susan C. Fargo* | |
| *Kenneth J. Donnelly* | |
| *Carl M. Sciortino, Jr.* | *34th Middlesex* |
| *Harriette L. Chandler* | |
| *Gloria L. Fox* | *7th Suffolk* |
| *Michael F. Rush* | *Suffolk and Norfolk* |
| *Cory Atkins* | *14th Middlesex* |
| *Sal N. DiDomenico* | *Middlesex, Suffolk, and Essex* |
| *Patricia D. Jehlen* | |
| *Frank I. Smizik* | *15th Norfolk* |
| *Kevin Aguiar* | *7th Bristol* |
| *Denise Andrews* | *2nd Franklin* |
| *Sonia Chang-Diaz* | |
| *Thomas M. McGee* | *Third Essex and Middlesex* |
| *Denise Provost* | *27th Middlesex* |

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|---|---|
| *Joyce A. Spiliotis* | *12th Essex* |
| *Karen E. Spilka* | |
| *Ellen Story* | *3rd Hampshire* |

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# SENATE . . . . . No. 1839

By Mr. Eldridge, petition (accompanied by bill, Senate, No. 1839) of James B. Eldridge, Linda Dorcena Forry, Peter V. Kocot, Susan C. Fargo and other members of the General Court for legislation to promote asset development in transitional assistance programs [Joint Committee on Children, Families and Persons with Disabilities].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *38* OF 2009-2010.]

## The Commonwealth of Massachusetts

**In the Year Two Thousand Eleven**

An Act promoting financial stability and asset development.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Notwithstanding any general or special law to the contrary and to the maximum extent possible in light of the need to preserve available sources of federal funding, it is the policy of the Commonwealth to encourage low-income parents, including those who receive assistance under the program of transitional aid to families with dependent children, to obtain the vocational educational training they need to obtain and retain good paying jobs with benefits that will enable them to support their families in the longer term. Consistent with this policy, the department of transitional assistance shall:

a) in collaboration with the workforce development system and the community college system, maintain in each local office of the department an up-to-date listing and description of all vocational educational programs within the relevant geographic region that can be accessed at

11 little or no cost to the individual, including adult basic education, English for speakers of other
12 languages, skills training, certificate programs, and higher education programs;

13 b) at least 30 days before an individual becomes subject to the work program requirement
14 pursuant to section 110 (j) of chapter 5 of the acts of 1995 and before completion of any
15 Employment Development Plan pursuant to section 110 (h) of said chapter 5, (i) inform the
16 individual orally and in writing that said work program requirement may be met by participation
17 in vocational educational programs, including adult basic education, English for speakers of
18 other languages, skills training, certificate programs, and higher education programs, (ii) inform
19 the individual of all vocational educational programs available in the relevant geographic region
20 that can be accessed at little or no cost to the individual, and (iii) inform that individual of the
21 policies described in subsections (e) and (f) of this section;

22 c) at least 30 days before an individual becomes subject to the work program requirement
23 pursuant to section 110 (j) of chapter 5 of the acts of 1995 and before completion of any
24 Employment Development Plan pursuant to section 110 (h) of said chapter 5, provide the
25 individual with counseling on how to access vocational educational training without incurring
26 debt, including but not limited to information on the availability of funding for such programs
27 through the Employment Services Program, the Workforce Investment Act, PELL grants, the
28 Educational Rewards program, the Department of Education, and appropriate referrals to such
29 vocational educational training;

30 d) use funds appropriated for the department's Employment Services Program to expand
31 the availability of programs that integrate skills training with adult basic education for those

32 without a high school diploma and/or English for speakers of other language instruction for those
33 with limited English proficiency, including but not limited to programs at community colleges;

34 e) encourage and allow individuals to satisfy their work program requirements pursuant
35 to said section 110(j), in whole or in part and throughout their periods of time limited benefits
36 and any extension periods, by participating in vocational educational training programs; and

37 f) grant extensions of the time limit to enable individuals to complete such programs if
38 they are making satisfactory progress toward an achievable vocational goal.

39 SECTION 2. Subsection (b) of section 110 of chapter 5 of the acts of 1995, as most
40 recently amended by section 308 of chapter 159 of the acts of 2000, is further amended by
41 striking out said subsection and inserting in place thereof the following new subsection:

42 (b) In order to encourage asset development, promote employment, prevent
43 homelessness, and simplify administration, otherwise eligible families shall not be subject to a
44 resource limit.

45 SECTION 3. Notwithstanding any general or special law to the contrary, in order to
46 encourage asset development, promote employment, prevent homelessness, and simplify
47 administration, persons otherwise eligible for the program of emergency aid to elders, disabled
48 and children under chapter 117A of the General Laws shall not be subject to a resource limit.

49 SECTION 4. Notwithstanding any general or special law to the contrary, on or before
50 October 1, 2011, the department of transitional assistance shall establish a generally applicable
51 work expense deduction within the program of transitional aid to families with dependent
52 children at a level intended to cover work expenses incurred by working recipients, including but

53 not limited to payroll deductions, transportation, and clothing expenses. Said work expense
54 deduction shall initially be no less than $250 and shall thereafter be adjusted annually to reflect
55 inflation.

56 SECTION 5. Notwithstanding any general or special law to the contrary, payments
57 under state or private work study programs and state grants for education or training shall not be
58 counted as income or a resource in determining eligibility for or benefits levels under the
59 program of emergency aid to elders, disabled and children under chapter 117A of the General
60 Laws and the program of transitional aid to families with dependent children under chapter 118
61 of the General Laws.

62 SECTION 6. Notwithstanding any general or special law to the contrary and in order to
63 encourage asset development, promote employment, and prevent homelessness, with respect to
64 the programs of emergency aid to elders, disabled and children under chapter 117A of the
65 general laws and transitional aid to families with dependent children under chapter 118 of the
66 General Laws, the department of transitional assistance shall treat as noncountable with regard to
67 any maximum countable resource limits and the lump sum income rule up to $10,000 that has
68 been expended or is placed in an Individual Asset Account for later expenditure for costs related
69 to education or training, transportation to work or to other activities of daily living, obtaining or
70 retaining or maintaining housing, debt reduction, starting a business, health care, basic household
71 necessities, or other responsible expenses as identified by the department.