

HOUSE BILL 333

IN THE HOUSE

January 23, 1979

Introduced and referred to
Committee on Labor and
Employment Relations.

February 13, 1979

Committee recommend bill, do
not pass.

February 15, 1979

Report adopted.

1 *HOUSE* BILL NO. *333*
2 INTRODUCED BY *Sharon Mank*
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A PILOT
5 PROGRAM TO PROVIDE RECIPIENTS OF PUBLIC ASSISTANCE AN
6 OPPORTUNITY TO CONTRIBUTE THEIR EFFORTS TO SOCIETY IN RETURN
7 FOR ASSISTANCE RECEIVED AND TO EXPLORE THE FEASIBILITY OF
8 ESTABLISHING SUCH A PROGRAM PERMANENTLY."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Purpose. The purpose of [this act] is to
12 establish a pilot work program to be applied in limited
13 areas of the state to provide recipients of public
14 assistance an opportunity to contribute their efforts to
15 society and to explore the feasibility of expanding this
16 program to cover the entire state. The goal of the program
17 is to avail a person who is able to work, but for whatever
18 reason cannot work, of the opportunity to contribute his
19 efforts on a constructive work project in return for public
20 assistance received.

21 Section 2. Department of social and rehabilitation
22 services to establish pilot work program. The department of
23 social and rehabilitation services shall establish a pilot
24 program wherein an employable or potentially employable
25 person may be required to participate in a work program to

1 be eligible to receive public assistance. In establishing
2 this program, the department may enter into agreements with
3 any governmental unit or agency or any nonprofit agency in
4 the establishment of work projects. The pilot project shall
5 be established in at least six counties in the state. The
6 department may adopt rules necessary for the administration
7 of the program.

8 Section 3. Determination of ability to work. The
9 department shall establish rules for determination of
10 employability. A person shall be considered employable if
11 not rendered unable to work by:

12 (1) illness or significant and substantial
13 incapacitation to the extent that the illness or
14 incapacitation prevents the person from performing services;

15 (2) advanced age; or

16 (3) the need of the person to provide full-time care
17 for other members of the person's household who are wholly
18 incapacitated or who are children and for whom required care
19 is not otherwise reasonably available notwithstanding
20 diligent efforts by the person to obtain others to provide
21 care.

22 Section 4. Work program not to interfere with other
23 programs. (1) The work programs established under this act
24 may not be used to supplant or perform any work ordinarily
25 and actually performed by regular employees of any

1 government department or to replace or perform any work
 2 ordinarily performed by craftsmen or tradesmen in private
 3 employment. Work performed for a nonprofit agency must not
 4 result in the displacement of regular employees of the
 5 agency.

6 (2) No person may be required to participate in a work
 7 project if such participation would interfere with his
 8 participation in an approved training program designed to
 9 improve his employability and in which he would otherwise
 10 participate.

11 (3) If any portion of the program is found to conflict
 12 with federal law or rules, that portion may be suspended.
 13 The reason for suspension shall be reflected in the report
 14 required under [section 6].

15 Section 5. Limitation on days of work required. A
 16 person participating in a work program may not be required
 17 to work more than the number of days necessary to earn the
 18 amount to which he is eligible under the public assistance
 19 laws of the state. The equivalent rate of reimbursement may
 20 not be less than the minimum wage.

21 Section 6. Department to report results and make
 22 recommendations. The department of social and rehabilitation
 23 services shall report to the 47th legislature the results of
 24 the pilot program established under [this act] and make
 25 recommendations as to the feasibility of continuing the work

1 program and expanding it throughout the state. The
 2 department's report shall be accompanied by legislation
 3 necessary to implement recommendations made.

4 Section 7. Expiration of [act]. [This act] expires
 5 June 30, 1981.

-End-