

House Bill 623

In The House

February 3, 1981

Introduced and referred  
to Committee on Appropriations.

April 1, 1981

Committee recommend bill  
do not pass.

HOUSE BILL NO. 623

INTRODUCED BY

*Waldron* *Conrad* *Bengtson*  
*Alverson* *Lee* *O'Donnell* *Tom* *Boyd* *Bo* *Jane*  
*Cole* *McBride* *Judy* *Jacobson* *W* *Harold* *Proctor*

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A DISPLACED  
HOMEMAKER PROGRAM AND PROVIDING FOR AN APPROPRIATION;  
AMENDING SECTION 25-1-201, MCA." *Hemstad*

WHEREAS, the legislature finds that there are an increasing number of persons in the state who, being in their middle years and having fulfilled the role of homemaker, find themselves displaced because of dissolution of marriage, death or disability of spouse, or other loss of family income; and

WHEREAS, the legislature finds that displaced homemakers have a greatly reduced income and a high rate of unemployment due to age, education, or lack of paid work experience and are likely to be ineligible for social security benefits, unemployment compensation, medicaid, and other health insurance benefits or pension plans of the spouse; and

WHEREAS, the legislature finds that homemakers are an unrecognized part of the work force who make an invaluable contribution to the welfare of the society as a whole.

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

NEW SECTION. Section 1. Short title. [Sections 1 through 10] may be cited as the "Displaced Homemaker Act".

NEW SECTION. Section 2. Purpose. It is the intention of the legislature to provide necessary counseling, training, jobs, services, and health care for displaced homemakers so they may achieve independence and the economic security vital to a productive life.

NEW SECTION. Section 3. Definitions. As used in [sections 1 through 10], the following definitions apply:

- (1) "Displaced homemaker" means an individual who:
  - (a) has worked in the home for at least 7 years providing unpaid household services for family members;
  - (b) is not gainfully employed or is underemployed;
  - (c) has had or would have difficulty securing paid employment; and
  - (d) was dependent on the income of another family member but is no longer supported by such income or was dependent on federal assistance but is no longer eligible for such assistance.
- (2) "Commissioner" means the commissioner of the department of labor and industry.

NEW SECTION. Section 4. Multipurpose service programs for displaced homemakers -- administrators. (1) The commissioner may establish multipurpose service programs for displaced homemakers and may enter into contracts with and

1 make grants to nonprofit agencies or organizations, public  
2 or private, to establish, organize, and administer the  
3 programs described in [section 5].

4 (2) The commissioner shall contract with an  
5 administrator for each program.

6 NEW SECTION. Section 5. Programs to aid displaced  
7 homemakers. (1) The programs shall be developed in  
8 cooperation with federal, state, and local agencies and with  
9 private employers in order to coordinate efforts directed  
10 toward enabling the displaced homemaker to maintain economic  
11 security and emotional well-being and to avoid unnecessary  
12 duplication of services.

13 (2) The services may include but are not limited to:

14 (a) job counseling services that are:

15 (i) specifically designed for displaced homemakers by  
16 taking into account and building upon their skills and  
17 experiences; and

18 (ii) operated to counsel displaced homemakers with  
19 respect to appropriate job opportunities;

20 ~~(b) job training and job placement services that:~~

21 ~~(i) include training and placement programs for jobs~~  
22 ~~in the public and private sectors;~~

23 (ii) assist displaced homemakers in gaining admission  
24 to existing public or private job training and educational  
25 programs; and

1 (iii) assist in identifying community needs and  
2 creating new jobs in the public and private sectors.

3 (c) referral to or development of programs for  
4 displaced homemakers in cooperation with local agencies that  
5 provide information and assistance with respect to health  
6 care, financial matters, education, nutrition, and legal  
7 problems;

8 (d) support services, such as:

9 (i) day care for preschool children;

10 (ii) transportation assistance; and

11 (iii) grants for education.

12 (e) development of outreach programs to serve rural  
13 areas where needs for such programs have been identified.

14 NEW SECTION. Section 6. Rulemaking duties of the  
15 commissioner. The commissioner, with the advice of other  
16 organizations and agencies who provide services to displaced  
17 homemakers, shall adopt rules:

18 (1) concerning the eligibility of persons who may be  
19 served by the program;

20 (2) concerning a sliding fee schedule for program  
21 services;

22 (3) concerning criteria for making grants as provided  
23 for in [section 4]; and

24 (4) necessary to carry out the provisions of [sections  
25 1 through 10].

1        NEW SECTION. Section 7. Acceptance of funds by  
2 administrator of local program. The administrator of the  
3 local displaced homemaker program may accept, use, and  
4 dispose of other grants or contributions of money, services,  
5 and property for the purpose of carrying out the provisions  
6 of [sections 1 through 10].

7        NEW SECTION. Section 8. Evaluation of multipurpose  
8 service programs -- reports to the commissioner. The  
9 administrator of each designated program established under  
10 [sections 1 through 9] shall report annually to the  
11 commissioner as prescribed by rule, which report must  
12 include:

- 13        (1) an evaluation of the effectiveness of the  
14 program's job counseling, training, placement referral,  
15 support, and outreach services to displaced homemakers; and  
16        (2) an accounting of all expenditures.

17        NEW SECTION. Section 9. Staff of service programs. To  
18 the extent possible, supervisory, technical, and  
19 administrative positions in the multipurpose service  
20 programs shall be filled by displaced homemakers.

21        NEW SECTION. Section 10. Partial funding from the  
22 local community. Twenty-five percent of the operational  
23 costs of a displaced homemaker program must come from the  
24 local community served by the program; the local  
25 contribution may include in-kind contributions.

1        Section 11. Section 25-1-201, MCA, is amended to read:  
2        "25-1-201. Fees of clerk of district court. (1) The  
3 clerk of the district court shall collect the following  
4 fees:

5        (a) at the commencement of each action or proceeding,  
6 from the plaintiff or petitioner, \$20; and for filing a  
7 complaint in intervention, from the intervenor, \$20; ~~and an~~  
8 additional fee for filing a petition for dissolution of  
9 marriage, \$15;

10        (b) from each defendant or respondent, on his  
11 appearance, \$10;

12        (c) on the entry of judgment, from the prevailing  
13 party, \$10;

14        (d) for preparing copies of papers on file in his  
15 office, 25 cents per page;

16        (e) for each certificate or oath and jurat, with seal,  
17 50 cents;

18        (f) for oath and jurat, with seal, 50 cents;

19        (g) for administering oath, 25 cents;

20        (h) for taking depositions, per folio, 20 cents;

21        (i) for filing and docketing a transcript of judgment  
22 or abstract of judgment from all other courts, \$5;

23        (j) for issuing an execution or order of sale on a  
24 foreclosure of a lien, \$2;

25        (k) for transmission of records or files or transfer

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1 of a case to another court, \$5;

2 (l) for filing and entering papers received by  
3 transfer from other courts, \$10;

4 (m) for issuing a marriage license, \$15;

5 (n) on the filing of an application for informal,  
6 formal, or supervised probate or for the appointment of a  
7 personal representative or the filing of a petition for the  
8 appointment of a guardian or conservator, from the applicant  
9 or petitioner, \$35, which includes the fee for filing a will  
10 for probate.

11 (2) ~~Forty percent~~ Except as provided in subsection  
12 (3), 40% of all fees collected by the clerk of the district  
13 court shall be deposited in and credited to the general fund  
14 of the county. The remaining portion of the fees shall be  
15 remitted to the state to be deposited as provided in  
16 19-5-404.

17 (3) The additional fee for filing a petition for  
18 dissolution of marriage shall be deposited in the general  
19 fund.

20 Section 12. - Appropriation. There is appropriated from  
21 the general fund to the department of labor and industry the  
22 sum of \$200,000 for the biennium ending June 30, 1983, to  
23 fund the displaced homemaker programs.

-End-