

SENATE BILL NO. 128

INTRODUCED BY MANNING, MCLANE, NORMAN, PIPINICH,  
REGAN, O'KEEFE, WALKER, CONNELLY, J. BROWN, BRADLEY

BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE ON WELFARE

IN THE SENATE

JANUARY 14, 1989

INTRODUCED AND REFERRED TO COMMITTEE  
ON LABOR & EMPLOYMENT RELATIONS.

FIRST READING.

FEBRUARY 15, 1989

COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.

STATEMENT OF INTENT ADOPTED.

FEBRUARY 16, 1989

PRINTING REPORT.

FEBRUARY 17, 1989

SECOND READING, DO PASS.

FEBRUARY 18, 1989

ENGROSSING REPORT.

FEBRUARY 20, 1989

THIRD READING, PASSED.  
AYES, 50; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 19, 1989

INTRODUCED AND REFERRED TO COMMITTEE  
ON LABOR & EMPLOYMENT RELATIONS.

FEBRUARY 21, 1989

FIRST READING.

MARCH 1, 1989

ON MOTION, REREFERRED TO COMMITTEE  
ON HUMAN SERVICES & AGING.

MARCH 21, 1989

COMMITTEE RECOMMEND BILL BE  
CONCURRED IN AS AMENDED. REPORT  
ADOPTED.

MARCH 27, 1989

SECOND READING, CONCURRED IN AS  
AMENDED.

MARCH 28, 1989

ON MOTION, RULES SUSPENDED AND BILL  
PLACED ON SECOND AND THIRD READING  
THE 70TH LEGISLATIVE DAY.

MARCH 29, 1989

SECOND READING, CONCURRED IN AS  
AMENDED.

THIRD READING, CONCURRED IN.  
AYES, 93; NOES, 1.

RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 5, 1989

SECOND READING, AMENDMENTS NOT  
CONCURRED IN.

APRIL 6, 1989

ON MOTION, FREE CONFERENCE COMMITTEE  
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 7, 1989

ON MOTION, FREE CONFERENCE COMMITTEE  
REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 14, 1989

FREE CONFERENCE COMMITTEE REPORTED.

APRIL 15, 1989

SECOND READING, FREE CONFERENCE  
COMMITTEE REPORT ADOPTED.

IN THE HOUSE

APRIL 17, 1989

FREE CONFERENCE  
COMMITTEE REPORT ADOPTED.

IN THE SENATE

APRIL 18, 1989

THIRD READING, FREE CONFERENCE  
COMMITTEE REPORT ADOPTED.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Sen. Bill No. 128*  
 2 INTRODUCED BY *Sen. Richard Blumenthal, Sen. Mike Rogers, Norman*  
 3 BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE ON WELFARE  
 4 *Mike Waller Connelly J. Brian Conley*  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CONTINUE  
 6 A JOB SEARCH, TRAINING, AND WORK PROGRAM FOR EMPLOYABLE  
 7 RECIPIENTS OF GENERAL RELIEF ASSISTANCE; TO CLARIFY THE  
 8 PURPOSE OF THE PROGRAM; AMENDING SECTION 53-3-304, MCA; AND  
 9 PROVIDING AN EFFECTIVE DATE."

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

12 **Section 1.** Section 53-3-304, MCA, is amended to read:

13 "53-3-304. Power to require recipient employable  
 14 recipients to participate in job search, training, and work  
 15 programs. (1) The department shall cooperate with the  
 16 department of labor and industry and other designated  
 17 agencies to initiate, promote, and develop job search,  
 18 training, and work programs that will ~~contribute--to--the~~  
 19 employability---of provide employment, training, and  
 20 experience for persons receiving general relief under the  
 21 provisions of this chapter. These programs must be designed  
 22 to:

23 (a) preserve and improve the work habits and  
 24 job-finding skills of recipients for whom jobs are not  
 25 otherwise immediately available; and

1 (b) provide training and experience that will enable  
 2 recipients to find regular, sustainable employment.

3 (2) For each county with state-assumed welfare  
 4 services, the department shall contract with the department  
 5 of labor and industry or other designated agencies to  
 6 institute a job-search,--training,--and--work program that  
 7 ~~provides--able-bodied--general--relief--recipients--with--the~~  
 8 ~~necessary-job-finding-skills-to-seek-unsubsidized-employment~~  
 9 independently as provided for in subsection (1).

10 (3) In a county with state-assumed welfare services,  
 11 an ~~able-bodied~~ employable recipient of general relief shall  
 12 enroll in a structured job search and training program at an  
 13 employment office or other site designated by the  
 14 department. The program must include but is not limited to  
 15 the following elements:

16 (a) assessment and testing;

17 (b) an employability plan;

18 (c) a requirement that recipients participate for a  
 19 minimum of 40 hours a week in a combination of activities,  
 20 including work as provided in subsection (4), unless they  
 21 are prevented, with good cause, from participating in such  
 22 activities;

23 ~~(c)~~(d) remedial education or job skills training, if  
 24 it is called for in the employability plan and if it  
 25 provides for immediate referral to an appropriate Job

1 Training Partnership Act program;

2 ~~(d)~~(e) a job readiness and job search program that

3 must include but is not limited to:

4 (i) self-assessment and occupational testing;

5 (ii) instruction in completing applications, writing

6 resumes, and preparing for interviews;

7 (iii) identification of and contact with potential

8 employers; and

9 (iv) participation in simulated job interviews; and

10 (v) intensive job search activity and prompt

11 placements for recipients who are ready to enter the work

12 force;

13 ~~(f)~~(f) a supervised effort to find employment; and

14 ~~(g)~~(g) efforts to address barriers to employment;

15 (h) an expectation that recipients must be employed at

16 the end of the program; and

17 (i) followup and monitoring of program performance.

18 (4) (a) In addition to the training required in

19 subsection (3), if a public agency or a private nonprofit

20 agency has work available which a recipient of general

21 relief is capable of performing or the department of social

22 and rehabilitation services is required to operate a work

23 program under the provisions of 53-2-822, then the county

24 department of public welfare or the department of social and

25 rehabilitation services may require a recipient to perform

1 work at the minimum wage or may pay a recipient at the

2 prevailing rate of wages paid in that county by that agency

3 for similar work, to be paid from the county poor fund or

4 state funds, in place of granting him general relief.

5 (b) No currently employed worker may be displaced by

6 any recipient (including partial displacement such as a

7 reduction in the hours of nonovertime work, wages, or

8 employment benefits).

9 (c) No recipient may be employed when any other person

10 is on layoff from the same or any substantially equivalent

11 job or when the employer has terminated the employment of

12 any regular employee or otherwise reduced its workforce with

13 the intention of filling the vacancy so created by hiring a

14 recipient whose wages are subsidized under this section.

15 (5) The county department of public welfare or the

16 department of social and rehabilitation services, as the

17 case may be, shall provide coverage under the Workers'

18 Compensation Act for those recipients of general relief

19 working under the provisions hereof and may enter into such

20 agreements with the division of workers' compensation of the

21 department of labor and industry as may be necessary to

22 carry out the provisions of this section.

23 ~~(6) A recipient who has completed the assessment and~~

24 ~~testing portions of the program and has developed an~~

25 ~~employability plan shall participate in the job readiness~~

1 and job search program provided for in subsection (3)(d) for  
2 at least 80 hours in any 5-week period and shall spend at  
3 least 8 hours a week in a supervised effort to find  
4 employment;

5 (7) A recipient who has completed the job search  
6 program provided for in subsection (3) shall:

7 (a) continue to spend at least 8 hours a week in a  
8 supervised effort to find employment; and

9 (b) for the duration of his eligibility for general  
10 relief, spend 32 hours a week, as called for in the  
11 employability plan, in:

12 (i) remedial education;

13 (ii) counseling;

14 (iii) job skills training;

15 (iv) work for a public agency or a private nonprofit  
16 agency, as required in subsection (4); or

17 (v) job seeking or other related activities.

18 (8) Nothing in this chapter requires a recipient to:

19 (a) participate in the job search and training program  
20 required by subsection (3) or to perform work under  
21 subsection (4) if the training or work site is more than 10  
22 miles from his residence, unless the department provides  
23 transportation or reimburses the recipient for  
24 transportation costs; or

25 (b) continue the activities required by subsection (7)

1 for longer than 6 months.

2 (9)(6) Where a labor organization represents a  
3 substantial number of employees who are engaged in similar  
4 work or training in the area where it is proposed to assign  
5 the recipient to work or training, an opportunity must be  
6 provided for that organization to submit comments with  
7 respect to such proposal.

8 (10)(7) No work program may impair existing contracts  
9 for services or collective bargaining agreements, and no  
10 work program that would be inconsistent with the terms of a  
11 collective bargaining agreement may be undertaken without  
12 the written concurrence of the labor organization and  
13 employer concerned.

14 (8) No program established under this section may  
15 include any political, partisan, or lobbying activities. The  
16 department shall deny funds to any program involved in such  
17 activities."

18 **Section 2. Audit.** The legislative auditor shall  
19 conduct a performance audit of the program provided in  
20 53-3-304 and report the results of the audit to the 52nd  
21 legislature.

22 **Section 3. Extension of authority.** Any existing  
23 authority to make rules on the subject of the provisions of  
24 [this act] is extended to the provisions of [this act].

25 **Section 4. Effective date.** [This act] is effective

LC 0129/01

1 July 1, 1989.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB128, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act entitled, "An act to revise and continue a job search, training, and work program for employable recipients of general relief assistance; to clarify the purpose of the program; amending Section 53-3-3-4, MCA; and providing an effective date."

FISCAL IMPACT:

It is impossible to determine the fiscal impact due to the uncertainty of legislative intent.

MECHANICAL OR TECHNICAL DEFECTS IN PROPOSED LEGISLATION:

Because of the uncertainty of legislative intent, it is impossible to determine the extent of the revision to the existing program. Two possible option's of legislative intent have been outlined.

Option A: To operate the new program under the guidelines of the current Project Work Program with the exception that, the proposed legislation require participation for 40 hours per week instead of the current 32 hours per week, an impact on staff time and administrative costs of approximately 20% would be realized. Increased costs would be approximately \$329,987 in FY90 and \$314,987 in FY91, (General Fund \$177,744 in FY90 and \$170,243 in FY91, Food Stamp Job Search \$152,244 in FY90 and \$144,743 in FY91.)

Assumptions:

1. Assume Project Work Program costs will increase approximately 20%, \$285,500 (General Fund \$155,500 and Food Stamp Job Search \$130,000.)
2. Assume a follow-up and monitoring system can be designed and put in place. There will be an initial cost for setting up the computer system plus continued costs for maintaining the computer system, 0.5 FTE additional clerical staff, telephone time, etc. Additionally, the existing automation system would need to be modified to reflect additional data collection and reporting requirements.

<u>Personal Services</u>	<u>Additional</u>
Salaries	\$6,777
Benefits	\$1,710
(Includes additional 0.5 FTE)	



RAY SHACKLEFORD, BUDGET DIRECTOR  
OFFICE OF BUDGET AND PROGRAM PLANNING

1/23/89

DATE



RICHARD E. MANNING, PRIMARY SPONSOR

1/23/89

DATE

Fiscal Note for SB128, as introduced

**SB128**

Management Information System

(Includes revision to system/upkeep/follow-up)

Initial computer programming	\$15,000
Maintain computer	\$10,000/year
Research	\$3,000/year
Clerical	\$5,000/year
Telephone costs	\$3,000/year

	<u>FY90</u>	<u>FY91</u>
Total First Year	\$36,000	
Total Each Year After		\$21,000

Option B: To operate the new program with an increase in the guidelines of the current Project Work Program that would intensify the employment training and experience for persons receiving general relief. Job Skills training would increase from \$300 to \$1,000 per client per year. Alcohol/drug counseling would be provided to 1250 clients at an average cost of \$600 and literacy remediation would be provided to 1250 clients at an average cost of \$350. Increased costs would be approximately \$4,015,137 in FY90 and \$3,999,437 in FY91, (General Fund \$1,943,708 in FY90 and \$1,935,858 in FY91, Food Stamp Job Search \$2,071,429 in FY90 and \$2,063,579 in FY91.)

- Assumptions:
1. Job training for GA clients will cost approximately \$1,000. Additional training/counseling will be provided at costs above and beyond this.
  2. GA clients are among the hardest-to-serve and will require additional counseling/training (such as drug/alcohol abuse counseling or literacy remediation).
  3. Regardless of training, some people may remain unemployed.
  4. Proposed legislation will have an increased impact on staff time and administration costs of approximately 20%.
  5. The general economic condition of the State of Montana precludes guarantees of jobs for all who are unemployed.
  6. A follow-up and monitoring system can be designed and put in place. The automation system will need to be modified for additional data collection and reporting requirements. The system will have a fiscal impact.
  7. SRS determines GA eligibility.
  8. Administrative Rule making authority should be extended to DOLI; rules will need to be rewritten.
  9. SRS and DOLI will operate under a Memorandum of Agreement similar to the one now in effect.
  10. Assume a follow-up and monitoring system can be designed and put in place. There will be initial cost for setting up the computer system plus continued costs for maintaining the computer system, 0.5 FTE additional clerical staff, telephone time, etc. Additionally, the existing automation system would need to be modified to reflect additional data collection and reporting requirements.



Personal Services

	<u>Additional</u>
Salaries	\$6,777
Benefits	\$1,710
(Includes additional 0.5 FTE)	

Operating Expenses

Administrative Rules	\$700
(20 pages at \$35 per page)	
Workers Compensation	\$23,600
(Based on FY87)	

Management Information System

(Includes revision to system/upkeep/follow-up)

Initial computer programming	\$15,000
Maintain computer	\$10,000/year
Research	\$3,000/year
Clerical	\$5,000/year
Telephone costs	\$3,000/year

	<u>FY90</u>	<u>FY91</u>
Total First Year	\$36,000	
Total Each Year After		\$21,000

Grants

Average of 3775 persons served per year (based on FY87)	<u>Per Year</u>
\$1,000 average cost for job training per person	\$3,775,000
Average 1250 (1/3 of total clients served)	
need literacy remediation at average cost of \$350	\$437,500
Average 1250 (1/3 of total clients served) need	
alcohol/drug counseling at average cost of \$600	\$750,000
20% increase in staff time (based on PY 1987 staff time)	\$154,530

Based on the above assumptions, SB128 would increase general fund expenditures for general assistance by \$1,943,708 in FY90 and \$1,935,858 in FY91.

APPROVED BY COMMITTEE  
ON LABOR & EMPLOYMENT  
RELATIONS

## SENATE BILL NO. 128

INTRODUCED BY MANNING, MCLANE, NORMAN, PIPINICH,

REGAN, O'KEEFE, WALKER, CONNELLY, J. BROWN, BRADLEY

BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE ON WELFARE

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CONTINUE  
A JOB SEARCH, TRAINING, AND WORK PROGRAM FOR EMPLOYABLE  
RECIPIENTS OF GENERAL RELIEF ASSISTANCE; TO CLARIFY THE  
PURPOSE OF THE PROGRAM; AMENDING SECTION 53-3-304, MCA; AND  
PROVIDING AN EFFECTIVE DATE."

## STATEMENT OF INTENT

It is the intent of the legislature, in enacting this  
bill, that the department of social and rehabilitation  
services revamp the current general relief work program  
provided for in 53-3-304 to make it a total, work-oriented  
program designed to help recipients of general relief obtain  
regular, sustainable employment.

The bill is intended to correct program deficiencies  
found in an audit requested by the joint interim  
subcommittee on welfare. The audit, which was conducted by  
the office of the legislative auditor, revealed that the  
current program is not achieving the purpose for which it  
was intended. The audit showed that:

(1) the current program does not enable general relief

recipients to obtain permanent employment;

(2) the program only moderately increases the  
percentage of recipients who find employment;

(3) the program does not significantly reduce the  
general relief caseload; and

(4) overall, the program does not result in net  
savings to the state when reductions in welfare costs are  
compared to the costs of administering the program.

Thus, the legislature intends to provide for a  
revitalized work program for recipients of general relief.  
As reconceived, the program must include:

(1) intensive job search activity and prompt  
placements for recipients who are job ready, rather than  
remedial education, job training, or other activities that,  
although beneficial, are not necessary for recipients to  
find employment;

(2) remedial education and job skills training, but  
only if it is necessary for the recipient to become  
employed. Whenever possible, it is intended that services be  
provided through existing, local adult basic education  
programs and programs administered under the Job Training  
Partnership Act.

(3) active daily involvement of recipients in a  
combination of employment-related activities in order to  
enhance self-motivation and to increase job placement. Job

1 search is an essential requirement that should be conducted  
 2 as part of the food stamp employment and training program  
 3 funded by the federal government. In addition, county  
 4 workfare should be required, but only in combination with  
 5 other employment assistance, such as job search, job  
 6 readiness training, remedial education, job training, and  
 7 job placement.

8 (4) a minimum 40-hour per week requirement for  
 9 participation in program activities;

10 (5) a clear expectation that recipients must be  
 11 employed at the end of the program. This expectation should  
 12 be reinforced daily by program operators and should be  
 13 communicated to each recipient upon enrollment in the  
 14 program.

15 (6) participation in activities authorized under  
 16 [section 10, Senate Bill No. 101] in lieu of participation  
 17 in job search, training, and work activities otherwise  
 18 required in 53-3-304;

19 (7) follow-up and monitoring of program performance;  
 20 and

21 (8) prohibition of political activities under the  
 22 program.

23 In redesigning the program, the department of social  
 24 and rehabilitation services shall examine the policies and  
 25 experience of work programs in other states, including the

1 Utah emergency work program, which is a program that has  
 2 operated at less than 10% of the cost of the Utah work  
 3 incentive (WIN) program.

4  
 5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

6 **Section 1.** Section 53-3-304, MCA, is amended to read:

7 "53-3-304. Power to require recipient employable  
 8 recipients to participate in job search, training, and work  
 9 programs. (1) The department shall cooperate with the  
 10 department of labor and industry and other designated  
 11 agencies to initiate, promote, and develop job search,  
 12 training, and work programs that will contribute-to-the  
 13 employability---of provide employment, training, and  
 14 experience for persons receiving general relief under the  
 15 provisions of this chapter. These programs must be designed  
 16 to:

17 (a) preserve and improve the work habits and  
 18 job-finding skills of recipients for whom jobs are not  
 19 otherwise immediately available; and

20 (b) provide training and experience that will enable  
 21 recipients to find regular, sustainable employment.

22 (2) For each county with state-assumed welfare  
 23 services, the department shall contract with the department  
 24 of labor and industry or other designated agencies to  
 25 institute a job--search--training--and-work program that

1 provides-able-bodied--general--relief--recipients--with--the  
 2 necessary-job-finding-skills-to-seek-unsubsidized-employment  
 3 independently as provided for in subsection (1).

4 (3) In a county with state-assumed welfare services,  
 5 an able-bodied employable recipient of general relief shall  
 6 enroll in a structured job search and training program at an  
 7 employment office or other site designated by the  
 8 department. The program must include but is not limited to  
 9 the following elements:

10 (a) assessment and testing;

11 (b) an employability plan;

12 (c) a requirement that recipients participate for a  
 13 minimum of 40 hours a week in a combination of activities,  
 14 including work as provided in subsection (4), unless they  
 15 are prevented, with good cause, from participating in such  
 16 activities;

17 (c)(d) remedial education or job skills training, if  
 18 it is called for in the employability plan and if it  
 19 provides for immediate referral to an appropriate Job  
 20 Training Partnership Act program;

21 (d)(e) a job readiness and job search program that  
 22 must include but is not limited to:

23 (i) self-assessment and occupational testing;

24 (ii) instruction in completing applications, writing  
 25 resumes, and preparing for interviews;

1 (iii) identification of and contact with potential  
 2 employers; and

3 (iv) participation in simulated job interviews; and

4 (v) intensive job search activity and prompt  
 5 placements for recipients who are ready to enter the work  
 6 force;

7 (f)(f) a supervised effort to find employment; and

8 (f)(g) efforts to address barriers to employment;

9 (h) an expectation that recipients must be employed at  
 10 the end of the program; and

11 (i) followup and monitoring of program performance.

12 (4) (a) In addition to the training required in  
 13 subsection (3), if a public agency or a private nonprofit  
 14 agency has work available which a recipient of general  
 15 relief is capable of performing or the department of social  
 16 and rehabilitation services is required to operate a work  
 17 program under the provisions of 53-2-822, then the county  
 18 department of public welfare or the department of social and  
 19 rehabilitation services may require a recipient to perform  
 20 work at the minimum wage or may pay a recipient at the  
 21 prevailing rate of wages paid in that county by that agency  
 22 for similar work, to be paid from the county poor fund or  
 23 state funds, in place of granting him general relief.

24 (b) No currently employed worker may be displaced by  
 25 any recipient (including partial displacement such as a

1 reduction in the hours of nonovertime work, wages, or  
2 employment benefits).

3 (c) No recipient may be employed when any other person  
4 is on layoff from the same or any substantially equivalent  
5 job or when the employer has terminated the employment of  
6 any regular employee or otherwise reduced its workforce with  
7 the intention of filling the vacancy so created by hiring a  
8 recipient whose wages are subsidized under this section.

9 (5) The county department of public welfare or the  
10 department of social and rehabilitation services, as the  
11 case may be, shall provide coverage under the Workers'  
12 Compensation Act for those recipients of general relief  
13 working under the provisions hereof and may enter into such  
14 agreements with the division of workers' compensation of the  
15 department of labor and industry as may be necessary to  
16 carry out the provisions of this section.

17 (6) A recipient who has completed the assessment and  
18 testing portions of the program and has developed an  
19 employability plan shall participate in the job readiness  
20 and job search program provided for in subsection (3)(d) for  
21 at least 80 hours in any 5-week period and shall spend at  
22 least 8 hours a week in a supervised effort to find  
23 employment.

24 (7) A recipient who has completed the job search  
25 program provided for in subsection (3) shall:

1 (a) continue to spend at least 8 hours a week in a  
2 supervised effort to find employment; and  
3 (b) for the duration of his eligibility for general  
4 relief, spend 32 hours a week as called for in the  
5 employability plan, in:  
6 (i) remedial education;  
7 (ii) counseling;  
8 (iii) job skills training;  
9 (iv) work for a public agency or a private nonprofit  
10 agency, as required in subsection (4); or  
11 (v) job seeking or other related activities.  
12 (8) Nothing in this chapter requires a recipient to:  
13 (a) participate in the job search and training program  
14 required by subsection (3) or to perform work under  
15 subsection (4) if the training or work site is more than 10  
16 miles from his residence, unless the department provides  
17 transportation or reimburses the recipient for  
18 transportation costs; or  
19 (b) continue the activities required by subsection (7)  
20 for longer than 6 months.

21 (9)(6) Where a labor organization represents a  
22 substantial number of employees who are engaged in similar  
23 work or training in the area where it is proposed to assign  
24 the recipient to work or training, an opportunity must be  
25 provided for that organization to submit comments with

1 respect to such proposal.

2 ~~(10)(7)~~ No work program may impair existing contracts  
3 for services or collective bargaining agreements, and no  
4 work program that would be inconsistent with the terms of a  
5 collective bargaining agreement may be undertaken without  
6 the written concurrence of the labor organization and  
7 employer concerned.

8 (8) No program established under this section may  
9 include any political, partisan, or lobbying activities. The  
10 department shall deny funds to any program involved in such  
11 activities."

12 NEW SECTION. SECTION 2. COORDINATION REQUIREMENTS --  
13 CONSOLIDATION OF PROGRAMS AUTHORIZED. (1) THE GOVERNOR SHALL  
14 ASSURE THAT PROGRAM ACTIVITIES UNDER 53-3-304 ARE  
15 COORDINATED WITH PROGRAMS ADMINISTERED UNDER THE FEDERAL JOB  
16 TRAINING PARTNERSHIP ACT AND ANY OTHER RELEVANT EMPLOYMENT,  
17 TRAINING, EDUCATION, OR WORK PROGRAM IN THIS STATE.

18 (2) THE GOVERNOR MAY CONSOLIDATE THE PROGRAM  
19 ESTABLISHED IN 53-3-304 WITH OTHER PROGRAMS IN ORDER TO  
20 MAXIMIZE COORDINATION OF PROGRAM ACTIVITIES AS REQUIRED IN  
21 SUBSECTION (1) AND TO PREVENT OVERLAPPING AND DUPLICATION OF  
22 SERVICES.

23 (3) WHERE ADULT BASIC EDUCATION PROGRAMS EXIST,  
24 REMEDIAL EDUCATION SERVICES PROVIDED FOR IN 53-3-304(3) MUST  
25 BE COORDINATED, THROUGH CONTRACTS OR COOPERATIVE AGREEMENTS,

1 WITH STATE OR LOCAL AGENCIES HAVING RESPONSIBILITY FOR  
2 PROGRAMS ADMINISTERED UNDER THE ADULT EDUCATION ACT, PUBLIC  
3 LAW 100-297.

4 NEW SECTION. Section 3. Audit. The legislative  
5 auditor shall conduct a performance audit of the program  
6 provided in 53-3-304 and report the results of the audit to  
7 the 52nd legislature.

8 NEW SECTION. Section 4. Extension of authority. Any  
9 existing authority to make rules on the subject of the  
10 provisions of [this act] is extended to the provisions of  
11 [this act].

12 NEW SECTION. Section 5. Effective date. [This act] is  
13 effective July 1, 1989.

-End-

## SENATE BILL NO. 128

INTRODUCED BY MANNING, MCLANE, NORMAN, PIPINICH,  
REGAN, O'KEEFE, WALKER, CONNELLY, J. BROWN, BRADLEY  
BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE ON WELFARE

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CONTINUE  
A JOB SEARCH, TRAINING, AND WORK PROGRAM FOR EMPLOYABLE  
RECIPIENTS OF GENERAL RELIEF ASSISTANCE; TO CLARIFY THE  
PURPOSE OF THE PROGRAM; AMENDING SECTION 53-3-304, MCA; AND  
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bill, that the department of social and rehabilitation  
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program designed to help recipients of general relief obtain  
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The bill is intended to correct program deficiencies  
found in an audit requested by the joint interim  
subcommittee on welfare. The audit, which was conducted by  
the office of the legislative auditor, revealed that the  
current program is not achieving the purpose for which it  
was intended. The audit showed that:

(1) the current program does not enable general relief

recipients to obtain permanent employment;

(2) the program only moderately increases the  
percentage of recipients who find employment;

(3) the program does not significantly reduce the  
general relief caseload; and

(4) overall, the program does not result in net  
savings to the state when reductions in welfare costs are  
compared to the costs of administering the program.

Thus, the legislature intends to provide for a  
revitalized work program for recipients of general relief.  
As reconceived, the program must include:

(1) intensive job search activity and prompt  
placements for recipients who are job ready, rather than  
remedial education, job training, or other activities that,  
although beneficial, are not necessary for recipients to  
find employment;

(2) remedial education and job skills training, but  
only if it is necessary for the recipient to become  
employed. Whenever possible, it is intended that services be  
provided through existing, local adult basic education  
programs and programs administered under the Job Training  
Partnership Act.

(3) active daily involvement of recipients in a  
combination of employment-related activities in order to  
enhance self-motivation and to increase job placement. Job

search is an essential requirement that should be conducted as part of the food stamp employment and training program funded by the federal government. In addition, county workfare should be required, but only in combination with other employment assistance, such as job search, job readiness training, remedial education, job training, and job placement.

(4) a minimum 40-hour per week requirement for participation in program activities;

(5) a clear expectation that recipients must be employed at the end of the program. This expectation should be reinforced daily by program operators and should be communicated to each recipient upon enrollment in the program.

(6) participation in activities authorized under [section 10, Senate Bill No. 101] in lieu of participation in job search, training, and work activities otherwise required in 53-3-304;

(7) follow-up and monitoring of program performance; and

(8) prohibition of political activities under the program.

In redesigning the program, the department of social and rehabilitation services shall examine the policies and experience of work programs in other states, including the

Utah emergency work program, which is a program that has operated at less than 10% of the cost of the Utah work incentive (WIN) program.

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

**Section 1.** Section 53-3-304, MCA, is amended to read:

"53-3-304. Power to require recipient employable recipients to participate in job search, training, and work programs. (1) The department shall cooperate with the department of labor and industry and other designated agencies to initiate, promote, and develop job search, training, and work programs that will contribute to the employability of provide employment, training, and experience for persons receiving general relief under the provisions of this chapter. These programs must be designed to:

(a) preserve and improve the work habits and job-finding skills of recipients for whom jobs are not otherwise immediately available; and

(b) provide training and experience that will enable recipients to find regular, sustainable employment.

(2) For each county with state-assumed welfare services, the department shall contract with the department of labor and industry or other designated agencies to institute a job-search, training, and work program that



1 ~~provides-able-bodied--general--relief--recipients--with--the~~  
 2 ~~necessary-job-finding-skills-to-seek-unsubsidized-employment~~  
 3 ~~independently as provided for in subsection (1).~~

4 (3) In a county with state-assumed welfare services,  
 5 an ~~able-bodied~~ employable recipient of general relief shall  
 6 enroll in a structured job search and training program at an  
 7 employment office or other site designated by the  
 8 department. The program must include but is not limited to  
 9 the following elements:

10 (a) assessment and testing;

11 (b) an employability plan;

12 (c) a requirement that recipients participate for a  
 13 minimum of 40 hours a week in a combination of activities,  
 14 including work as provided in subsection (4), unless they  
 15 are prevented, with good cause, from participating in such  
 16 activities;

17 ~~(e)(d)~~ remedial education or job skills training, if  
 18 it is called for in the employability plan and if it  
 19 provides for immediate referral to an appropriate Job  
 20 Training Partnership Act program;

21 ~~(d)(e)~~ a job readiness and job search program that  
 22 must include but is not limited to:

23 (i) self-assessment and occupational testing;

24 (ii) instruction in completing applications, writing  
 25 resumes, and preparing for interviews;

1 (iii) identification of and contact with potential  
 2 employers; and

3 (iv) participation in simulated job interviews; and

4 (v) intensive job search activity and prompt  
 5 placements for recipients who are ready to enter the work  
 6 force;

7 ~~(e)(f)~~ a supervised effort to find employment; and

8 ~~(f)(g)~~ efforts to address barriers to employment; and

9 (h) an expectation that recipients must be employed at  
 10 the end of the program; and

11 (i) followup and monitoring of program performance.

12 (4) (a) In addition to the training required in  
 13 subsection (3), if a public agency or a private nonprofit  
 14 agency has work available which a recipient of general  
 15 relief is capable of performing or the department of social  
 16 and rehabilitation services is required to operate a work  
 17 program under the provisions of 53-2-822, then the county  
 18 department of public welfare or the department of social and  
 19 rehabilitation services may require a recipient to perform  
 20 work at the minimum wage or may pay a recipient at the  
 21 prevailing rate of wages paid in that county by that agency  
 22 for similar work, to be paid from the county poor fund or  
 23 state funds, in place of granting him general relief.

24 (b) No currently employed worker may be displaced by  
 25 any recipient (including partial displacement such as a

1 reduction in the hours of nonovertime work, wages, or  
2 employment benefits).

3 (c) No recipient may be employed when any other person  
4 is on layoff from the same or any substantially equivalent  
5 job or when the employer has terminated the employment of  
6 any regular employee or otherwise reduced its workforce with  
7 the intention of filling the vacancy so created by hiring a  
8 recipient whose wages are subsidized under this section.

9 (5) The county department of public welfare or the  
10 department of social and rehabilitation services, as the  
11 case may be, shall provide coverage under the Workers'  
12 Compensation Act for those recipients of general relief  
13 working under the provisions hereof and may enter into such  
14 agreements with the division of workers' compensation of the  
15 department of labor and industry as may be necessary to  
16 carry out the provisions of this section.

17 {6}--A--recipient--who--has--completed--the--assessment--and  
18 testing--portions--of--the--program--and--has--developed--an  
19 employability--plan--shall--participate--in--the--job--readiness  
20 and--job--search--program--provided--for--in--subsection--{3}{d}--for  
21 at--least--80--hours--in--any--5--week--period--and--shall--spend--at  
22 least--8--hours--a--week--in--a--supervised--effort--to--find  
23 employment;

24 {7}--A--recipient--who--has--completed--the--job--search  
25 program--provided--for--in--subsection--{3}--shall:

1 {a}--continue--to--spend--at--least--8--hours--a--week--in--a  
2 supervised--effort--to--find--employment;--and

3 {b}--for--the--duration--of--his--eligibility--for--general  
4 relief;--spend--32--hours--a--week;--as--called--for--in--the  
5 employability--plan;--in:

6 {i}--remedial--education;

7 {ii}--counseling;

8 {iii}--job--skills--training;

9 {iv}--work--for--a--public--agency--or--a--private--nonprofit  
10 agency;--as--required--in--subsection--{4};--or

11 {v}--job--seeking--or--other--related--activities;

12 {8}--Nothing--in--this--chapter--requires--a--recipient--to:

13 {a}--participate--in--the--job--search--and--training--program  
14 required--by--subsection--{3}--or--to--perform--work--under  
15 subsection--{4}--if--the--training--or--work--site--is--more--than--10  
16 miles--from--his--residence;--unless--the--department--provides  
17 transportation--or--reimburses--the--recipient--for  
18 transportation--costs;--or

19 {b}--continue--the--activities--required--by--subsection--{7}  
20 for--longer--than--6--months;

21 {9}{6} Where a labor organization represents a  
22 substantial number of employees who are engaged in similar  
23 work or training in the area where it is proposed to assign  
24 the recipient to work or training, an opportunity must be  
25 provided for that organization to submit comments with

1 respect to such proposal.

2 ~~{10}~~(7) No work program may impair existing contracts  
3 for services or collective bargaining agreements, and no  
4 work program that would be inconsistent with the terms of a  
5 collective bargaining agreement may be undertaken without  
6 the written concurrence of the labor organization and  
7 employer concerned.

8 (8) No program established under this section may  
9 include any political, partisan, or lobbying activities. The  
10 department shall deny funds to any program involved in such  
11 activities."

12 NEW SECTION. SECTION 2. COORDINATION REQUIREMENTS --  
13 CONSOLIDATION OF PROGRAMS AUTHORIZED. (1) THE GOVERNOR SHALL  
14 ASSURE THAT PROGRAM ACTIVITIES UNDER 53-3-304 ARE  
15 COORDINATED WITH PROGRAMS ADMINISTERED UNDER THE FEDERAL JOB  
16 TRAINING PARTNERSHIP ACT AND ANY OTHER RELEVANT EMPLOYMENT,  
17 TRAINING, EDUCATION, OR WORK PROGRAM IN THIS STATE.

18 (2) THE GOVERNOR MAY CONSOLIDATE THE PROGRAM  
19 ESTABLISHED IN 53-3-304 WITH OTHER PROGRAMS IN ORDER TO  
20 MAXIMIZE COORDINATION OF PROGRAM ACTIVITIES AS REQUIRED IN  
21 SUBSECTION (1) AND TO PREVENT OVERLAPPING AND DUPLICATION OF  
22 SERVICES.

23 (3) WHERE ADULT BASIC EDUCATION PROGRAMS EXIST,  
24 REMEDIAL EDUCATION SERVICES PROVIDED FOR IN 53-3-304(3) MUST  
25 BE COORDINATED, THROUGH CONTRACTS OR COOPERATIVE AGREEMENTS,

1 WITH STATE OR LOCAL AGENCIES HAVING RESPONSIBILITY FOR  
2 PROGRAMS ADMINISTERED UNDER THE ADULT EDUCATION ACT, PUBLIC  
3 LAW 100-297.

4 NEW SECTION. Section 3. Audit. The legislative  
5 auditor shall conduct a performance audit of the program  
6 provided in 53-3-304 and report the results of the audit to  
7 the 52nd legislature.

8 NEW SECTION. Section 4. Extension of authority. Any  
9 existing authority to make rules on the subject of the  
10 provisions of [this act] is extended to the provisions of  
11 [this act].

12 NEW SECTION. Section 5. Effective date. [This act] is  
13 effective July 1, 1989.

-End-

STANDING COMMITTEE REPORT

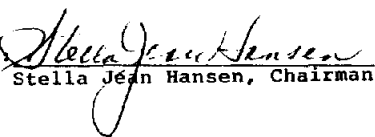
March 21, 1989  
Page 2 of 7

March 21, 1989

Page 1 of 6

Mr. Speaker: We, the committee on Human Services and Aging report that SENATE BILL 128 (third reading copy -- blue) be concurred in as amended.

Signed

  
Stella Jean Hansen, Chairman

And, that such amendments read:

1. Title, line 9.  
Following: "PROGRAM;"  
Insert: "TO APPROPRIATE FUNDS FOR ADMINISTRATION OF THE PROGRAM;"
2. Title, line 10.  
Strike: "AN"  
Insert: "A DELAYED"
3. Page 1, line 16.  
Strike: "total,"
4. Page 2, line 17 through page 3, line 7.  
Strike: subsections (2) and (3) in their entirety  
Renumber: subsequent subsections
5. Page 3, line 17.  
Strike: "work"  
Insert: "workfare"
6. Page 3.  
Following: line 22  
Insert: "In addition, the program may include:  
(1) remedial education and job skills training, but only if it is necessary for the recipient to become employed. Whenever possible, it is intended that services be provided through existing, local adult basic education programs and programs administered under the federal Job Training Partnership Act.  
(2) active daily involvement of recipients in a combination of employment-related activities in order to enhance self-motivation and to increase job placement;  
(3) county workfare, but only in combination with other

employment assistance, such as job search, job readiness training, remedial education, job training, and job placement services.

The department may limit the availability of services in subsections (1) through (3) of the preceding paragraph if such action is necessary as a result of budget limitations."

7. Page 4, line 8.  
Strike: "work"  
Insert: "workfare"

8. Page 4, lines 9 and 10.  
Following: "shall" on line 9  
Strike: remainder of line 9 through "other" on line 10

9. Page 4, line 11.  
Strike: "agencies to"

10. Page 4, line 12.  
Strike: "work"  
Insert: "workfare"

11. Page 4, line 13.  
Following: "and"  
Insert: "work"

12. Page 4, line 20.  
Following: "and"  
Insert: "work"

13. Page 4, line 23.  
Strike: "contract with the department"

14. Page 4, line 24.  
Strike: "of labor and industry or other" and "agencies to"

15. Page 4, line 25.  
Strike: "a" and "program"

16. Page 5, line 3.  
Following: "~~independently~~"  
Insert: "job search, training, and workfare programs"

17. Page 5, line 4.  
Strike: "In"  
Insert: "Except as otherwise provided in this chapter, in"

18. Page 5, line 8.  
Strike: "must"

March 21, 1989  
Page 3 of 7

Insert: "may"  
Strike: "but is not limited to"

19. Page 5, line 14.  
Strike: "work"  
Insert: "workfare"

20. Page 6, line 12.  
Strike: "(a)"

21. Page 6, lines 13 through 17.  
Following: "(3)," on line 13  
Strike: remainder of line 13 through "then" on line 17

22. Page 6, lines 19 through 23.  
Following: "to" on line 19  
Strike: remainder of line 19 through line 23  
Insert: "participate in a workfare program. The purpose of the workfare program is to provide work experience and training for general relief recipients in specifically created work projects operated by a public agency or a private, nonprofit agency. A workfare program established under this section must provide that:"

23. Page 6, line 24.  
Strike: "(b) No"  
Insert: "(a) A"  
Following: "may"  
Insert: "not"

24. Page 7, lines 3 through 5.  
Strike: "(c) No" on line 3  
Insert: "(b) A"  
Following: "may" on line 3  
Insert: "not"  
Following: "be" on line 3  
Strike: remainder of line 3 through "job" on line 5  
Insert: "given a work experience or training assignment if:  
(i) the assignment would fill an established unfilled vacancy that exists because an employee has been laid off;"

25. Page 7, line 5.  
Following: "or"  
Insert: "(ii)"  
Strike: "when"

26. Page 7, lines 7 through 8.  
Following: "vacancy" on line 7  
Strike: remainder of line 7 through "section" on line 8

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Page 4 of 7

Insert: "with a general relief recipient"

27. Page 7.  
Following: line 8  
Insert: "(c) A recipient may not be required to participate in a workfare program if participation is determined to interfere with:  
(i) participation in a job search or job training program;  
or  
(ii) attendance in a secondary education program.  
(d) The maximum number of hours that a recipient may be required to participate in a workfare program and job search and training programs may not exceed 40 hours in a week."

28. Page 7, line 13.  
Strike: "working under the provisions hereof"  
Insert: "participating in the workfare program"

29. Page 8, line 24.  
Strike: "work or training"  
Insert: "a workfare project"

30. Page 9, line 2.  
Strike: "No work"  
Insert: "A workfare"  
Following: "may"  
Insert: "not"

31. Page 9, lines 3 and 4.  
Strike: "no work"  
Insert: "a workfare"

32. Page 9, line 5.  
Following: "may"  
Insert: "not"

33. Page 9.  
Following: line 11  
Insert: "NEW SECTION. Section 2. Limitation of services. (1) The department may limit the scope and availability of programs and services under 53-3-304 as may be necessary because of:  
(a) the actual needs of an individual, as determined in accordance with an employability plan;  
(b) funding limitations;  
(c) service limitations;  
(d) limitations caused by the lack of available employment in the area; and  
(e) an insufficient number of recipients in an area to justify establishment of job search, training, and workfare

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programs.

(2) Recipients residing in areas where programs and services are restricted because of subsection (1) are exempt from mandatory participation in a job search, training, and workfare program.

NEW SECTION. Section 3. Employability plan. (1) The department shall develop or contract for the development of an employability plan for each participant enrolled in job search, training, and workfare programs provided for in 53-3-304.

(2) The department may contract for assessment and testing if:

(a) it determines there is a need for assessment and testing in order to develop an employability plan; and  
(b) funds are available for such services.

NEW SECTION. Section 4. Transition-to-work allowance. (1) As an alternative to the programs and services provided for in 53-3-304, the department may pay recipients a transition-to-work allowance. This allowance may be used only for relocation expenses for recipients who have obtained employment in another county or state.

(2) Notwithstanding any other provision of this chapter, a person who elects to receive the allowance provided for in subsection (1) is ineligible for general relief assistance for a period of 16 months.

NEW SECTION. Section 5. Transportation assistance. The department may provide necessary transportation or reimbursement of transportation costs for persons enrolled in job search, training, and workfare programs provided for in 53-3-304.

NEW SECTION. Section 6. Performance standards -- monitoring and evaluation of program. (1) The department shall provide standards to further measure the performance and effectiveness of the general relief job search, training, and workfare program provided for in 53-3-304. The standards must consist of an objective, quantifiable measure of the extent to which participation in the program increases the employment and earnings of participants and decreases their dependency on public assistance.

(2) In order to determine whether performance standards are met, the department shall monitor and evaluate the program on the basis of appropriate factors that must include the following:

- (a) the placement of participants in unsubsidized employment;
- (b) the retention of participants in unsubsidized employment;
- (c) the increase in earnings, including hourly wages, of participants due to placement in unsubsidized employment;
- (d) the reduction in the number of individuals and families receiving aid to families with dependent children; and
- (e) the amount of reductions in payments for aid to

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Page 6 of 7

families with dependent children.

(3) In monitoring and evaluating the performance of the program, the department shall determine the reasons for high and low levels of performance, administrative efficiencies, and program coordination."

Renumber: subsequent sections

34. Page 10, line 7.

Strike: "52nd"

Insert: "53rd"

35. Page 10.

Following: line 7

Insert: "NEW SECTION. Section 9. Appropriation. The following money is appropriated to the department of social and rehabilitation services for the purpose of administering [this act]:

<u>Fund</u>	<u>FY 90</u>	<u>FY 91</u>
General fund	\$ 832,265	\$ 832,265
Federal special revenue	1,055,235	1,055,235
Total	\$ 1,887,500	\$ 1,887,500"

Renumber: subsequent sections

36. Page 10.

Following: line 11

Insert: "NEW SECTION. Section 11. Coordination instruction. If this bill and Senate Bill No. 101 are passed and approved, then [section 10, Senate Bill No. 101] is amended so language that reads: "a person who has a serious barrier to employment or who suffers from drug or alcohol dependency shall report to the agency designated pursuant to 53-3-304(2) to implement a job search, training, and work program" will read "a person who has a serious barrier to employment or who suffers from drug or alcohol dependency shall report to a job search, training, and workfare program".

NEW SECTION. Section 12. Codification instruction. [Sections 2 through 6] are intended to be codified as an integral part of Title 53, chapter 3, part 3, and the provisions of Title 53, chapter 3, part 3, apply to [sections 2 through 6]."

Renumber: subsequent section

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37. Page 10, line 13.  
Strike: "July 1, 1989"  
Insert: "January 1, 1990"

7.41

COMMITTEE OF THE WHOLE AMENDMENT  
Senate Bill 128  
Representative Bob Marks

March 27, 1989 2:42 pm  
Page 1 of 1

Mr. Chairman: I move to amend Senate Bill 128 (third reading copy -- blue).

Signed: *Bob Marks*

Representative Bob Marks

And, that such amendments to Senate Bill 128 read as follows:

1. Amend House Human Services and Aging Standing Committee Report on SB 128 dated March 21, 1989, as follows:

2. Amendment No. 33.

Following: "Insert:"

Insert: "NEW SECTION. Section 2. Payment after performance.

(1) In a county with state-assumed welfare services, an employable person may receive general relief for shelter and personal needs if:

(a) he has completed and filed a proper application for assistance; and

(b) all employable members of the household have completed 2 full weeks in a structured job search, training, or workfare program as required in 53-3-304.

(2) A person is ineligible for assistance under subsection (1) if:

(a) the person fails to cooperate with the department in its investigation of eligibility; or

(b) the department's investigation during the 2-week period described in subsection (1)(b) discloses that the person is ineligible to receive assistance."

Renumber: sections in House Standing Committee Report

3. Amendment No. 36

In Insert in new section 12, following FIRST "[Sections 2 through"

Strike: "6"

Insert: "7"

4. In Insert in new section 12, following: SECOND "[sections 2 through" in new section 12

Strike: "6"

Insert: "7"

ADOPT

REJECT

HOUSE  
SB 128



COMMITTEE OF THE WHOLE AMENDMENT  
SENATE BILL 128  
Representative Dorothy Bradley

March 28, 1989 2:45 pm  
Page 1 of 1

Mr. Chairman: I move to amend SENATE BILL 128 (Salmon copy -- reference).

Signed: Dorothy Bradley  
Representative Dorothy Bradley

And, that such amendments to SENATE BILL 128 read as follows:

1. Amend House Human Services and Aging Standing Committee Report on SB 128 dated March 21, 1989, as follows:

Strike: Amendments No. 2 and No. 37 in their entirety

2. Amend SB 128, REFERENCE reading copy, as follows:

Title, line 11.

Following "AN"

Strike: "A DELAYED"

Following: "EFFECTIVE"

Strike: "DATE"

Insert: "DATES"

Page 16, lines 12 and 13.

Strike: section 14 in its entirety

Insert: "NEW SECTION. SECTION 14. Effective dates. (1)  
[Section 10 through this section] are effective July 1,

1989.

(2) [Sections 1 through 9] are effective January 1, 1990."

ADOPT

REJECT

SB 128  
HOUSE

RT

## SENATE BILL NO. 128

INTRODUCED BY MANNING, MCLANE, NORMAN, PIPINICH,

REGAN, O'KEEFE, WALKER, CONNELLY, J. BROWN, BRADLEY

BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE ON WELFARE

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CONTINUE  
A JOB SEARCH, TRAINING, AND WORK PROGRAM FOR EMPLOYABLE  
RECIPIENTS OF GENERAL RELIEF ASSISTANCE; TO CLARIFY THE  
PURPOSE OF THE PROGRAM; TO APPROPRIATE FUNDS FOR  
ADMINISTRATION OF THE PROGRAM; AMENDING SECTION 53-3-304,  
MCA; AND PROVIDING AN A-BELAYED EFFECTIVE DATE DATES."

## STATEMENT OF INTENT

It is the intent of the legislature, in enacting this  
bill, that the department of social and rehabilitation  
services revamp the current general relief work program  
provided for in 53-3-304 to make it a ~~total~~ work-oriented  
program designed to help recipients of general relief obtain  
regular, sustainable employment.

The bill is intended to correct program deficiencies  
found in an audit requested by the joint interim  
subcommittee on welfare. The audit, which was conducted by  
the office of the legislative auditor, revealed that the  
current program is not achieving the purpose for which it  
was intended. The audit showed that:

(1) the current program does not enable general relief  
recipients to obtain permanent employment;

(2) the program only moderately increases the  
percentage of recipients who find employment;

(3) the program does not significantly reduce the  
general relief caseload; and

(4) overall, the program does not result in net  
savings to the state when reductions in welfare costs are  
compared to the costs of administering the program.

Thus, the legislature intends to provide for a  
revitalized work program for recipients of general relief.  
As reconceived, the program must include:

(1) intensive job search activity and prompt  
placements for recipients who are job ready, rather than  
remedial education, job training, or other activities that,  
although beneficial, are not necessary for recipients to  
find employment;

~~{2}--remedial-education-and-job--skills--training,--but  
only--if--it--is--necessary--for--the--recipient--to--become  
employed,--Whenever-possible,--it-is-intended-that-services-be  
provided--through--existing,--local--adult--basic--education  
programs--and--programs--administered-under-the-Job-Training  
Partnership-Act;~~

~~{3}--active--daily--involvement--of--recipients--in--a  
combination--of--employment-related--activities--in-order-to~~

1 enhance-self-motivation-and-to-increase-job-placement--job  
 2 search--is-an-essential-requirement-that-should-be-conducted  
 3 as-part-of-the-food-stamp-employment--and--training--program  
 4 funded-by--the--federal--government--in--addition--county  
 5 workfare-should-be-required--but-only--in--combination--with  
 6 other---employment--assistance--such--as--job--search--job  
 7 readiness-training--remedial-education--job--training--and  
 8 job-placement--

9 †4) (2) a minimum 40-hour per week requirement for  
 10 participation in program activities;

11 †5) (3) a clear expectation that recipients must be  
 12 employed at the end of the program. This expectation should  
 13 be reinforced daily by program operators and should be  
 14 communicated to each recipient upon enrollment in the  
 15 program.

16 †6) (4) participation in activities authorized under  
 17 [section 10, Senate Bill No. 101] in lieu of participation  
 18 in job search, training, and work WORKFARE activities  
 19 otherwise required in 53-3-304;

20 †7) (5) follow-up and monitoring of program  
 21 performance; and

22 †8) (6) prohibition of political activities under the  
 23 program.

24 IN ADDITION, THE PROGRAM MAY INCLUDE:

25 (1) REMEDIAL EDUCATION AND JOB SKILLS TRAINING, BUT

1 ONLY IF IT IS NECESSARY FOR THE RECIPIENT TO BECOME  
 2 EMPLOYED. WHENEVER POSSIBLE, IT IS INTENDED THAT SERVICES BE  
 3 PROVIDED THROUGH EXISTING, LOCAL ADULT BASIC EDUCATION  
 4 PROGRAMS AND PROGRAMS ADMINISTERED UNDER THE FEDERAL JOB  
 5 TRAINING PARTNERSHIP ACT.

6 (2) ACTIVE DAILY INVOLVEMENT OF RECIPIENTS IN A  
 7 COMBINATION OF EMPLOYMENT-RELATED ACTIVITIES IN ORDER TO  
 8 ENHANCE SELF-MOTIVATION AND TO INCREASE JOB PLACEMENT;

9 (3) COUNTY WORKFARE, BUT ONLY IN COMBINATION WITH  
 10 OTHER EMPLOYMENT ASSISTANCE, SUCH AS JOB SEARCH, JOB  
 11 READINESS TRAINING, REMEDIAL EDUCATION, JOB TRAINING, AND  
 12 JOB PLACEMENT SERVICES.

13 THE DEPARTMENT MAY LIMIT THE AVAILABILITY OF SERVICES  
 14 IN SUBSECTIONS (1) THROUGH (3) OF THE PRECEDING PARAGRAPH IF  
 15 SUCH ACTION IS NECESSARY AS A RESULT OF BUDGET LIMITATIONS.

16 In redesigning the program, the department of social  
 17 and rehabilitation services shall examine the policies and  
 18 experience of work programs in other states, including the  
 19 Utah emergency work program, which is a program that has  
 20 operated at less than 10% of the cost of the Utah work  
 21 incentive (WIN) program.

22  
 23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

24 **Section 1.** Section 53-3-304, MCA, is amended to read:

25 **"53-3-304. Power to require recipient employable**

1 recipients to participate in job search, training, and work  
 2 WORKFARE programs. (1) The department shall ~~cooperate--with~~  
 3 ~~the--department--of--labor-and-industry-and-other~~ designated  
 4 ~~agencies-to~~ initiate, promote, and develop job search,  
 5 training, and work WORKFARE programs that will contribute-to  
 6 ~~the--employability-of~~ provide employment, training, and WORK  
 7 experience for persons receiving general relief under the  
 8 provisions of this chapter. These programs must be designed  
 9 to:

10 (a) preserve and improve the work habits and  
 11 job-finding skills of recipients for whom jobs are not  
 12 otherwise immediately available; and

13 (b) provide training and WORK experience that will  
 14 enable recipients to find regular, sustainable employment.

15 (2) For each county with state-assumed welfare  
 16 services, the department shall ~~contract-with-the-department~~  
 17 ~~of-labor--and--industry--or--other~~ designated agencies--to  
 18 institute a ~~job--search,--training,--and-work~~ program that  
 19 ~~provides-able-bodied--general--relief--recipients--with--the~~  
 20 ~~necessary-job-finding-skills-to-seek-unsubsidized-employment~~  
 21 independently JOB SEARCH, TRAINING, AND WORKFARE PROGRAMS as  
 22 provided for in subsection (1).

23 (3) In EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER,  
 24 IN a county with state-assumed welfare services, an  
 25 ~~able-bodied~~ employable recipient of general relief shall

1 enroll in a structured job search and training program at an  
 2 employment office or other site designated by the  
 3 department. The program must MAY include ~~but-is-not-limited~~  
 4 to the following elements:

5 (a) assessment and testing;

6 (b) an employability plan;

7 (c) a requirement that recipients participate for a  
 8 minimum of 40 hours a week in a combination of activities,  
 9 including work WORKFARE as provided in subsection (4),  
 10 unless they are prevented, with good cause, from  
 11 participating in such activities;

12 ~~(c)~~(d) remedial education or job skills training, if  
 13 it is called for in the employability plan and if it  
 14 provides for immediate referral to an appropriate Job  
 15 Training Partnership Act program;

16 ~~(d)~~(e) a job readiness and job search program that  
 17 must include but is not limited to:

18 (i) self-assessment and occupational testing;

19 (ii) instruction in completing applications, writing  
 20 resumes, and preparing for interviews;

21 (iii) identification of and contact with potential  
 22 employers; and

23 (iv) participation in simulated job interviews; and

24 (v) intensive job search activity and prompt  
 25 placements for recipients who are ready to enter the work

1 force;

2 (e)(f) a supervised effort to find employment; and

3 (f)(g) efforts to address barriers to employment;

4 (h) an expectation that recipients must be employed at  
5 the end of the program; and

6 (i) followup and monitoring of program performance.

7 (4) (a) In addition to the training required in  
8 subsection (3), ~~if--a-public-agency-or-a-private-nonprofit~~  
9 ~~agency-has-work--available--which--a--recipient--of--general~~  
10 ~~relief--is-capable-of-performing-or-the-department-of-social~~  
11 ~~and-rehabilitation-services-is-required-to--operate--a--work~~  
12 ~~program--under--the--provisions-of-53-2-822;--then the county~~  
13 ~~department of public welfare or the department of social and~~  
14 ~~rehabilitation services may require a recipient to perform~~  
15 ~~work--at--the--minimum--wage--or--may pay a recipient at the~~  
16 ~~prevailing rate of wages paid in that county by that--agency~~  
17 ~~for--similar--work;--to be paid from the county poor fund or~~  
18 ~~state funds;--in--place--of--granting--him--general--relief--~~  
19 PARTICIPATE IN A WORKFARE PROGRAM. THE PURPOSE OF THE  
20 WORKFARE PROGRAM IS TO PROVIDE WORK EXPERIENCE AND TRAINING  
21 FOR GENERAL RELIEF RECIPIENTS IN SPECIFICALLY CREATED WORK  
22 PROJECTS OPERATED BY A PUBLIC AGENCY OR A PRIVATE, NONPROFIT  
23 AGENCY. A WORKFARE PROGRAM ESTABLISHED UNDER THIS SECTION  
24 MUST PROVIDE THAT:

25 (b)(A) No A currently employed worker may NOT be

1 displaced by any recipient (including partial displacement  
2 such as a reduction in the hours of nonovertime work, wages,  
3 or employment benefits).

4 (c)(B) No A recipient may NOT be employed when any  
5 other person is on layoff from the same or any substantially  
6 equivalent--job GIVEN A WORK EXPERIENCE OR TRAINING  
7 ASSIGNMENT IF:

8 (I) THE ASSIGNMENT WOULD FILL AN ESTABLISHED UNFILLED  
9 VACANCY THAT EXISTS BECAUSE AN EMPLOYEE HAS BEEN LAID OFF;  
10 or

11 (II) when the employer has terminated the employment of  
12 any regular employee or otherwise reduced its workforce with  
13 the intention of filling the vacancy so created by hiring a  
14 recipient whose wages are subsidized under this section WITH  
15 A GENERAL RELIEF RECIPIENT.

16 (C) A RECIPIENT MAY NOT BE REQUIRED TO PARTICIPATE IN  
17 A WORKFARE PROGRAM IF PARTICIPATION IS DETERMINED TO  
18 INTERFERE WITH:

19 (I) PARTICIPATION IN A JOB SEARCH OR JOB TRAINING  
20 PROGRAM; OR

21 (II) ATTENDANCE IN A SECONDARY EDUCATION PROGRAM.

22 (D) THE MAXIMUM NUMBER OF HOURS THAT A RECIPIENT MAY  
23 BE REQUIRED TO PARTICIPATE IN A WORKFARE PROGRAM AND JOB  
24 SEARCH AND TRAINING PROGRAMS MAY NOT EXCEED 40 HOURS IN A  
25 WEEK.

(5) The county department of public welfare or the department of social and rehabilitation services, as the case may be, shall provide coverage under the Workers' Compensation Act for those recipients of general relief ~~working under the provisions--hereof~~ PARTICIPATING IN THE WORKFARE PROGRAM and may enter into such agreements with the division of workers' compensation of the department of labor and industry as may be necessary to carry out the provisions of this section.

~~{6}--A--recipient--who--has--completed--the--assessment--and--testing--portions--of--the--program--and--has--developed--an--employability--plan--shall--participate--in--the--job--readiness--and--job--search--program--provided--for--in--subsection--{3}{d}--for--at--least--80--hours--in--any--5--week--period--and--shall--spend--at--least--8--hours--a--week--in--a--supervised--effort--to--find--employment;~~

~~{7}--A--recipient--who--has--completed--the--job--search--program--provided--for--in--subsection--{3}--shall:~~

~~{a}--continue--to--spend--at--least--8--hours--a--week--in--a--supervised--effort--to--find--employment;--and~~

~~{b}--for--the--duration--of--his--eligibility--for--general--relief;--spend--32--hours--a--week;--as--called--for--in--the--employability--plan;--in:~~

~~{i}--remedial--education;~~

~~{ii}--counseling;~~

~~{iii}--job--skills--training;~~

~~{iv}--work--for--a--public--agency--or--a--private--nonprofit--agency;--as--required--in--subsection--{4};--or~~

~~{v}--job--seeking--or--other--related--activities;~~

~~{8}--Nothing--in--this--chapter--requires--a--recipient--to:~~

~~{a}--participate--in--the--job--search--and--training--program--required--by--subsection--{3}--or--to--perform--work--under--subsection--{4}--if--the--training--or--work--site--is--more--than--10--miles--from--his--residence;--unless--the--department--provides--transportation--or--reimburses--the--recipient--for--transportation--costs;--or~~

~~{b}--continue--the--activities--required--by--subsection--{7}--for--longer--than--6--months;~~

~~{9}{6}~~ Where a labor organization represents a substantial number of employees who are engaged in similar work or training in the area where it is proposed to assign the recipient to work or training A WORKFARE PROJECT, an opportunity must be provided for that organization to submit comments with respect to such proposal.

~~{10}{7}~~ No work A WORKFARE program may NOT impair existing contracts for services or collective bargaining agreements, and no work A WORKFARE program that would be inconsistent with the terms of a collective bargaining agreement may NOT be undertaken without the written concurrence of the labor organization and employer

1 concerned.

2 (8) No program established under this section may  
3 include any political, partisan, or lobbying activities. The  
4 department shall deny funds to any program involved in such  
5 activities."

6 NEW SECTION. SECTION 2. PAYMENT AFTER PERFORMANCE.

7 (1) IN A COUNTY WITH STATE-ASSUMED WELFARE SERVICES, AN  
8 EMPLOYABLE PERSON MAY RECEIVE GENERAL RELIEF FOR SHELTER AND  
9 PERSONAL NEEDS IF:

10 (A) HE HAS COMPLETED AND FILED A PROPER APPLICATION  
11 FOR ASSISTANCE; AND

12 (B) ALL EMPLOYABLE MEMBERS OF THE HOUSEHOLD HAVE  
13 COMPLETED 2 FULL WEEKS IN A STRUCTURED JOB SEARCH, TRAINING,  
14 OR WORKFARE PROGRAM AS REQUIRED IN 53-3-304.

15 (2) A PERSON IS INELIGIBLE FOR ASSISTANCE UNDER  
16 SUBSECTION (1) IF:

17 (A) THE PERSON FAILS TO COOPERATE WITH THE DEPARTMENT  
18 IN ITS INVESTIGATION OF ELIGIBILITY; OR

19 (B) THE DEPARTMENT'S INVESTIGATION DURING THE 2-WEEK  
20 PERIOD DESCRIBED IN SUBSECTION (1)(B) DISCLOSES THAT THE  
21 PERSON IS INELIGIBLE TO RECEIVE ASSISTANCE.

22 NEW SECTION. SECTION 3. LIMITATION OF SERVICES. (1)  
23 THE DEPARTMENT MAY LIMIT THE SCOPE AND AVAILABILITY OF  
24 PROGRAMS AND SERVICES UNDER 53-3-304 AS MAY BE NECESSARY  
25 BECAUSE OF:

1 (A) THE ACTUAL NEEDS OF AN INDIVIDUAL, AS DETERMINED  
2 IN ACCORDANCE WITH AN EMPLOYABILITY PLAN;

3 (B) FUNDING LIMITATIONS;

4 (C) SERVICE LIMITATIONS;

5 (D) LIMITATIONS CAUSED BY THE LACK OF AVAILABLE  
6 EMPLOYMENT IN THE AREA; AND

7 (E) AN INSUFFICIENT NUMBER OF RECIPIENTS IN AN AREA TO  
8 JUSTIFY ESTABLISHMENT OF JOB SEARCH, TRAINING, AND WORKFARE  
9 PROGRAMS.

10 (2) RECIPIENTS RESIDING IN AREAS WHERE PROGRAMS AND  
11 SERVICES ARE RESTRICTED BECAUSE OF SUBSECTION (1) ARE EXEMPT  
12 FROM MANDATORY PARTICIPATION IN A JOB SEARCH, TRAINING, AND  
13 WORKFARE PROGRAM.

14 NEW SECTION. SECTION 4. EMPLOYABILITY PLAN. (1) THE  
15 DEPARTMENT SHALL DEVELOP OR CONTRACT FOR THE DEVELOPMENT OF  
16 AN EMPLOYABILITY PLAN FOR EACH PARTICIPANT ENROLLED IN JOB  
17 SEARCH, TRAINING, AND WORKFARE PROGRAMS PROVIDED FOR IN  
18 53-3-304.

19 (2) THE DEPARTMENT MAY CONTRACT FOR ASSESSMENT AND  
20 TESTING IF:

21 (A) IT DETERMINES THERE IS A NEED FOR ASSESSMENT AND  
22 TESTING IN ORDER TO DEVELOP AN EMPLOYABILITY PLAN; AND

23 (B) FUNDS ARE AVAILABLE FOR SUCH SERVICES.

24 NEW SECTION. SECTION 5. TRANSITION-TO-WORK ALLOWANCE.  
25 (1) AS AN ALTERNATIVE TO THE PROGRAMS AND SERVICES PROVIDED

FOR IN 53-3-304, THE DEPARTMENT MAY PAY RECIPIENTS A  
 TRANSITION-TO-WORK ALLOWANCE. THIS ALLOWANCE MAY BE USED  
 ONLY FOR RELOCATION EXPENSES FOR RECIPIENTS WHO HAVE  
 OBTAINED EMPLOYMENT IN ANOTHER COUNTY OR STATE.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
 CHAPTER, A PERSON WHO ELECTS TO RECEIVE THE ALLOWANCE  
 PROVIDED FOR IN SUBSECTION (1) IS INELIGIBLE FOR GENERAL  
 RELIEF ASSISTANCE FOR A PERIOD OF 16 MONTHS.

NEW SECTION. **SECTION 6.** TRANSPORTATION ASSISTANCE.  
 THE DEPARTMENT MAY PROVIDE NECESSARY TRANSPORTATION OR  
 REIMBURSEMENT OF TRANSPORTATION COSTS FOR PERSONS ENROLLED  
 IN JOB SEARCH, TRAINING, AND WORKFARE PROGRAMS PROVIDED FOR  
 IN 53-3-304.

NEW SECTION. **SECTION 7.** PERFORMANCE STANDARDS --  
 MONITORING AND EVALUATION OF PROGRAM. (1) THE DEPARTMENT  
 SHALL PROVIDE STANDARDS TO FURTHER MEASURE THE PERFORMANCE  
 AND EFFECTIVENESS OF THE GENERAL RELIEF JOB SEARCH,  
 TRAINING, AND WORKFARE PROGRAM PROVIDED FOR IN 53-3-304. THE  
 STANDARDS MUST CONSIST OF AN OBJECTIVE, QUANTIFIABLE MEASURE  
 OF THE EXTENT TO WHICH PARTICIPATION IN THE PROGRAM  
 INCREASES THE EMPLOYMENT AND EARNINGS OF PARTICIPANTS AND  
 DECREASES THEIR DEPENDENCY ON PUBLIC ASSISTANCE.

(2) IN ORDER TO DETERMINE WHETHER PERFORMANCE  
 STANDARDS ARE MET, THE DEPARTMENT SHALL MONITOR AND EVALUATE  
 THE PROGRAM ON THE BASIS OF APPROPRIATE FACTORS THAT MUST

INCLUDE THE FOLLOWING:

(A) THE PLACEMENT OF PARTICIPANTS IN UNSUBSIDIZED  
 EMPLOYMENT;

(B) THE RETENTION OF PARTICIPANTS IN UNSUBSIDIZED  
 EMPLOYMENT;

(C) THE INCREASE IN EARNINGS, INCLUDING HOURLY WAGES,  
 OF PARTICIPANTS DUE TO PLACEMENT IN UNSUBSIDIZED EMPLOYMENT;

(D) THE REDUCTION IN THE NUMBER OF INDIVIDUALS AND  
 FAMILIES RECEIVING AID TO FAMILIES WITH DEPENDENT CHILDREN;

AND

(E) THE AMOUNT OF REDUCTIONS IN PAYMENTS FOR AID TO  
 FAMILIES WITH DEPENDENT CHILDREN.

(3) IN MONITORING AND EVALUATING THE PERFORMANCE OF  
 THE PROGRAM, THE DEPARTMENT SHALL DETERMINE THE REASONS FOR  
 HIGH AND LOW LEVELS OF PERFORMANCE, ADMINISTRATIVE  
 EFFICIENCIES, AND PROGRAM COORDINATION.

NEW SECTION. **SECTION 8.** COORDINATION REQUIREMENTS --  
 CONSOLIDATION OF PROGRAMS AUTHORIZED. (1) THE GOVERNOR SHALL  
 ASSURE THAT PROGRAM ACTIVITIES UNDER 53-3-304 ARE  
 COORDINATED WITH PROGRAMS ADMINISTERED UNDER THE FEDERAL JOB  
 TRAINING PARTNERSHIP ACT AND ANY OTHER RELEVANT EMPLOYMENT,  
 TRAINING, EDUCATION, OR WORK PROGRAM IN THIS STATE.

(2) THE GOVERNOR MAY CONSOLIDATE THE PROGRAM  
 ESTABLISHED IN 53-3-304 WITH OTHER PROGRAMS IN ORDER TO  
 MAXIMIZE COORDINATION OF PROGRAM ACTIVITIES AS REQUIRED IN



1 SUBSECTION (1) AND TO PREVENT OVERLAPPING AND DUPLICATION OF  
2 SERVICES.

3 (3) WHERE ADULT BASIC EDUCATION PROGRAMS EXIST,  
4 REMEDIAL EDUCATION SERVICES PROVIDED FOR IN 53-3-304(3) MUST  
5 BE COORDINATED, THROUGH CONTRACTS OR COOPERATIVE AGREEMENTS,  
6 WITH STATE OR LOCAL AGENCIES HAVING RESPONSIBILITY FOR  
7 PROGRAMS ADMINISTERED UNDER THE ADULT EDUCATION ACT, PUBLIC  
8 LAW 100-297.

9 NEW SECTION. Section 9. Audit. The legislative  
10 auditor shall conduct a performance audit of the program  
11 provided in 53-3-304 and report the results of the audit to  
12 the 52nd 53RD legislature.

13 NEW SECTION. SECTION 10. APPROPRIATION. THE  
14 FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF SOCIAL  
15 AND REHABILITATION SERVICES FOR THE PURPOSE OF ADMINISTERING  
16 [THIS ACT]:

<u>FUND</u>	<u>FY 90</u>	<u>FY 91</u>
<u>GENERAL FUND</u>	<u>\$ 832,265</u>	<u>\$ 832,265</u>
<u>FEDERAL SPECIAL</u>		
<u>REVENUE</u>	<u>1,055,235</u>	<u>1,055,235</u>
<u>TOTAL</u>	<u>\$ 1,887,500</u>	<u>\$ 1,887,500</u>

22 NEW SECTION. Section 11. Extension of authority. Any  
23 existing authority to make rules on the subject of the  
24 provisions of [this act] is extended to the provisions of  
25 [this act].

1 NEW SECTION. SECTION 12. COORDINATION INSTRUCTION.  
2 IF THIS BILL AND SENATE BILL NO. 101 ARE PASSED AND  
3 APPROVED, THEN [SECTION 10, SENATE BILL NO. 101] IS AMENDED  
4 SO LANGUAGE THAT READS: "A PERSON WHO HAS A SERIOUS BARRIER  
5 TO EMPLOYMENT OR WHO SUFFERS FROM DRUG OR ALCOHOL DEPENDENCY  
6 SHALL REPORT TO THE AGENCY DESIGNATED PURSUANT TO  
7 53-3-304(2) TO IMPLEMENT A JOB SEARCH, TRAINING, AND WORK  
8 PROGRAM" WILL READ "A PERSON WHO HAS A SERIOUS BARRIER TO  
9 EMPLOYMENT OR WHO SUFFERS FROM DRUG OR ALCOHOL DEPENDENCY  
10 SHALL REPORT TO A JOB SEARCH, TRAINING, AND WORKFARE  
11 PROGRAM".

12 NEW SECTION. SECTION 13. CODIFICATION INSTRUCTION.  
13 [SECTIONS 2 THROUGH 6 7] ARE INTENDED TO BE CODIFIED AS AN  
14 INTEGRAL PART OF TITLE 53, CHAPTER 3, PART 3, AND THE  
15 PROVISIONS OF TITLE 53, CHAPTER 3, PART 3, APPLY TO  
16 [SECTIONS 2 THROUGH 6 7].

17 NEW-SECTION--Section 14--Effective-date--[This--act]  
18 is-effective-July-17-1989 JANUARY-17-1990-

19 NEW SECTION. SECTION 14. EFFECTIVE DATES. (1)  
20 [SECTIONS 10 THROUGH THIS SECTION] ARE EFFECTIVE JULY 1,  
21 1989.  
22 (2) [SECTIONS 1 THROUGH 9] ARE EFFECTIVE JANUARY 1,  
23 1990.

-End-

## SENATE BILL NO. 128

INTRODUCED BY MANNING, MCLANE, NORMAN, PIPINICH,

REGAN, O'KEEFE, WALKER, CONNELLY, J. BROWN, BRADLEY

BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE ON WELFARE

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CONTINUE  
A JOB SEARCH, TRAINING, AND WORK PROGRAM FOR EMPLOYABLE  
RECIPIENTS OF GENERAL RELIEF ASSISTANCE; TO CLARIFY THE  
PURPOSE OF THE PROGRAM; TO APPROPRIATE FUNDS FOR  
ADMINISTRATION OF THE PROGRAM; AMENDING SECTION 53-3-304,  
MCA; AND PROVIDING AN A DELAYED EFFECTIVE DATE."

## STATEMENT OF INTENT

It is the intent of the legislature, in enacting this  
bill, that the department of social and rehabilitation  
services revamp the current general relief work program  
provided for in 53-3-304 to make it a total, work-oriented  
program designed to help recipients of general relief obtain  
regular, sustainable employment.

The bill is intended to correct program deficiencies  
found in an audit requested by the joint interim  
subcommittee on welfare. The audit, which was conducted by  
the office of the legislative auditor, revealed that the  
current program is not achieving the purpose for which it  
was intended. The audit showed that:

(1) the current program does not enable general relief  
recipients to obtain permanent employment;

(2) the program only moderately increases the  
percentage of recipients who find employment;

(3) the program does not significantly reduce the  
general relief caseload; and

(4) overall, the program does not result in net  
savings to the state when reductions in welfare costs are  
compared to the costs of administering the program.

Thus, the legislature intends to provide for a  
revitalized work program for recipients of general relief.  
As reconceived, the program must include:

(1) intensive job search activity and prompt  
placements for recipients who are job ready, rather than  
remedial education, job training, or other activities that,  
although beneficial, are not necessary for recipients to  
find employment;

~~(2) remedial education and job skills training, but  
only if it is necessary for the recipient to become  
employed. Whenever possible, it is intended that services be  
provided through existing local adult basic education  
programs and programs administered under the Job Training  
Partnership Act;~~

~~(3) active daily involvement of recipients in a  
combination of employment-related activities in order to~~

1 enhance self-motivation and to increase job placement; job  
 2 search is an essential requirement that should be conducted  
 3 as part of the food stamp employment and training program  
 4 funded by the federal government; in addition, county  
 5 workfare should be required, but only in combination with  
 6 other employment assistance, such as job search, job  
 7 readiness training, remedial education, job training, and  
 8 job placement.

9 {4}(2) a minimum 40-hour per week requirement for  
 10 participation in program activities;

11 {5}(3) a clear expectation that recipients must be  
 12 employed at the end of the program. This expectation should  
 13 be reinforced daily by program operators and should be  
 14 communicated to each recipient upon enrollment in the  
 15 program.

16 {6}(4) participation in activities authorized under  
 17 [section 10, Senate Bill No. 101] in lieu of participation  
 18 in job search, training, and work WORKFARE activities  
 19 otherwise required in 53-3-304;

20 {7}(5) follow-up and monitoring of program  
 21 performance; and

22 {8}(6) prohibition of political activities under the  
 23 program.

24 IN ADDITION, THE PROGRAM MAY INCLUDE:

25 (1) REMEDIAL EDUCATION AND JOB SKILLS TRAINING, BUT

1 ONLY IF IT IS NECESSARY FOR THE RECIPIENT TO BECOME  
 2 EMPLOYED. WHENEVER POSSIBLE, IT IS INTENDED THAT SERVICES BE  
 3 PROVIDED THROUGH EXISTING, LOCAL ADULT BASIC EDUCATION  
 4 PROGRAMS AND PROGRAMS ADMINISTERED UNDER THE FEDERAL JOB  
 5 TRAINING PARTNERSHIP ACT.

6 (2) ACTIVE DAILY INVOLVEMENT OF RECIPIENTS IN A  
 7 COMBINATION OF EMPLOYMENT-RELATED ACTIVITIES IN ORDER TO  
 8 ENHANCE SELF-MOTIVATION AND TO INCREASE JOB PLACEMENT;

9 (3) COUNTY WORKFARE, BUT ONLY IN COMBINATION WITH  
 10 OTHER EMPLOYMENT ASSISTANCE, SUCH AS JOB SEARCH, JOB  
 11 READINESS TRAINING, REMEDIAL EDUCATION, JOB TRAINING, AND  
 12 JOB PLACEMENT SERVICES.

13 THE DEPARTMENT MAY LIMIT THE AVAILABILITY OF SERVICES  
 14 IN SUBSECTIONS (1) THROUGH (3) OF THE PRECEDING PARAGRAPH IF  
 15 SUCH ACTION IS NECESSARY AS A RESULT OF BUDGET LIMITATIONS.

16 In redesigning the program, the department of social  
 17 and rehabilitation services shall examine the policies and  
 18 experience of work programs in other states, including the  
 19 Utah emergency work program, which is a program that has  
 20 operated at less than 10% of the cost of the Utah work  
 21 incentive (WIN) program.

22  
 23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

24 **Section 1.** Section 53-3-304, MCA, is amended to read:

25 **"53-3-304. Power to require recipient employable**

recipients to participate in job search, training, and work WORKFARE programs. (1) The department shall cooperate--with the--department--of--labor-and-industry-and-other designated agencies-to initiate, promote, and develop job search, training, and work WORKFARE programs that will contribute-to the--employability-of provide employment, training, and WORK experience for persons receiving general relief under the provisions of this chapter. These programs must be designed to:

(a) preserve and improve the work habits and job-finding skills of recipients for whom jobs are not otherwise immediately available; and

(b) provide training and WORK experience that will enable recipients to find regular, sustainable employment.

(2) For each county with state-assumed welfare services, the department shall contract-with-the-department of-labor--and--industry--or--other designated agencies--to institute a job--search,--training,--and-work program that provides-able-bodied--general--relief--recipients--with--the necessary-job-finding-skills-to-seek-unsubsidized-employment independently JOB SEARCH, TRAINING, AND WORKFARE PROGRAMS as provided for in subsection (1).

(3) IN EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, IN a county with state-assumed welfare services, an able-bodied employable recipient of general relief shall

enroll in a structured job search and training program at an employment office or other site designated by the department. The program must MAY include but-is-not-limited to the following elements:

(a) assessment and testing;

(b) an employability plan;

(c) a requirement that recipients participate for a minimum of 40 hours a week in a combination of activities, including work WORKFARE as provided in subsection (4), unless they are prevented, with good cause, from participating in such activities;

(d) remedial education or job skills training, if it is called for in the employability plan and if it provides for immediate referral to an appropriate Job Training Partnership Act program;

(e) a job readiness and job search program that must include but is not limited to:

(i) self-assessment and occupational testing;

(ii) instruction in completing applications, writing resumes, and preparing for interviews;

(iii) identification of and contact with potential employers; and

(iv) participation in simulated job interviews; and

(v) intensive job search activity and prompt placements for recipients who are ready to enter the work

force;

~~(e)(f)~~ a supervised effort to find employment; and

~~(f)(g)~~ efforts to address barriers to employment;

(h) an expectation that recipients must be employed at the end of the program; and

(i) followup and monitoring of program performance.

(4) ~~(a)~~ In addition to the training required in subsection (3), if--a public agency or a private nonprofit agency has work--available--which--a--recipient--of--general relief--is--capable--of--performing--or--the--department--of--social and--rehabilitation--services--is--required--to--operate--a--work program--under--the--provisions--of--53-2-822,--then the county department of public welfare or the department of social and rehabilitation services may require a recipient to perform work--at--the--minimum--wage--or--may pay a recipient at the prevailing rate of wages paid in that county by that--agency for--similar--work,--to be paid from the county poor fund or state funds,--in place--of--granting--him--general--relief. PARTICIPATE IN A WORKFARE PROGRAM. THE PURPOSE OF THE WORKFARE PROGRAM IS TO PROVIDE WORK EXPERIENCE AND TRAINING FOR GENERAL RELIEF RECIPIENTS IN SPECIFICALLY CREATED WORK PROJECTS OPERATED BY A PUBLIC AGENCY OR A PRIVATE, NONPROFIT AGENCY. A WORKFARE PROGRAM ESTABLISHED UNDER THIS SECTION MUST PROVIDE THAT:

~~(b)(A)~~ No A currently employed worker may NOT be

displaced by any recipient (including partial displacement such as a reduction in the hours of nonovertime work, wages, or employment benefits).

~~(c)(B)~~ No A recipient may NOT be employed when any other person is on layoff from the same or any substantially equivalent--job GIVEN A WORK EXPERIENCE OR TRAINING ASSIGNMENT IF:

(I) THE ASSIGNMENT WOULD FILL AN ESTABLISHED UNFILLED VACANCY THAT EXISTS BECAUSE AN EMPLOYEE HAS BEEN LAID OFF;  
or

(II) when the employer has terminated the employment of any regular employee or otherwise reduced its workforce with the intention of filling the vacancy so-created-by-hiring-a recipient-whose-wages-are-subsidized-under-this-section WITH A GENERAL RELIEF RECIPIENT.

(C) A RECIPIENT MAY NOT BE REQUIRED TO PARTICIPATE IN A WORKFARE PROGRAM IF PARTICIPATION IS DETERMINED TO INTERFERE WITH:

(I) PARTICIPATION IN A JOB SEARCH OR JOB TRAINING PROGRAM; OR

(II) ATTENDANCE IN A SECONDARY EDUCATION PROGRAM.

(D) THE MAXIMUM NUMBER OF HOURS THAT A RECIPIENT MAY BE REQUIRED TO PARTICIPATE IN A WORKFARE PROGRAM AND JOB SEARCH AND TRAINING PROGRAMS MAY NOT EXCEED 40 HOURS IN A WEEK.

(5) The county department of public welfare or the department of social and rehabilitation services, as the case may be, shall provide coverage under the Workers' Compensation Act for those recipients of general relief working under the provisions hereof PARTICIPATING IN THE WORKFARE PROGRAM and may enter into such agreements with the division of workers' compensation of the department of labor and industry as may be necessary to carry out the provisions of this section.

{6}--A--recipient--who--has--completed--the--assessment--and--testing--portions--of--the--program--and--has--developed--an--employability--plan--shall--participate--in--the--job--readiness--and--job--search--program--provided--for--in--subsection--{3}{d}--for--at--least--80--hours--in--any--5--week--period--and--shall--spend--at--least--8--hours--a--week--in--a--supervised--effort--to--find--employment.

{7}--A--recipient--who--has--completed--the--job--search--program--provided--for--in--subsection--{3}--shall:

{a}--continue--to--spend--at--least--8--hours--a--week--in--a--supervised--effort--to--find--employment;--and

{b}--for--the--duration--of--his--eligibility--for--general--relief,--spend--32--hours--a--week,--as--called--for--in--the--employability--plan;--in:

{i}--remedial--education;

{ii}--counseling;

{iii}--job--skills--training;

{iv}--work--for--a--public--agency--or--a--private--nonprofit--agency,--as--required--in--subsection--{4};--or

{v}--job--seeking--or--other--related--activities;

{8}--Nothing--in--this--chapter--requires--a--recipient--to:

{a}--participate--in--the--job--search--and--training--program--required--by--subsection--{3}--or--to--perform--work--under--subsection--{4}--if--the--training--or--work--site--is--more--than--10--miles--from--his--residence,--unless--the--department--provides--transportation--or--reimburses--the--recipient--for--transportation--costs;--or

{b}--continue--the--activities--required--by--subsection--{7}--for--longer--than--6--months.

{9}{6} Where a labor organization represents a substantial number of employees who are engaged in similar work or training in the area where it is proposed to assign the recipient to work or training A WORKFARE PROJECT, an opportunity must be provided for that organization to submit comments with respect to such proposal.

{10}{7} No work A WORKFARE program may NOT impair existing contracts for services or collective bargaining agreements, and no work A WORKFARE program that would be inconsistent with the terms of a collective bargaining agreement may NOT be undertaken without the written concurrence of the labor organization and employer

concerned.

(8) No program established under this section may include any political, partisan, or lobbying activities. The department shall deny funds to any program involved in such activities."

**NEW SECTION. SECTION 2. PAYMENT AFTER PERFORMANCE.**

(1) IN A COUNTY WITH STATE-ASSUMED WELFARE SERVICES, AN EMPLOYABLE PERSON MAY RECEIVE GENERAL RELIEF FOR SHELTER AND PERSONAL NEEDS IF:

(A) HE HAS COMPLETED AND FILED A PROPER APPLICATION FOR ASSISTANCE; AND

(B) ALL EMPLOYABLE MEMBERS OF THE HOUSEHOLD HAVE COMPLETED 2 FULL WEEKS IN A STRUCTURED JOB SEARCH, TRAINING, OR WORKFARE PROGRAM AS REQUIRED IN 53-3-304.

(2) A PERSON IS INELIGIBLE FOR ASSISTANCE UNDER SUBSECTION (1) IF:

(A) THE PERSON FAILS TO COOPERATE WITH THE DEPARTMENT IN ITS INVESTIGATION OF ELIGIBILITY; OR

(B) THE DEPARTMENT'S INVESTIGATION DURING THE 2-WEEK PERIOD DESCRIBED IN SUBSECTION (1)(B) DISCLOSES THAT THE PERSON IS INELIGIBLE TO RECEIVE ASSISTANCE.

**NEW SECTION. SECTION 3. LIMITATION OF SERVICES. (1)**

THE DEPARTMENT MAY LIMIT THE SCOPE AND AVAILABILITY OF PROGRAMS AND SERVICES UNDER 53-3-304 AS MAY BE NECESSARY BECAUSE OF:

(A) THE ACTUAL NEEDS OF AN INDIVIDUAL, AS DETERMINED IN ACCORDANCE WITH AN EMPLOYABILITY PLAN;

(B) FUNDING LIMITATIONS;

(C) SERVICE LIMITATIONS;

(D) LIMITATIONS CAUSED BY THE LACK OF AVAILABLE EMPLOYMENT IN THE AREA; AND

(E) AN INSUFFICIENT NUMBER OF RECIPIENTS IN AN AREA TO JUSTIFY ESTABLISHMENT OF JOB SEARCH, TRAINING, AND WORKFARE PROGRAMS.

(2) RECIPIENTS RESIDING IN AREAS WHERE PROGRAMS AND SERVICES ARE RESTRICTED BECAUSE OF SUBSECTION (1) ARE EXEMPT FROM MANDATORY PARTICIPATION IN A JOB SEARCH, TRAINING, AND WORKFARE PROGRAM.

**NEW SECTION. SECTION 4. EMPLOYABILITY PLAN. (1) THE DEPARTMENT SHALL DEVELOP OR CONTRACT FOR THE DEVELOPMENT OF AN EMPLOYABILITY PLAN FOR EACH PARTICIPANT ENROLLED IN JOB SEARCH, TRAINING, AND WORKFARE PROGRAMS PROVIDED FOR IN 53-3-304.**

(2) THE DEPARTMENT MAY CONTRACT FOR ASSESSMENT AND TESTING IF:

(A) IT DETERMINES THERE IS A NEED FOR ASSESSMENT AND TESTING IN ORDER TO DEVELOP AN EMPLOYABILITY PLAN; AND

(B) FUNDS ARE AVAILABLE FOR SUCH SERVICES.

**NEW SECTION. SECTION 5. TRANSITION-TO-WORK ALLOWANCE.**

(1) AS AN ALTERNATIVE TO THE PROGRAMS AND SERVICES PROVIDED

FOR IN 53-3-304, THE DEPARTMENT MAY PAY RECIPIENTS A  
TRANSITION-TO-WORK ALLOWANCE. THIS ALLOWANCE MAY BE USED  
ONLY FOR RELOCATION EXPENSES FOR RECIPIENTS WHO HAVE  
OBTAINED EMPLOYMENT IN ANOTHER COUNTY OR STATE.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
CHAPTER, A PERSON WHO ELECTS TO RECEIVE THE ALLOWANCE  
PROVIDED FOR IN SUBSECTION (1) IS INELIGIBLE FOR GENERAL  
RELIEF ASSISTANCE FOR A PERIOD OF 16 MONTHS.

NEW SECTION. **SECTION 6.** TRANSPORTATION ASSISTANCE.  
THE DEPARTMENT MAY PROVIDE NECESSARY TRANSPORTATION OR  
REIMBURSEMENT OF TRANSPORTATION COSTS FOR PERSONS ENROLLED  
IN JOB SEARCH, TRAINING, AND WORKFARE PROGRAMS PROVIDED FOR  
IN 53-3-304.

NEW SECTION. **SECTION 7.** PERFORMANCE STANDARDS --  
MONITORING AND EVALUATION OF PROGRAM. (1) THE DEPARTMENT  
SHALL PROVIDE STANDARDS TO FURTHER MEASURE THE PERFORMANCE  
AND EFFECTIVENESS OF THE GENERAL RELIEF JOB SEARCH,  
TRAINING, AND WORKFARE PROGRAM PROVIDED FOR IN 53-3-304. THE  
STANDARDS MUST CONSIST OF AN OBJECTIVE, QUANTIFIABLE MEASURE  
OF THE EXTENT TO WHICH PARTICIPATION IN THE PROGRAM  
INCREASES THE EMPLOYMENT AND EARNINGS OF PARTICIPANTS AND  
DECREASES THEIR DEPENDENCY ON PUBLIC ASSISTANCE.

(2) IN ORDER TO DETERMINE WHETHER PERFORMANCE  
STANDARDS ARE MET, THE DEPARTMENT SHALL MONITOR AND EVALUATE  
THE PROGRAM ON THE BASIS OF APPROPRIATE FACTORS THAT MUST

INCLUDE THE FOLLOWING:

(A) THE PLACEMENT OF PARTICIPANTS IN UNSUBSIDIZED  
EMPLOYMENT;

(B) THE RETENTION OF PARTICIPANTS IN UNSUBSIDIZED  
EMPLOYMENT;

(C) THE INCREASE IN EARNINGS, INCLUDING HOURLY WAGES,  
OF PARTICIPANTS DUE TO PLACEMENT IN UNSUBSIDIZED EMPLOYMENT;

(D) THE REDUCTION IN THE NUMBER OF INDIVIDUALS AND  
FAMILIES RECEIVING AID TO FAMILIES WITH DEPENDENT CHILDREN;  
AND

(E) THE AMOUNT OF REDUCTIONS IN PAYMENTS FOR AID TO  
FAMILIES WITH DEPENDENT CHILDREN.

(3) IN MONITORING AND EVALUATING THE PERFORMANCE OF  
THE PROGRAM, THE DEPARTMENT SHALL DETERMINE THE REASONS FOR  
HIGH AND LOW LEVELS OF PERFORMANCE, ADMINISTRATIVE  
EFFICIENCIES, AND PROGRAM COORDINATION.

NEW SECTION. **SECTION 8.** COORDINATION REQUIREMENTS --  
CONSOLIDATION OF PROGRAMS AUTHORIZED. (1) THE GOVERNOR SHALL  
ASSURE THAT PROGRAM ACTIVITIES UNDER 53-3-304 ARE  
COORDINATED WITH PROGRAMS ADMINISTERED UNDER THE FEDERAL JOB  
TRAINING PARTNERSHIP ACT AND ANY OTHER RELEVANT EMPLOYMENT,  
TRAINING, EDUCATION, OR WORK PROGRAM IN THIS STATE.

(2) THE GOVERNOR MAY CONSOLIDATE THE PROGRAM  
ESTABLISHED IN 53-3-304 WITH OTHER PROGRAMS IN ORDER TO  
MAXIMIZE COORDINATION OF PROGRAM ACTIVITIES AS REQUIRED IN



SUBSECTION (1) AND TO PREVENT OVERLAPPING AND DUPLICATION OF SERVICES.

(3) WHERE ADULT BASIC EDUCATION PROGRAMS EXIST, REMEDIAL EDUCATION SERVICES PROVIDED FOR IN 53-3-304(3) MUST BE COORDINATED, THROUGH CONTRACTS OR COOPERATIVE AGREEMENTS, WITH STATE OR LOCAL AGENCIES HAVING RESPONSIBILITY FOR PROGRAMS ADMINISTERED UNDER THE ADULT EDUCATION ACT, PUBLIC LAW 100-297.

NEW SECTION. Section 9. Audit. The legislative auditor shall conduct a performance audit of the program provided in 53-3-304 and report the results of the audit to the 52nd 53RD legislature.

NEW SECTION. SECTION 10. APPROPRIATION. THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FOR THE PURPOSE OF ADMINISTERING [THIS ACT]:

<u>FUND</u>	<u>FY 90</u>	<u>FY 91</u>
<u>GENERAL FUND</u>	<u>\$ 832,265</u>	<u>\$ 832,265</u>
<u>FEDERAL SPECIAL</u>		
<u>REVENUE</u>	<u>1,055,235</u>	<u>1,055,235</u>
<u>TOTAL</u>	<u>\$ 1,887,500</u>	<u>\$ 1,887,500</u>

NEW SECTION. Section 11. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

NEW SECTION. SECTION 12. COORDINATION INSTRUCTION.

IF THIS BILL AND SENATE BILL NO. 101 ARE PASSED AND APPROVED, THEN [SECTION 10, SENATE BILL NO. 101] IS AMENDED SO LANGUAGE THAT READS: "A PERSON WHO HAS A SERIOUS BARRIER TO EMPLOYMENT OR WHO SUFFERS FROM DRUG OR ALCOHOL DEPENDENCY SHALL REPORT TO THE AGENCY DESIGNATED PURSUANT TO 53-3-304(2) TO IMPLEMENT A JOB SEARCH, TRAINING, AND WORK PROGRAM" WILL READ "A PERSON WHO HAS A SERIOUS BARRIER TO EMPLOYMENT OR WHO SUFFERS FROM DRUG OR ALCOHOL DEPENDENCY SHALL REPORT TO A JOB SEARCH, TRAINING, AND WORKFARE PROGRAM".

NEW SECTION. SECTION 13. CODIFICATION INSTRUCTION.

[SECTIONS 2 THROUGH 6 7] ARE INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 53, CHAPTER 3, PART 3, AND THE PROVISIONS OF TITLE 53, CHAPTER 3, PART 3, APPLY TO [SECTIONS 2 THROUGH 6 7].

NEW SECTION. Section 14. Effective date. [This act] is effective July-17-1989 JANUARY 1, 1990.

-End-

16

Free Conference Committee Report  
on SB 128  
Report No. 1, April 12, 1989

Mr President and Mr. Speaker:

We, your Free Conference Committee on SB 128 met and considered:

The House Committee of the Whole amendments to SB 128 (third reading copy -- blue) offered by Rep. Marks, and dated March 27, 1989; and


The House Committee on Human Services and Aging amendments to SB 128 (third reading copy -- blue) dated March 21, 1989.

We recommend that SB 128 (reference copy -- salmon) be amended as follows:

1. Page 11, lines 7 through 12.  
Following: "(1)" on line 7  
Strike: remainder of line 7 through "(B)" on line 12  
Insert: "The department may by rule withhold general relief assistance or limit payments to shelter or personal needs until"
2. Page 11, line 20.  
Following: "(1)"  
Strike: "(B)"
3. Page 13, line 16.  
Strike: "FURTHER"
4. Page 14, line 9.  
Page 14, lines 11 and 12.  
Strike: "AID TO FAMILIES WITH DEPENDENT CHILDREN"  
Insert: "general relief"
5. Page 15, line 15.  
Following: "ADMINISTERING"  
Insert: "the job search, training, and work program provided for in 53-3-304 and"

And that this Conference Committee Report be adopted.

FOR THE SENATE

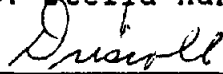
  
Sen. McLane, Chairman

Sen. Aklestad

  
Sen. Manning

FOR THE HOUSE

  
Rep. Stella Hansen

  
Rep. Driscoll

  
Rep. Marks

ADOPT

REJECT

SB 128

## SENATE BILL NO. 128

INTRODUCED BY MANNING, MCLANE, NORMAN, PIPINICH,

REGAN, O'KEEFE, WALKER, CONNELLY, J. BROWN, BRADLEY

BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE ON WELFARE

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CONTINUE  
A JOB SEARCH, TRAINING, AND WORK PROGRAM FOR EMPLOYABLE  
RECIPIENTS OF GENERAL RELIEF ASSISTANCE; TO CLARIFY THE  
PURPOSE OF THE PROGRAM; TO APPROPRIATE FUNDS FOR  
ADMINISTRATION OF THE PROGRAM; AMENDING SECTION 53-3-304,  
MCA; AND PROVIDING AN A-DELAYED EFFECTIVE DATE DATES."

## STATEMENT OF INTENT

It is the intent of the legislature, in enacting this  
bill, that the department of social and rehabilitation  
services revamp the current general relief work program  
provided for in 53-3-304 to make it a total, work-oriented  
program designed to help recipients of general relief obtain  
regular, sustainable employment.

The bill is intended to correct program deficiencies  
found in an audit requested by the joint interim  
subcommittee on welfare. The audit, which was conducted by  
the office of the legislative auditor, revealed that the  
current program is not achieving the purpose for which it  
was intended. The audit showed that:

(1) the current program does not enable general relief  
recipients to obtain permanent employment;

(2) the program only moderately increases the  
percentage of recipients who find employment;

(3) the program does not significantly reduce the  
general relief caseload; and

(4) overall, the program does not result in net  
savings to the state when reductions in welfare costs are  
compared to the costs of administering the program.

Thus, the legislature intends to provide for a  
revitalized work program for recipients of general relief.  
As reconceived, the program must include:

(1) intensive job search activity and prompt  
placements for recipients who are job ready, rather than  
remedial education, job training, or other activities that,  
although beneficial, are not necessary for recipients to  
find employment;

~~(2) remedial education and job skills training, but  
only if it is necessary for the recipient to become  
employed. Whenever possible, it is intended that services be  
provided through existing local adult basic education  
programs and programs administered under the Job Training  
Partnership Act;~~

~~(3) active daily involvement of recipients in a  
combination of employment-related activities in order to~~

1 enhance-self-motivation-and-to-increase-job--placement;--job  
 2 search--is-an-essential-requirement-that-should-be-conducted  
 3 as-part-of-the-food-stamp-employment--and--training--program  
 4 funded--by--the--federal--government;--in--addition;--county  
 5 workfare-should-be-required;--but-only--in--combination--with  
 6 other---employment--assistance;--such--as--job--search;--job  
 7 readiness-training;--remedial-education;--job--training;--and  
 8 job-placement;

9 {4}{2} a minimum 40-hour per week requirement for  
 10 participation in program activities;

11 {5}{3} a clear expectation that recipients must be  
 12 employed at the end of the program. This expectation should  
 13 be reinforced daily by program operators and should be  
 14 communicated to each recipient upon enrollment in the  
 15 program.

16 {6}{4} participation in activities authorized under  
 17 [section 10, Senate Bill No. 101] in lieu of participation  
 18 in job search, training, and work WORKFARE activities  
 19 otherwise required in 53-3-304;

20 {7}{5} follow-up and monitoring of program  
 21 performance; and

22 {8}{6} prohibition of political activities under the  
 23 program.

24 IN ADDITION, THE PROGRAM MAY INCLUDE:

25 (1) REMEDIAL EDUCATION AND JOB SKILLS TRAINING, BUT

1 ONLY IF IT IS NECESSARY FOR THE RECIPIENT TO BECOME  
 2 EMPLOYED. WHENEVER POSSIBLE, IT IS INTENDED THAT SERVICES BE  
 3 PROVIDED THROUGH EXISTING, LOCAL ADULT BASIC EDUCATION  
 4 PROGRAMS AND PROGRAMS ADMINISTERED UNDER THE FEDERAL JOB  
 5 TRAINING PARTNERSHIP ACT.

6 (2) ACTIVE DAILY INVOLVEMENT OF RECIPIENTS IN A  
 7 COMBINATION OF EMPLOYMENT-RELATED ACTIVITIES IN ORDER TO  
 8 ENHANCE SELF-MOTIVATION AND TO INCREASE JOB PLACEMENT;

9 (3) COUNTY WORKFARE, BUT ONLY IN COMBINATION WITH  
 10 OTHER EMPLOYMENT ASSISTANCE, SUCH AS JOB SEARCH, JOB  
 11 READINESS TRAINING, REMEDIAL EDUCATION, JOB TRAINING, AND  
 12 JOB PLACEMENT SERVICES.

13 THE DEPARTMENT MAY LIMIT THE AVAILABILITY OF SERVICES  
 14 IN SUBSECTIONS (1) THROUGH (3) OF THE PRECEDING PARAGRAPH IF  
 15 SUCH ACTION IS NECESSARY AS A RESULT OF BUDGET LIMITATIONS.

16 In redesigning the program, the department of social  
 17 and rehabilitation services shall examine the policies and  
 18 experience of work programs in other states, including the  
 19 Utah emergency work program, which is a program that has  
 20 operated at less than 10% of the cost of the Utah work  
 21 incentive (WIN) program.

22  
 23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

24 **Section 1.** Section 53-3-304, MCA, is amended to read:

25 **"53-3-304. Power to require recipient employable**

1 recipients to participate in job search, training, and work  
2 WORKFARE programs. (1) The department shall ~~cooperate--with~~  
3 ~~the--department--of--labor-and-industry-and-other~~ designated  
4 ~~agencies-to~~ initiate, promote, and develop job search,  
5 training, and work WORKFARE programs that will ~~contribute-to~~  
6 ~~the--employability-of~~ provide employment, training, and WORK  
7 experience for persons receiving general relief under the  
8 provisions of this chapter. These programs must be designed  
9 to:

10 (a) preserve and improve the work habits and  
11 job-finding skills of recipients for whom jobs are not  
12 otherwise immediately available; and

13 (b) provide training and WORK experience that will  
14 enable recipients to find regular, sustainable employment.

15 (2) For each county with state-assumed welfare  
16 services, the department shall ~~contract-with-the-department~~  
17 ~~of-labor--and--industry--or--other~~ designated agencies--to  
18 institute a ~~job--search,--training,--and-work~~ program that  
19 ~~provides-able-bodied--general--relief--recipients--with--the~~  
20 ~~necessary-job-finding-skills-to-seek-unsubsidized-employment~~  
21 independently JOB SEARCH, TRAINING, AND WORKFARE PROGRAMS as  
22 provided for in subsection (1).

23 (3) ~~in~~ EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER,  
24 IN a county with state-assumed welfare services, an  
25 ~~able-bodied~~ employable recipient of general relief shall

1 enroll in a structured job search and training program at an  
2 employment office or other site designated by the  
3 department. The program must MAY include ~~but-is-not-limited~~  
4 to the following elements:

5 (a) assessment and testing;

6 (b) an employability plan;

7 (c) a requirement that recipients participate for a  
8 minimum of 40 hours a week in a combination of activities,  
9 including work WORKFARE as provided in subsection (4),  
10 unless they are prevented, with good cause, from  
11 participating in such activities;

12 ~~(c)(d)~~ remedial education or job skills training, if  
13 it is called for in the employability plan and if it  
14 provides for immediate referral to an appropriate Job  
15 Training Partnership Act program;

16 ~~(d)(e)~~ a job readiness and job search program that  
17 must include but is not limited to:

18 (i) self-assessment and occupational testing;

19 (ii) instruction in completing applications, writing  
20 resumes, and preparing for interviews;

21 (iii) identification of and contact with potential  
22 employers; and

23 (iv) participation in simulated job interviews; and

24 (v) intensive job search activity and prompt  
25 placements for recipients who are ready to enter the work

1 force;

2 ~~(e)~~(f) a supervised effort to find employment; and

3 ~~(f)~~(g) efforts to address barriers to employment;

4 (h) an expectation that recipients must be employed at  
5 the end of the program; and

6 (i) followup and monitoring of program performance.

7 (4) ~~(a)~~ In addition to the training required in  
8 subsection (3), ~~if--a-public-agency-or-a-private-nonprofit~~  
9 ~~agency-has-work--available--which--a--recipient--of--general~~  
10 ~~relief--is-capable-of-performing-or-the-department-of-social~~  
11 ~~and-rehabilitation-services-is-required-to--operate--a--work~~  
12 ~~program--under--the--provisions-of-53-2-822, then the county~~  
13 ~~department of public welfare or the department of social and~~  
14 ~~rehabilitation services may require a recipient to perform~~  
15 ~~work--at--the--minimum--wage--or--may-pay-a-recipient-at-the~~  
16 ~~prevailing rate of wages paid in that county by that--agency~~  
17 ~~for--similar--work,--to-be-paid-from-the-county-poor-fund-or~~  
18 ~~state funds,--in--place--of--granting--him--general--relief.~~  
19 PARTICIPATE IN A WORKFARE PROGRAM. THE PURPOSE OF THE  
20 WORKFARE PROGRAM IS TO PROVIDE WORK EXPERIENCE AND TRAINING  
21 FOR GENERAL RELIEF RECIPIENTS IN SPECIFICALLY CREATED WORK  
22 PROJECTS OPERATED BY A PUBLIC AGENCY OR A PRIVATE, NONPROFIT  
23 AGENCY. A WORKFARE PROGRAM ESTABLISHED UNDER THIS SECTION  
24 MUST PROVIDE THAT:

25 ~~(b)~~(A) No A currently employed worker may NOT be

1 displaced by any recipient (including partial displacement  
2 such as a reduction in the hours of nonovertime work, wages,  
3 or employment benefits).

4 ~~(c)~~(B) No A recipient may NOT be employed when any  
5 ~~other person is on layoff from the same or any substantially~~  
6 ~~equivalent--job GIVEN A WORK EXPERIENCE OR TRAINING~~  
7 ASSIGNMENT IF:

8 (I) THE ASSIGNMENT WOULD FILL AN ESTABLISHED UNFILLED  
9 VACANCY THAT EXISTS BECAUSE AN EMPLOYEE HAS BEEN LAID OFF;  
10 or

11 (II) when the employer has terminated the employment of  
12 any regular employee or otherwise reduced its workforce with  
13 the intention of filling the vacancy so-created-by-hiring-a  
14 recipient-whose-wages-are-subsidized-under-this-section WITH  
15 A GENERAL RELIEF RECIPIENT.

16 (C) A RECIPIENT MAY NOT BE REQUIRED TO PARTICIPATE IN  
17 A WORKFARE PROGRAM IF PARTICIPATION IS DETERMINED TO  
18 INTERFERE WITH:

19 (I) PARTICIPATION IN A JOB SEARCH OR JOB TRAINING  
20 PROGRAM; OR

21 (II) ATTENDANCE IN A SECONDARY EDUCATION PROGRAM.

22 (D) THE MAXIMUM NUMBER OF HOURS THAT A RECIPIENT MAY  
23 BE REQUIRED TO PARTICIPATE IN A WORKFARE PROGRAM AND JOB  
24 SEARCH AND TRAINING PROGRAMS MAY NOT EXCEED 40 HOURS IN A  
25 WEEK.

1 (5) The county department of public welfare or the  
 2 department of social and rehabilitation services, as the  
 3 case may be, shall provide coverage under the Workers'  
 4 Compensation Act for those recipients of general relief  
 5 ~~working under the provisions hereof~~ PARTICIPATING IN THE  
 6 WORKFARE PROGRAM and may enter into such agreements with the  
 7 division of workers' compensation of the department of labor  
 8 and industry as may be necessary to carry out the provisions  
 9 of this section.

10 ~~{6}--A recipient who has completed the assessment and~~  
 11 ~~testing portions of the program and has developed an~~  
 12 ~~employability plan shall participate in the job readiness~~  
 13 ~~and job search program provided for in subsection {3}(d) for~~  
 14 ~~at least 80 hours in any 5-week period and shall spend at~~  
 15 ~~least 8 hours a week in a supervised effort to find~~  
 16 ~~employment.~~

17 ~~{7}--A recipient who has completed the job search~~  
 18 ~~program provided for in subsection {3} shall:~~

19 ~~{a}--continue to spend at least 8 hours a week in a~~  
 20 ~~supervised effort to find employment; and~~

21 ~~{b}--for the duration of his eligibility for general~~  
 22 ~~relief, spend 32 hours a week, as called for in the~~  
 23 ~~employability plan; in:~~

24 ~~{i}--remedial education;~~

25 ~~{ii}--counseling;~~

1 ~~{iii}--job skills training;~~

2 ~~{iv}--work for a public agency or a private nonprofit~~  
 3 ~~agency, as required in subsection {4}; or~~

4 ~~{v}--job seeking or other related activities;~~

5 ~~{8}--Nothing in this chapter requires a recipient to:~~

6 ~~{a}--participate in the job search and training program~~  
 7 ~~required by subsection {3} or to perform work under~~  
 8 ~~subsection {4} if the training or work site is more than 10~~  
 9 ~~miles from his residence, unless the department provides~~  
 10 ~~transportation or reimburses the recipient for~~  
 11 ~~transportation costs; or~~

12 ~~{b}--continue the activities required by subsection {7}~~  
 13 ~~for longer than 6 months;~~

14 ~~{9}(6)~~ Where a labor organization represents a  
 15 substantial number of employees who are engaged in similar  
 16 work or training in the area where it is proposed to assign  
 17 the recipient to work or training A WORKFARE PROJECT, an  
 18 opportunity must be provided for that organization to submit  
 19 comments with respect to such proposal.

20 ~~{10}(7)~~ No work A WORKFARE program may NOT impair  
 21 existing contracts for services or collective bargaining  
 22 agreements, and no work A WORKFARE program that would be  
 23 inconsistent with the terms of a collective bargaining  
 24 agreement may NOT be undertaken without the written  
 25 concurrence of the labor organization and employer

1 concerned.

2 (8) No program established under this section may  
3 include any political, partisan, or lobbying activities. The  
4 department shall deny funds to any program involved in such  
5 activities."

6 NEW SECTION. SECTION 2. PAYMENT AFTER PERFORMANCE.

7 (1) ~~IN A COUNTY WITH STATE ASSUMED WELFARE SERVICES, AN~~  
8 ~~EMPLOYABLE PERSON MAY RECEIVE GENERAL RELIEF FOR SHELTER AND~~  
9 ~~PERSONAL NEEDS IF:~~

10 (A) ~~HE HAS COMPLETED AND FILED A PROPER APPLICATION~~  
11 ~~FOR ASSISTANCE; AND~~

12 (B) ~~THE DEPARTMENT MAY BY RULE WITHHOLD GENERAL RELIEF~~  
13 ~~ASSISTANCE OR LIMIT PAYMENTS TO SHELTER OR PERSONAL NEEDS~~  
14 ~~UNTIL ALL EMPLOYABLE MEMBERS OF THE HOUSEHOLD HAVE COMPLETED~~  
15 ~~2 FULL WEEKS IN A STRUCTURED JOB SEARCH, TRAINING, OR~~  
16 ~~WORKFARE PROGRAM AS REQUIRED IN 53-3-304.~~

17 (2) A PERSON IS INELIGIBLE FOR ASSISTANCE UNDER  
18 SUBSECTION (1) IF:

19 (A) THE PERSON FAILS TO COOPERATE WITH THE DEPARTMENT  
20 IN ITS INVESTIGATION OF ELIGIBILITY; OR

21 (B) THE DEPARTMENT'S INVESTIGATION DURING THE 2-WEEK  
22 PERIOD DESCRIBED IN SUBSECTION (1) (B) DISCLOSES THAT THE  
23 PERSON IS INELIGIBLE TO RECEIVE ASSISTANCE.

24 NEW SECTION. SECTION 3. LIMITATION OF SERVICES. (1)  
25 THE DEPARTMENT MAY LIMIT THE SCOPE AND AVAILABILITY OF

1 PROGRAMS AND SERVICES UNDER 53-3-304 AS MAY BE NECESSARY  
2 BECAUSE OF:

3 (A) THE ACTUAL NEEDS OF AN INDIVIDUAL, AS DETERMINED  
4 IN ACCORDANCE WITH AN EMPLOYABILITY PLAN;

5 (B) FUNDING LIMITATIONS;

6 (C) SERVICE LIMITATIONS;

7 (D) LIMITATIONS CAUSED BY THE LACK OF AVAILABLE  
8 EMPLOYMENT IN THE AREA; AND

9 (E) AN INSUFFICIENT NUMBER OF RECIPIENTS IN AN AREA TO  
10 JUSTIFY ESTABLISHMENT OF JOB SEARCH, TRAINING, AND WORKFARE  
11 PROGRAMS.

12 (2) RECIPIENTS RESIDING IN AREAS WHERE PROGRAMS AND  
13 SERVICES ARE RESTRICTED BECAUSE OF SUBSECTION (1) ARE EXEMPT  
14 FROM MANDATORY PARTICIPATION IN A JOB SEARCH, TRAINING, AND  
15 WORKFARE PROGRAM.

16 NEW SECTION. SECTION 4. EMPLOYABILITY PLAN. (1) THE  
17 DEPARTMENT SHALL DEVELOP OR CONTRACT FOR THE DEVELOPMENT OF  
18 AN EMPLOYABILITY PLAN FOR EACH PARTICIPANT ENROLLED IN JOB  
19 SEARCH, TRAINING, AND WORKFARE PROGRAMS PROVIDED FOR IN  
20 53-3-304.

21 (2) THE DEPARTMENT MAY CONTRACT FOR ASSESSMENT AND  
22 TESTING IF:

23 (A) IT DETERMINES THERE IS A NEED FOR ASSESSMENT AND  
24 TESTING IN ORDER TO DEVELOP AN EMPLOYABILITY PLAN; AND

25 (B) FUNDS ARE AVAILABLE FOR SUCH SERVICES.



1 NEW SECTION. SECTION 5. TRANSITION-TO-WORK ALLOWANCE.

2 (1) AS AN ALTERNATIVE TO THE PROGRAMS AND SERVICES PROVIDED  
 3 FOR IN 53-3-304, THE DEPARTMENT MAY PAY RECIPIENTS A  
 4 TRANSITION-TO-WORK ALLOWANCE. THIS ALLOWANCE MAY BE USED  
 5 ONLY FOR RELOCATION EXPENSES FOR RECIPIENTS WHO HAVE  
 6 OBTAINED EMPLOYMENT IN ANOTHER COUNTY OR STATE.

7 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
 8 CHAPTER, A PERSON WHO ELECTS TO RECEIVE THE ALLOWANCE  
 9 PROVIDED FOR IN SUBSECTION (1) IS INELIGIBLE FOR GENERAL  
 10 RELIEF ASSISTANCE FOR A PERIOD OF 16 MONTHS.

11 NEW SECTION. SECTION 6. TRANSPORTATION ASSISTANCE.  
 12 THE DEPARTMENT MAY PROVIDE NECESSARY TRANSPORTATION OR  
 13 REIMBURSEMENT OF TRANSPORTATION COSTS FOR PERSONS ENROLLED  
 14 IN JOB SEARCH, TRAINING, AND WORKFARE PROGRAMS PROVIDED FOR  
 15 IN 53-3-304.

16 NEW SECTION. SECTION 7. PERFORMANCE STANDARDS --  
 17 MONITORING AND EVALUATION OF PROGRAM. (1) THE DEPARTMENT  
 18 SHALL PROVIDE STANDARDS TO FURTHER MEASURE THE PERFORMANCE  
 19 AND EFFECTIVENESS OF THE GENERAL RELIEF JOB SEARCH,  
 20 TRAINING, AND WORKFARE PROGRAM PROVIDED FOR IN 53-3-304. THE  
 21 STANDARDS MUST CONSIST OF AN OBJECTIVE, QUANTIFIABLE MEASURE  
 22 OF THE EXTENT TO WHICH PARTICIPATION IN THE PROGRAM  
 23 INCREASES THE EMPLOYMENT AND EARNINGS OF PARTICIPANTS AND  
 24 DECREASES THEIR DEPENDENCY ON PUBLIC ASSISTANCE.

25 (2) IN ORDER TO DETERMINE WHETHER PERFORMANCE

1 STANDARDS ARE MET, THE DEPARTMENT SHALL MONITOR AND EVALUATE  
 2 THE PROGRAM ON THE BASIS OF APPROPRIATE FACTORS THAT MUST  
 3 INCLUDE THE FOLLOWING:

4 (A) THE PLACEMENT OF PARTICIPANTS IN UNSUBSIDIZED  
 5 EMPLOYMENT;

6 (B) THE RETENTION OF PARTICIPANTS IN UNSUBSIDIZED  
 7 EMPLOYMENT;

8 (C) THE INCREASE IN EARNINGS, INCLUDING HOURLY WAGES,  
 9 OF PARTICIPANTS DUE TO PLACEMENT IN UNSUBSIDIZED EMPLOYMENT;

10 (D) THE REDUCTION IN THE NUMBER OF INDIVIDUALS AND  
 11 FAMILIES RECEIVING AID-TO-FAMILIES-WITH-DEPENDENT-CHILDREN  
 12 GENERAL RELIEF; AND

13 (E) THE AMOUNT OF REDUCTIONS IN PAYMENTS FOR AID-TO  
 14 FAMILIES-WITH-DEPENDENT-CHILDREN GENERAL RELIEF.

15 (3) IN MONITORING AND EVALUATING THE PERFORMANCE OF  
 16 THE PROGRAM, THE DEPARTMENT SHALL DETERMINE THE REASONS FOR  
 17 HIGH AND LOW LEVELS OF PERFORMANCE, ADMINISTRATIVE  
 18 EFFICIENCIES, AND PROGRAM COORDINATION.

19 NEW SECTION. SECTION 8. COORDINATION REQUIREMENTS --  
 20 CONSOLIDATION OF PROGRAMS AUTHORIZED. (1) THE GOVERNOR SHALL  
 21 ASSURE THAT PROGRAM ACTIVITIES UNDER 53-3-304 ARE  
 22 COORDINATED WITH PROGRAMS ADMINISTERED UNDER THE FEDERAL JOB  
 23 TRAINING PARTNERSHIP ACT AND ANY OTHER RELEVANT EMPLOYMENT,  
 24 TRAINING, EDUCATION, OR WORK PROGRAM IN THIS STATE.

25 (2) THE GOVERNOR MAY CONSOLIDATE THE PROGRAM

1 ESTABLISHED IN 53-3-304 WITH OTHER PROGRAMS IN ORDER TO  
 2 MAXIMIZE COORDINATION OF PROGRAM ACTIVITIES AS REQUIRED IN  
 3 SUBSECTION (1) AND TO PREVENT OVERLAPPING AND DUPLICATION OF  
 4 SERVICES.

5 (3) WHERE ADULT BASIC EDUCATION PROGRAMS EXIST,  
 6 REMEDIAL EDUCATION SERVICES PROVIDED FOR IN 53-3-304(3) MUST  
 7 BE COORDINATED, THROUGH CONTRACTS OR COOPERATIVE AGREEMENTS,  
 8 WITH STATE OR LOCAL AGENCIES HAVING RESPONSIBILITY FOR  
 9 PROGRAMS ADMINISTERED UNDER THE ADULT EDUCATION ACT, PUBLIC  
 10 LAW 100-297.

11 NEW SECTION. Section 9. Audit. The legislative  
 12 auditor shall conduct a performance audit of the program  
 13 provided in 53-3-304 and report the results of the audit to  
 14 the 52nd 53RD legislature.

15 NEW SECTION. SECTION 10. APPROPRIATION. THE  
 16 FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF SOCIAL  
 17 AND REHABILITATION SERVICES FOR THE PURPOSE OF ADMINISTERING  
 18 THE JOB SEARCH, TRAINING, AND WORK PROGRAM PROVIDED FOR IN  
 19 53-3-304 AND [THIS ACT]:

20 FUND	FY 90	FY 91
21 GENERAL FUND	\$ 832,265	\$ 832,265
22 FEDERAL SPECIAL		
23 REVENUE	1,055,235	1,055,235
24 TOTAL	\$ 1,887,500	\$ 1,887,500

25 NEW SECTION. Section 11. Extension of authority. Any

1 existing authority to make rules on the subject of the  
 2 provisions of [this act] is extended to the provisions of  
 3 [this act].

4 NEW SECTION. SECTION 12. COORDINATION INSTRUCTION.  
 5 IF THIS BILL AND SENATE BILL NO. 101 ARE PASSED AND  
 6 APPROVED, THEN [SECTION 10, SENATE BILL NO. 101] IS AMENDED  
 7 SO LANGUAGE THAT READS: "A PERSON WHO HAS A SERIOUS BARRIER  
 8 TO EMPLOYMENT OR WHO SUFFERS FROM DRUG OR ALCOHOL DEPENDENCY  
 9 SHALL REPORT TO THE AGENCY DESIGNATED PURSUANT TO  
 10 53-3-304(2) TO IMPLEMENT A JOB SEARCH, TRAINING, AND WORK  
 11 PROGRAM" WILL READ "A PERSON WHO HAS A SERIOUS BARRIER TO  
 12 EMPLOYMENT OR WHO SUFFERS FROM DRUG OR ALCOHOL DEPENDENCY  
 13 SHALL REPORT TO A JOB SEARCH, TRAINING, AND WORKFARE  
 14 PROGRAM".

15 NEW SECTION. SECTION 13. CODIFICATION INSTRUCTION.  
 16 [SECTIONS 2 THROUGH 6 7] ARE INTENDED TO BE CODIFIED AS AN  
 17 INTEGRAL PART OF TITLE 53, CHAPTER 3, PART 3, AND THE  
 18 PROVISIONS OF TITLE 53, CHAPTER 3, PART 3, APPLY TO  
 19 [SECTIONS 2 THROUGH 6 7].

20 NEW SECTION. ~~Section 14. Effective date. [This act]~~  
 21 ~~is effective July 17, 1989 JANUARY 17, 1990.~~

22 NEW SECTION. SECTION 14. EFFECTIVE DATES. (1)  
 23 [SECTIONS 10 THROUGH THIS SECTION] ARE EFFECTIVE JULY 1,  
 24 1989.

25 (2) [SECTIONS 1 THROUGH 9] ARE EFFECTIVE JANUARY 1,

SB 0128/05

1 1990.

-End-