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House BILL NO. 99

INTRODUCED BY

*Daniel Fuchs* *Bunley Bamhart*

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION OF DISPLACED HOMEMAKER TO CONFORM TO THE DEFINITION IN THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT; AMENDING SECTION 39-7-303, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 39-7-303, MCA, is amended to read:

**"39-7-303. Definitions.** As used in this part, the following definitions apply:

- (1) "Adult" means a person who is 18 years of age or older.
- (2) "Commissioner" means the commissioner of labor and industry as provided in 2-15-1701.
- ~~(2)~~(3) "Displaced homemaker" means an individual adult who:
  - (a) ~~has worked in the home for at least 3 years providing unpaid household services for family members as an adult primarily without remuneration to care for the home and family and for that reason~~ has diminished marketable skills;
  - (b) ~~is not gainfully employed or is underemployed~~ has been dependent on public assistance or on the income of a relative but is no longer supported by that income;
  - (c) ~~has had or would have difficulty securing paid employment~~ is a parent whose youngest dependent child will become ineligible to receive assistance under the program for aid to families with dependent children pursuant to Title 53, chapter 4, part 2, within 2 years of the parent's application for displaced homemaker assistance; and
  - (d) ~~was dependent on the income of another family member but is no longer supported by such income, was dependent on federal assistance but is no longer eligible for such assistance, or whose eligibility for such federal assistance will be terminated within 6 months~~ is unemployed or underemployed and is experiencing difficulty in obtaining any employment or suitable employment, as appropriate; or
  - (e) meets the qualifications described in subsections (3)(a) through (3)(d) and is a criminal offender."



APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

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INTRODUCED BY Daniel Fuchs <sup>House</sup> BILL NO. 99 Brendy Bantert

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION OF DISPLACED HOMEMAKER TO CONFORM TO THE DEFINITION IN THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT; AMENDING SECTION 39-7-303, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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- (2) "Commissioner" means the commissioner of labor and industry as provided in 2-15-1701.
- ~~(2)(3)~~ (3) "Displaced homemaker" means an individual adult who:
  - (a) has worked in the home for at least 3 years providing unpaid household services for family members as an adult primarily without remuneration to care for the home and family and for that reason has diminished marketable skills;
  - (b) is not gainfully employed or is underemployed has been dependent on public assistance or on the income of a relative but is no longer supported by that income;
  - (c) has had or would have difficulty securing paid employment is a parent whose youngest dependent child will become ineligible to receive assistance under the program for aid to families with dependent children pursuant to Title 53, chapter 4, part 2, within 2 years of the parent's application for displaced homemaker assistance; and
  - (d) was dependent on the income of another family member but is no longer supported by such income, was dependent on federal assistance but is no longer eligible for such assistance, or whose eligibility for such federal assistance will be terminated within 6 months is unemployed or underemployed and is experiencing difficulty in obtaining any employment or suitable employment, as appropriate; or
  - (e) meets the qualifications described in subsections (3)(a) through (3)(d) and is a criminal offender."





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INTRODUCED BY Daniel Fuchs <sup>House</sup> BILL NO. 99

Bunny Bantert

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(1) "Adult" means a person who is 18 years of age or older.

(2) "Commissioner" means the commissioner of labor and industry as provided in 2-15-1701.

~~(2)~~(3) "Displaced homemaker" means an individual adult who:

(a) has worked in the home for at least 3 years providing unpaid household services for family members as an adult primarily without remuneration to care for the home and family and for that reason has diminished marketable skills;

(b) is not gainfully employed or is underemployed has been dependent on public assistance or on the income of a relative but is no longer supported by that income;

(c) has had or would have difficulty securing paid employment is a parent whose youngest dependent child will become ineligible to receive assistance under the program for aid to families with dependent children pursuant to Title 53, chapter 4, part 2, within 2 years of the parent's application for displaced homemaker assistance; and

(d) was dependent on the income of another family member but is no longer supported by such income, was dependent on federal assistance but is no longer eligible for such assistance, or whose eligibility for such federal assistance will be terminated within 6 months is unemployed or underemployed and is experiencing difficulty in obtaining any employment or suitable employment, as appropriate; or

(e) meets the qualifications described in subsections (3)(a) through (3)(d) and is a criminal offender."



SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
February 8, 1995

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration HB 99 (third reading copy -- blue), respectfully report that HB 99 be amended as follows and as so amended be concurred in.

Signed:   
Senator Daryl Toews, Chair

That such amendments read:

1. Page 1, lines 18 and 19.

Following: "skills"

Strike: "; (b)"

Insert: "and who"

2. Page 1, line 20.

Following: ";"

Insert: "or"

3. Page 1, line 21.

Strike: "(c)"

Insert: "(b)(i)"

4. Page 1, line 25.

Strike: "(d)"

Insert: "(ii)"

5. Page 1, line 29.

Strike: "(e)"

Insert: "(iii)"

Strike: "through (3)(d)"

Insert: "or (3)(b)"

-END-

HB 99

SENATE

331521SC.SPV

SA Amd. Coord.  
Sec. of Senate

Don Miron Waterman  
Senator Carrying Bill

## 1 HOUSE BILL NO. 99

2 INTRODUCED BY FUCHS, BARNHART

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION OF DISPLACED HOMEMAKER TO  
5 CONFORM TO THE DEFINITION IN THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY  
6 EDUCATION ACT; AMENDING SECTION 39-7-303, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
7 DATE."  
8

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

10  
11 **Section 1.** Section 39-7-303, MCA, is amended to read:12 "**39-7-303. Definitions.** As used in this part, the following definitions apply:13 (1) "Adult" means a person who is 18 years of age or older.14 (2) "Commissioner" means the commissioner of labor and industry as provided in 2-15-1701.15 ~~(2)(3)~~ "Displaced homemaker" means an individual adult who:

16 (a) ~~has worked in the home for at least 3 years providing unpaid household services for family~~  
17 ~~members as an adult primarily without remuneration to care for the home and family and for that reason~~  
18 ~~has diminished marketable skills;~~

19 ~~(b) AND WHO is not gainfully employed or is underemployed has been dependent on public~~  
20 ~~assistance or on the income of a relative but is no longer supported by that income; OR~~

21 ~~(c)(B) (I) has had or would have difficulty securing paid employment is a parent whose youngest~~  
22 ~~dependent child will become ineligible to receive assistance under the program for aid to families with~~  
23 ~~dependent children pursuant to Title 53, chapter 4, part 2, within 2 years of the parent's application for~~  
24 ~~displaced homemaker assistance; and~~

25 ~~(d)(II) was dependent on the income of another family member but is no longer supported by such~~  
26 ~~income, was dependent on federal assistance but is no longer eligible for such assistance, or whose~~  
27 ~~eligibility for such federal assistance will be terminated within 6 months is unemployed or underemployed~~  
28 ~~and is experiencing difficulty in obtaining any employment or suitable employment, as appropriate; or~~

29 ~~(e)(III) meets the qualifications described in subsections SUBSECTION (3)(a) through (3)(d) OR (3)(B)~~  
30 ~~and is a criminal offender."~~



1 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

2 -END-