

Introduced: 2/8/79
Referred: Health, Education
& Social Services and
Finance

1 IN THE SENATE

BY TILLION

2 SENATE BILL NO. 124

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to general relief assistance; and
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. The legislature

10 (1) finds that excessive welfare costs are a burden on the tax-
11 payers of the state and a drain on limited state revenues which are much
12 needed in other state programs and services; that, in view of these con-
13 straints, state general relief assistance must be provided only to those
14 needy citizens who are unable to work and those with dependent children; and
15 that to discourage idlers and to promote responsible work attitudes and
16 self-esteem, a work requirement must accompany state general relief assist-
17 ance for able-bodied recipients; and

18 (2) declares that the purpose of this Act is to limit general
19 relief assistance payments to persons who are at least 55 years old, are
20 disabled, or have dependent children in their homes, and who are unable to
21 provide sufficient support for themselves or their dependents.

22 * Sec. 2. AS 47.25.120 is repealed and re-enacted to read:

23 Sec. 47.25.120. ELIGIBILITY FOR ASSISTANCE. (a) Financial
24 assistance may be given under AS 47.25.120 - 47.25.300, so far as prac-
25 ticable under the conditions in this state, to an eligible individual
26 who is

27 (1) at least 55 years old, or disabled, or who has dependent
28 children in the home;

29 (2) not receiving other assistance under this chapter;

1 (3) unable to provide sufficient support for himself or those
2 dependent upon him; and

3 (4) a resident of the state.

4 (b) For the purpose of determining whether an individual seeking
5 assistance under this section is a resident of the state, the department
6 shall consider, but is not limited to considering, the following fac-
7 tors:

8 (1) enrollment in the welfare program of another state and
9 receipt of welfare benefits from another state;

10 (2) physical presence in the state;

11 (3) maintenance of a place of residence in the state;

12 (4) furnishings and household and personal effects sufficient
13 to lead a reasonable person to conclude that the place of residence is
14 more than a public accommodation;

15 (5) registration to vote;

16 (6) motor vehicle operator's license and motor vehicle regis-
17 tration;

18 (7) enrollment of children in local schools;

19 (8) bank accounts in this state or another state.

20 (c) An individual who is at least 55 years old is eligible for
21 general relief assistance if the individual

22 (1) is unemployed for reasons other than misconduct or volun-
23 tary separation without cause;

24 (2) is actively and diligently seeking gainful employment;

25 (3) has not refused to accept employment when offered;

26 (4) has registered and is available for work as required by
27 AS 23.20.375; and

28 (5) has exhausted all of his benefits, if so entitled, under
29 AS 23.20, except that if his benefits under AS 23.20 are less than those

1 for which he would otherwise be eligible under this section, he is
2 eligible for supplementary general relief assistance.

3 (d) A disabled individual between the ages of 18 and 65 years is
4 eligible for general relief assistance if the individual is (1) deter-
5 mined to be needy in accordance with standards established by regula-
6 tions of the department; (2) unable to meet the requirements established
7 by the federal Supplemental Security Income Program or its successor
8 agency; and (3) unable to engage in substantial gainful employment
9 because of a physical or mental impairment determined and certified by a
10 licensed physician. "Substantial gainful employment" as used in this
11 paragraph means at least 30 hours of work per week. An individual
12 determined to be eligible under this subsection may be referred to the
13 appropriate state agency for vocational rehabilitation services and is
14 required to accept such services as an additional condition of eligibil-
15 ity under this section. An individual determined to be eligible under
16 this subsection may be required to seek employment or to participate in
17 public service employment projects under AS 47.25.145 as an additional
18 condition of eligibility under this section.

19 (e) An individual with children is eligible for general relief
20 assistance if he satisfies the requirements of (c)(1) - (5) of this
21 section.

22 (f) In addition to the requirements and conditions of (c) and (e)
23 of this section, the department shall require that an individual who is
24 physically fit, able to work, and employable shall, as a condition to
25 receiving general relief assistance, accept an assignment to work under
26 AS 47.25.145.

27 (g) An applicant for and recipient of general relief assistance
28 must satisfy all applicable provisions of this section. Recipients
29 disqualified for failure to comply with a requirement of this section

1 shall be excluded from general relief assistance for a period not longer
2 than 12 months.

3 (h) The department shall adopt regulations under the Administra-
4 tive Procedure Act (AS 44.62) necessary to enforce this section and to
5 establish criteria and standards for the conditions and requirements of
6 general relief assistance.

7 * Sec. 3. AS 47.25 is amended by adding a new section to read:

8 Sec. 47.25.145. PUBLIC SERVICE EMPLOYMENT. (a) The department is
9 responsible for providing public service employment on public works
10 projects to an individual who is receiving (1) general relief assistance
11 under this chapter; or (2) unemployment compensation benefits under
12 AS 23.20 that are within the last two weeks of eligibility and who, upon
13 termination of those benefits, will be eligible for full or partial
14 general relief assistance from the state. A general relief assistance
15 recipient participating in public service employment is considered to be
16 an employee of the employing agency. Except for workmen's compensation
17 coverage under AS 23.30, the laws relating to public employees do not
18 apply to individuals employed under this section. Payment for public
19 service employment may not be made from the funds of the agency employ-
20 ing the general relief assistance recipient, but shall be made from the
21 funds of the department.

22 (b) The department shall adopt regulations under the Administra-
23 tive Procedure Act (AS 44.62) to carry out the purpose of this section.
24 The regulations shall include, but are not limited to, provisions re-
25 quiring that

26 (1) the employment of a general relief assistance recipient
27 may not displace a state or municipal employee or an individual per-
28 forming work for the state or a municipality on a contractual basis;

29 (2) the period of employment may not exceed that number of

1 hours which, when multiplied by the prevailing rate of compensation for
2 the work, equals the amount of general relief assistance provided;

3 (3) there shall be no discrimination based upon race, color,
4 creed, sex, age, religion, or national origin; and

5 (4) an individual refusing without justification to accept
6 suitable work under this section shall be ineligible for general relief
7 assistance.

8 * Sec. 4. AS 47.25.300 is amended by adding new paragraphs to read:

9 (5) "children" does not include unborn children and means
10 individuals who are

11 (A) ineligible for and unable to obtain aid under a
12 federal assistance program;

13 (B) in need, and without sufficient income or other
14 resources to provide health care and essential support;

15 (C) under 18 years old, except that a child between 18
16 and 21 years may be eligible for assistance under AS 47.25.120 -
17 47.25.300, if the child is

18 (i) regularly attending high school to complete
19 requirements leading to a high school diploma or its equiv-
20 alent;

21 (ii) employed part time and is enrolled at least
22 half time in an organized program of vocational or technical
23 training designed to fit the child for gainful employment; or

24 (iii) employed part time and is enrolled at least
25 half time in a local college or university; and

26 (D) living in a home with his father, mother, grand-
27 father, grandmother, brother, sister, stepfather, stepmother,
28 uncle, aunt, first cousin, nephew, niece, or foster parents in a
29 place of residence maintained by the relative as his own home; or

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is living in a family home or institution conforming to the standards fixed by the department;

(6) "public work projects" includes any kind of labor under the Department of Transportation and Public Facilities, department of public works of any municipality, or under any other agency of the state or a municipality.

* Sec. 5. An individual receiving general relief assistance on the effective date of this Act who would otherwise be excluded by the provisions of this Act shall continue to receive assistance if he satisfies the requirements of AS 47.25.120(c), 47.25.120(e), and 47.25.120(f).

* Sec. 6. This Act takes effect July 1, 1979.