

HOUSE BILL NO. 409**IN THE LEGISLATURE OF THE STATE OF ALASKA****EIGHTEENTH LEGISLATURE - SECOND SESSION****BY REPRESENTATIVES HANLEY, Therriault****Introduced: 1/28/94****Referred: Health, Education & Social Services, Finance****A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to the maximum amount of assistance that may be granted
2 under the adult public assistance program and the program of aid to families
3 with dependent children; proposing a special demonstration project within the
4 program of aid to families with dependent children and directing the Department
5 of Health and Social Services to seek waivers from the federal government to
6 implement the project; and providing for an effective date."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * Section 1. AS 47.25.320(a) is amended to read:

9 (a) The department shall determine the amount of assistance for a dependent
10 child, and the relative with whom the dependent child is living, with regard to the
11 resources and necessary expenditures of the family and the condition existing in each
12 case. Assistance is sufficient if, when added to all other income and support available
13 to the child, the child and relative have reasonable subsistence compatible with

1 decency and health. However, the amount of assistance may not exceed the following:

2 (1) dependent child living with nonneedy relative: for a dependent child
3 who is living in the home of a nonneedy relative, \$451 [~~\$452~~], plus \$100 [~~\$102~~] for
4 each additional child;

5 (2) dependent child living with parent:

6 (A) for a parent and one dependent child, a maximum of
7 \$806 [~~\$821~~];

8 (B) for each additional dependent child, or for a second parent,
9 \$100 [~~\$102~~] a month per individual;

10 (3) pregnant woman who is otherwise eligible for assistance under this
11 section, or a single-person household that does not consist of a dependent child:

12 \$505 [~~\$514~~] a month.

13 * Sec. 2. AS 47.25.320(a) is repealed and reenacted to read:

14 (a) The department shall determine the amount of assistance for a dependent
15 child, and the relative with whom the dependent child is living, with regard to the
16 resources and necessary expenditures of the family and the condition existing in each
17 case. Assistance is sufficient if, when added to all other income and support available
18 to the child, the child and relative have reasonable subsistence compatible with
19 decency and health. However, the amount of assistance may not exceed the following:

20 (1) dependent child living with nonneedy relative: for a dependent
21 child who is living in the home of a nonneedy relative, \$452, plus \$102 for each
22 additional child;

23 (2) dependent child living with parent:

24 (A) for a parent with one dependent child, a maximum of \$821;

25 (B) for each additional dependent child, or for a second parent,
26 \$102 a month per individual;

27 (3) pregnant woman who is otherwise eligible for assistance under this
28 section, or a single-person household that does not consist of a dependent child: \$514
29 a month.

30 * Sec. 3. AS 47.25.430 is amended by adding a new subsection to read:

31 (f) Notwithstanding other provisions of AS 47.25.430 - 47.25.615, the monthly

1 state contribution to a recipient under ~~AS 47.25.430 - 47.25.615~~ may not exceed the
2 amount of state assistance granted to a similarly situated recipient for the month of
3 January 1992, reduced by 1.7 percent.

4 * **Sec. 4. WAIVER APPLICATION.** The Department of Health and Social Services shall
5 seek appropriate waivers from the federal government to implement the AFDC demonstration
6 project described in secs. 4 - 9 of this Act. If the federal government approves only part of
7 the project, the department shall implement that part.

8 * **Sec. 5. EARNED INCOME DISREGARD; WAIVER OF "100-HOUR" RULE; AUTO**
9 **ALLOWANCE.** When determining the AFDC eligibility of an assistance unit in the project
10 area, the department shall

11 (1) disregard, for 24 months after the date of the assistance unit's application
12 for AFDC, \$200 plus one-third of the remainder of the earned income of each person in the
13 assistance unit unless federal regulations require that more earned income of a person must
14 be disregarded;

15 (2) waive the requirement that, for purposes of assistance for a dependent child
16 of unemployed parents, the principal wage-earning parent must be employed less than 100
17 hours a month; and

18 (3) allow the exclusion of \$5,000 of the combined equity of motor vehicles
19 used by the assistance unit for basic family transportation, transportation of a disabled child
20 in the household, or transportation of a member of the assistance unit to or from employment,
21 training, or participation in an activity required under sec. 6 of this Act; if the combined
22 equity of vehicles described in this paragraph exceeds \$5,000, the department shall apply the
23 excess equity amount toward the asset limit otherwise applicable to the assistance unit.

24 * **Sec. 6. WORKFARE.** (a) Each member of an assistance unit in the project area who
25 is 18 years of age or older shall participate for 21 hours a week in an uncompensated activity
26 assigned by the department. The department shall penalize the assistance unit for failure of
27 a person to comply with this subsection by disregarding that person as a member of the unit
28 for purposes of determining the amount of AFDC assistance given to the unit.

29 (b) The requirement to participate in an uncompensated activity under (a) of this
30 section does not apply to a person who

31 (1) has paid employment of at least 10 hours a week; a person who has paid

1 employment of less than 10 hours a week shall participate in an uncompensated activity
2 assigned under (a) of this section for the number of hours that, when added to the hours of
3 paid employment, equals 21;

4 (2) is participating in an activity under ~~AS 47.25.421 - 47.25.429~~ (JOBS
5 program);

6 (3) is participating in an activity under a program operated by an Indian or
7 Native organization under 42 U.S.C. 682(i) unless the Indian or Native organization agrees
8 to the person's inclusion in the project;

9 (4) is exempt from participating in an activity under AS 47.25.421 - 47.25.429
10 (JOBS program); or

11 (5) is determined, according to regulations of the department, to be physically
12 or mentally unable to perform any reasonable activity that may be assigned under this section.

13 (c) Notwithstanding (a) of this section, the department may not require a person to
14 participate in an uncompensated activity under (a) of this section unless the department agrees
15 to pay for

16 (1) costs of child care determined by the department to be necessary for the
17 person's participation; and

18 (2) other expenses, such as transportation expenses, determined by the
19 department to be necessary for the person's participation in the activity.

20 * Sec. 7. PROJECT AREA. The department shall determine the area in which the project
21 will be implemented by choosing three municipalities as follows:

22 (1) the municipality that had the highest number of households receiving
23 AFDC in fiscal year 1992;

24 (2) a municipality contiguous to the municipality determined under (1) of this
25 section; and

26 (3) a municipality in an area not connected by road to the Anchorage-Fairbanks
27 road system, whose boundaries are substantially coextensive with an area served by a Native
28 organization under 42 U.S.C. 682(i).

29 * Sec. 8. COOPERATION. State agencies shall cooperate with the department to the
30 extent necessary to implement secs. 4 - 9 of this Act.

31 * Sec. 9. DEFINITIONS. In secs. 4 - 9 of this Act,

1 (1) "AFDC" means the program of aid to families with dependent children
2 under AS 47.25.310 - 47.25.420;

3 (2) "department" means the Department of Health and Social Services;

4 (3) "project" means the department's implementation of the eligibility
5 modifications of sec. 5 of this Act and the work requirements of sec. 6 of this Act, to the
6 extent that the federal government approves those modifications and requirements;

7 (4) "project area" means the area established by the department under sec. 7
8 of this Act.

9 * Sec. 10. AS 47.25.430(f), added by sec. 3 of this Act, and secs. 4 - 9 of this Act are
10 repealed June 30, 1999.

11 * Sec. 11. Section 2 of this Act takes effect June 30, 1999.

12 * Sec. 12. Section 4 of this Act takes effect immediately under AS 01.10.070(c).

13 * Sec. 13. Except as provided in secs. 11 - 12 of this Act, this Act takes effect upon
14 approval of waivers applied for under sec. 4 of this Act. The commissioner of health and
15 social services shall promptly notify the revisor of statutes of the date of the approval required
16 under this section.