

CS FOR HOUSE BILL NO. 409(FIN) am(efd fld)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 3/28/94

Offered: 3/25/94

Sponsor(s): REPRESENTATIVES HANLEY, Therriault, Bunde, Kott

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."

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

1 to the child, the child and relative have reasonable subsistence compatible with
2 decency and health. However, the amount of assistance may not exceed the following:

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

6 (2) dependent child living with parent:

7 (A) for a parent and one dependent child, a maximum of

8 \$806 [~~\$821~~];

9 (B) for each additional dependent child, or for a second parent,

10 \$100 [~~\$102~~] a month per individual;

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

13 \$505 [~~\$514~~] a month.

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 AS 47.25.320(a) is repealed and reenacted to read:

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

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

24 (2) dependent child living with parent:

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

26 (B) for each additional dependent child, or for a second parent,
27 \$102 a month per individual;

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

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

1 (f) Notwithstanding other provisions of AS 47.25.430 - 47.25.615, the monthly
2 state contribution to a recipient under AS 47.25.430 - 47.25.615 may not exceed the
3 amount of state assistance granted to a similarly situated recipient for the month of
4 January 1992, reduced by 1.7 percent.

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

9 (b) Notwithstanding (a) of this section, if changes in federal statutes or regulations
10 occur after the effective date of this section and would have a major effect on the design,
11 implementation, or operation of the project, the department shall

12 (1) apply for and implement only the waivers that relate to the parts of the
13 project that are not substantially affected by the changes in federal statutes or regulations; if
14 the department determines that the parts of the project that are not substantially affected by
15 the federal changes do not comprise a fiscally responsible project, the department is not
16 required to apply for or implement waivers under this Act and may discontinue operation of
17 the project under waivers that were implemented before the federal changes occurred;

18 (2) report to the legislature its recommendations for changes in its statutory
19 authority that may be needed in order to authorize implementation of a fiscally responsible
20 project in light of the changes in federal statutes or regulations.

21 * Sec. 5. EARNED INCOME DISREGARD; WAIVER OF "100-HOUR" RULE; AUTO
22 ALLOWANCE. When determining the AFDC eligibility of an assistance unit in the project
23 area and when determining the amount of assistance to which an assistance unit in the project
24 area is entitled, the department shall

25 (1) disregard, for 24 months, \$200 plus one-third of the remainder of the
26 earned income of each person in the assistance unit unless federal regulations require that
27 more earned income of a person must be disregarded; for an assistance unit that applies for
28 AFDC after this paragraph has been implemented, this 24 months begins with the month for
29 which the assistance unit is first granted AFDC; for an assistance unit that is already receiving
30 assistance when this paragraph is implemented, this 24 months begins with the first month
31 during which this paragraph is implemented;;

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

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

10 * Sec. 6. WORKFARE. (a) Each member of an assistance unit in the project area who
11 is 18 years of age or older shall participate for 21 hours a week in an uncompensated activity
12 if assigned to the activity by the department. The department shall assess the availability of
13 activities that satisfy the purposes of this subsection in each part of the project area and
14 attempt to develop additional activities where necessary. When assessing the availability of
15 activities that are suitable as uncompensated activities under this section and in assigning
16 persons to those activities, the department shall consider activities recommended by
17 governmental representatives of boroughs, cities, and communities and others in the project
18 area. The department shall penalize the assistance unit for failure of a person to comply with
19 this subsection by disregarding that person as a member of the unit for purposes of
20 determining the amount of AFDC assistance given to the unit.

21 (b) If organizations exist in the project area that have had successful experience in
22 conducting employment placement services, community services, and job training programs,
23 the department shall offer on a competitive basis contracts to those organizations to administer
24 (a) of this section. A contract under this subsection must provide that the department shall
25 make the determinations required under (c) and (d) of this section and the contractor shall
26 perform the duties assigned to the department under (a) of this section with respect to
27 uncompensated activities, including assessment of their availability, development of additional
28 activities, consideration of activities recommended by governmental representatives, and
29 assignment of persons to specific activities after referral of those persons to the contractor by
30 the department.

31 (c) The requirement to participate in an uncompensated activity under (a) of this

1 section does not apply to a person who

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

6 (2) is participating in an activity under AS 47.25.421 - 47.25.429 (JOBS
7 program);

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

11 (4) is exempt from participating in an activity under AS 47.25.421 - 47.25.429
12 (JOBS program);

13 (5) is the parent or other relative of a child under six years of age living in the
14 same household who personally provides care for the child; or

15 (6) is determined, according to regulations of the department, to be physically
16 or mentally unable to perform any reasonable activity that may be assigned under this section;
17 or

18 (7) is a parent who is providing care for a child with a developmental disability
19 as defined by AS 47.80.900(7).

20 (d) Notwithstanding (a) of this section, the department may not require a person to
21 participate in an uncompensated activity under (a) of this section unless the department agrees
22 to pay for

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

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

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

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

31 (2) a municipality contiguous to the municipality determined under (1) of this

1 section;

2 (3) an area consisting of

3 (A) a home rule city that is contained within the boundaries of a second
4 class borough and has a population of at least 15,000 persons; and

5 (B) the second class borough that contains the city described in (A) of
6 this paragraph; and

7 (4) the largest municipality, as measured by square miles, including the cities
8 within the municipality.

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

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

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

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

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

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

20 * Sec. 10. AS 47.25.430(f), added by sec. 3 of this Act, and secs. 4 - 9 of this Act are
21 repealed July 1, 1999.