

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2350

Short Title: DSS Technical Changes/Funds Preserved.

(Public)

Sponsors: Representatives Flaherty; Buchanan and Robinson.

Referred to: Human Resources.

June 6, 1990

1 A BILL TO BE ENTITLED
2 AN ACT TO CONFORM THE SOCIAL SERVICES STATUTES WITH THE
3 FEDERAL JOB OPPORTUNITIES AND BASIC SKILLS TRAINING PROGRAM
4 AND TO PRESERVE STATE FUNDS.

5 Whereas, The Job Opportunities and Basic Skills Training Program (JOBS)
6 was established by the federal Family Support Act of 1988, and

7 Whereas, JOBS is a comprehensive education and training program designed
8 to replace the Work Incentive Program and the Community Work Experience Program
9 and expands opportunities for recipients of Aid to Families with Dependent Children to
10 become independent; and

11 Whereas, JOBS is effective October 1, 1990; and

12 Whereas, State funds have been appropriated to begin the implementation of
13 JOBS effective October 1, 1990; and

14 Whereas, the old programs that JOBS is designed to replace need to be
15 removed from the General Statutes prior to October 1, 1990, to preserve the State
16 funding and to effect the federal legislation; Now, therefore,
17 The General Assembly of North Carolina enacts:

18 Section 1. G.S. 108A-29 reads as rewritten:

19 "**§ 108A-29. Limitations on eligibility.**

20 (a) The Social Services Commission shall adopt such administrative rules
21 concerning work requirements as conditions of eligibility for Aid to Families with
22 Dependent Children in order to be in compliance with federal regulations, but such rules
23 shall not be more restrictive than the work requirements applicable to the ~~work incentive~~

1 ~~program~~ Job Opportunities and Basic Skills Training Program provided for in G.S.
2 108A-30.

3 (b) Members of families with dependent children and with aggregate family
4 income at or below the level required for eligibility for Aid to Families with Dependent
5 Children assistance, regardless of whether or not they have applied for such assistance,
6 shall be given priority in obtaining manpower services including training and public
7 service employment provided by or through State agencies or with funds which are
8 allocated to the State of North Carolina directly or indirectly through prime sponsors or
9 otherwise for the purpose of employment of unemployed persons.

10 (e) ~~The Social Services Commission shall adopt rules imposing work~~
11 ~~requirements under the Community Work Experience Program demonstration project,~~
12 ~~in accordance with federal laws and regulations, as a condition for eligibility for Aid to~~
13 ~~Families with Dependent Children."~~

14 Sec. 2. G.S. 108A-30 reads as rewritten:

15 "**§ 108A-30. Work incentive program adopted; Job Opportunities and Basic Skills**
16 **Training Program adopted**~~evidence of refusal to participate in special~~
17 **work projects; protective and vendor payments.**

18 (a) The provisions of ~~Part C of Title IV~~ Title IV A and Title IV F of the Federal
19 Social Security Act pertaining to the ~~work incentive program~~ Job Opportunities and Basic
20 Skills Training Program for recipients of aid to families with dependent children
21 assistance, and the benefits thereunder, are hereby accepted and adopted.

22 (b) ~~The work incentive program provided for by this section is a part of, and~~
23 ~~subject to all the same provisions of law as, the aid to families with dependent children~~
24 ~~program provided for in this Article; except that in the case of inconsistent provisions,~~
25 ~~the provisions of this section shall be deemed exceptions to other provisions of law in~~
26 ~~this Article.~~

27 (e) ~~Written notice of a finding by the United States Secretary of Labor, or the~~
28 ~~United States Department of Labor, the Employment Security Commission, or other~~
29 ~~authorized agent of the Secretary of Labor as to whether a person has refused without~~
30 ~~good cause to accept employment or participate in a project shall be binding upon the~~
31 ~~State and its agencies and the political subdivisions of the State. Any other provision of~~
32 ~~law to the contrary notwithstanding, the original or copy of such a notice bearing the~~
33 ~~certification of a State or county agency that is the original or true copy of the original~~
34 ~~in or from the records of the agency shall be admissible in evidence without the~~
35 ~~appearance of a witness, and it shall be prima facie evidence that it was duly received~~
36 ~~by the agency from the Secretary of Labor or his authorized agent.~~

37 (d) ~~Protective and vendor payments required to be made under the work~~
38 ~~incentive program shall be made in accordance with federal rules and regulations and~~
39 ~~the rules and regulations of the Social Services Commission."~~

40 Sec. 3. G.S. 108A-39.2 is repealed.

41 Sec. 4. This act shall become effective October 1, 1990.