

(2) Each grant of aid to *families with dependent children* shall be paid to the recipient by the county agency except in those instances in which the county agency subject to the rules and regulations of the state agency determines that payments for care shall be made to an individual other than the parent or relative with whom the dependent child is living because such parent or relative is unable to properly manage the funds in the best interests and welfare of the child.

(3) The county shall be paid from state and federal funds available therefor the amount provided for in section 256.82.

(4) ~~Not exceeding two thirds of any federal funds for administration shall be used to repay the counties necessary administrative expenses pro rata in the proportion the total number of recipients in each county bears to the total number of recipients in the state for the period for which such funds were received and are available; and the balance of any such sum shall be available to the state agency to defray the necessary expenses of the state agency. Federal funds available for administrative purposes shall be distributed between the state and the counties in the same proportion that expenditures were made.~~

Sec. 5. **Effective date.** *This act is effective July 1, 1969.*

Approved May 26, 1969.

CHAPTER 750—H. F. No. 1537

[Coded]

An act relating to welfare; establishing a program of training and employment for certain members of aid to families with dependent children; amending Minnesota Statutes 1967, Chapter 256, by adding a section.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Chapter 256, is amended by adding a section to read:

[256.736] Welfare; aid to dependent children; training and employment; work incentive program. *Subdivision 1. Creation. There is hereby established a program to help appropriate recipients*

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of aid to families with dependent children become self-supporting members of society.

Subd. 2. Duties of the commissioner of public welfare. *The commissioner shall cooperate with the commissioner of the state department of employment security in development of a training and employment program for each appropriate relative and dependent child receiving aid to families with dependent children, with the objective of assuring, to the maximum extent possible, that the relative and child will enter the labor force, accept reasonable employment, and become self-sufficient.*

Subd. 3. Operation of program. *To determine who shall be designated as an appropriate individual for referral to the commissioner of employment security, the commissioner of public welfare shall provide standards for county welfare agencies in compliance with the standards promulgated by the secretary of health, education, and welfare. County welfare agencies shall refer appropriate individuals to the department of employment security which referrals shall include:*

(1) Each appropriate relative and child who has attained age sixteen and is receiving aid to families with dependent children.

(2) Any person receiving aid under the program who, after being informed of the work incentive programs, requests referral unless the state agency determines that participation in any of the programs would be inimical to the welfare of the person or family.

County welfare agencies shall not refer a child, or relative, if he is:

(a) a person with illness, incapacity, or advanced age,

(b) so remote from any of the projects under the work incentive programs that he cannot effectively participate under any of the programs,

(c) a child attending school full time, or

(d) a person whose presence in the home on a substantially continuous basis is required because of the illness or incapacity of another member of the household.

If, after planning with a recipient, a decision is made for his referral, the county welfare department shall give notice in writing to the individual stating that he has been referred to the department of employment security for participation in a work incentive program

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and that he has a right to a fair hearing under Section 256.77 with respect to the appropriateness of his referral.

Subd. 4. Conditions of referral. *The commissioner of public welfare shall:*

(1) *Provide that any relative or child referred to the commissioner of employment security pursuant to this section is furnished child-care services and other family services as necessary;*

(2) *Pay 20 percent of the cost of programs of training and employment established by the commissioner of employment security for persons referred hereunder;*

(3) *Provide that in determining a recipient's needs any monthly incentive training payment made to the recipient by the department of employment security is disregarded and the additional expenses attributable to his participation in a program are taken into account in grant determination;*

(4) *Provide that, after proper notification by the commissioner of employment security that any individual is participating in a special work project, notwithstanding the provisions of Section 256.81, clause (2), the grant money payment which would otherwise be made to or on behalf of the individual, including money payments with respect to the individual's family, or 80 percent of the individual's earnings under the program, whichever is lesser, be paid to the commissioner of employment security. The county welfare department shall supplement any earnings received by the individual by payments to the individual, which payments shall be considered aid to the extent that the payments, when added to the individual's earnings from his participation in a special work project, will be equal to the amount of the aid that would have been payable to the individual and his family had he not participated in the special work project, plus 20 percent of the individual's earnings from the special work project;*

(5) *Provide that when it has been certified by the commissioner of employment security, certification to be binding upon the commissioner of public welfare, that a relative or child referred under the work incentive program to the department of employment security has been found by the commissioner of employment security, after a hearing conducted in the manner prescribed by Minnesota Statutes, Section 268.10, Subdivision 3, with the right of review in accordance with the provisions of Minnesota Statutes, Section 268.10, Subdivision 8, to have refused without good cause to participate under a work incentive program or has refused without good cause to accept a*

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bona fide offer of employment made through the public employment offices of the state or otherwise offered by an employer, the county welfare departments provide that:

(a) *If the relative makes the refusal, the relative's needs shall not be taken into account in making the grant determination, and aid for any dependent child in the family will be made in the form of vendor payments.*

(b) *Aid with respect to a dependent child will be denied if a child who makes the refusal is the only child receiving aid in the family.*

(c) *If there is more than one child receiving aid in the family, aid for the child who makes the refusal will be denied and his needs will not be taken into account in making the grant determination; and*

(d) *Notwithstanding the other provisions of this subdivision, the county welfare department shall for a period of sixty days, after notification of the commissioner of employment security's decision of refusal without cause to participate in a program of training or employment, make vendor payments on behalf of the relative specified or continue aid in the case of a child specified, if during the sixty day period the child or relative accepts counseling or other services which the county welfare department shall make available to the child or relative aimed at assisting the child or relative to participate in a program in accordance with the determination of the commissioner of employment security.*

Subd. 5. Extension of work incentive opportunities. *The commissioner of public welfare shall cooperate with the commissioner of employment security to promote the availability of training and employment opportunities on a state wide basis.*

Subd. 6. Protection from garnishment. *Earnings of a recipient while participating in full or part-time employment or training shall be protected from garnishment. This protection shall extend for a period of six months from the date of termination of a recipient's grant of assistance.*

Subd. 7. Compliance with federal changes. *The commissioner of public welfare is authorized to promulgate such rules and regulations as are necessary to qualify for any federal funds available under this act.*

Approved May 26, 1969.

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