

LEGISLATIVE BILL 422

Approved by the Governor February 13, 1990

Introduced by Abboud, 12; Byars, 30; Ashford, 6;
Goodrich, 20; Dierks, 40; Crosby, 29;
Beck, 8; Lynch, 13; Schellpeper, 18

AN ACT relating to paupers and public assistance; to amend sections 68-132 and 68-139, Reissue Revised Statutes of Nebraska, 1943; to state intent; to define terms; to authorize counties to establish vocational, rehabilitation, and job training programs as prescribed; to provide for rules and regulations; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. The Legislature hereby finds and declares that the increase in the number of recipients of county general assistance funds by employable recipients is a cause of great concern among county governments. County officials realize that a part of the recent increase in recipients was caused by the recent economic recession, especially in the rural areas of the state. Recognizing such increase and some of its causes, county officials wish to establish a program designed to encourage employable recipients to enroll in vocational, rehabilitation, or job training programs in exchange for county general assistance. The establishment of such a program will result in more persons leading productive lives, less unemployment, and savings for the taxpayers of the state.

Sec. 2. A county may develop, establish, and implement vocational, rehabilitation, and job training programs for employable recipients.

Sec. 3. For purposes of sections 1 to 5 of this act:

(1) Employable recipient shall mean any individual who is eighteen years of age or older, who is receiving county general assistance pursuant to sections 68-131 to 68-148, who is not engaged in full-time employment or satisfactorily participating in an approved program of vocational, rehabilitation, or job training, and who is not rendered unable to work by illness or significant and substantial mental or physical incapacitation to the degree and of the

duration that the illness or incapacitation prevents the person from performing designated vocational, rehabilitation, or job training activities; and

(2) Full-time employment shall mean being employed at least twenty-five hours per week and receiving wages, tips, and other compensation which meet the applicable federal minimum wage requirements.

Sec. 4. Any county which establishes a vocational, rehabilitation, or job training program shall adopt and promulgate written rules and regulations to ensure fair and equitable treatment of employable recipients of general assistance.

Sec. 5. Any employable recipient who fails or refuses to participate in a vocational, rehabilitation, or job training program shall be ineligible for continued general assistance for a period of three calendar months, except that any employable recipient denied general assistance pursuant to this section shall receive written notice of his or her ineligibility and shall have thirty days from the date of receipt of the written notice to appeal such decision. All such appeals shall be governed by sections 68-139 to 68-142.

Sec. 6. That section 68-132, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-132. The county board of each county shall be the overseer of the poor and ~~is~~ shall be vested with the superintendence of the poor in such county. It shall be the duty of the county board to provide general assistance to all poor persons (1) who meet the requirements contained in section 68-131 and who are eligible for general assistance pursuant to standards established by the county board as required by section 68-133 or (2) who are eligible for and participate in a program established pursuant to section 2 of this act. Such general assistance shall be in amounts established by the county board as required by section 68-133 and shall be adequate to insure maintenance of minimum health and decency.

Sec. 7. That section 68-139, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-139. Any person whose claim for general assistance or medical services (1) has not been acted upon within the time established by section 68-133, (2) has been denied, (3) has not been granted in full, or (4) has been reduced or terminated, or (5) has been suspended for failure to participate in a program established pursuant to section 2 of this act may

request a hearing on such action or inaction before the county board or, if the county board so delegates as allowed by section 68-133, before an employee of the county.

Sec. 8. That original sections 68-132 and 68-139, Reissue Revised Statutes of Nebraska, 1943, are repealed.