

## LEGISLATIVE BILL 227

Approved by the Governor May 17, 1991

Introduced by Abboud, 12; Cudaback, 36; Byars, 30;  
Wickersham, 49; Hefner, 19;  
L. Johnson, 15; Schellpeper, 18;  
Dierks, 40; Beyer, 3

AN ACT relating to county general assistance; to amend sections 68-151 to 68-155, Reissue Revised Statutes of Nebraska, 1943; to restate legislative findings; to define and redefine terms; to provide for the performance of community service by employable recipients; to require reports; to harmonize provisions; and to repeal the original sections.

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

Section 1. That section 68-151, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-151. 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 county-approved vocational, rehabilitation, or job training programs or to require employable recipients to perform community service 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. That section 68-152, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-152. A county may develop, establish, and implement vocational, rehabilitation, and job training, and community service programs for employable recipients.

Sec. 3. That section 68-153, Reissue Revised Statutes of Nebraska, 1943, be amended to read as

follows:

68-153. For purposes of sections 68-151 to 68-155 and sections 5 to 7 and 9 of this act:

(1) Community service shall mean labor performed for a governmental agency, nonprofit corporation, or health care corporation;

(2) 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 a county-approved vocational, rehabilitation, or job training, or community service program, 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, or community service activities; and

~~(2)~~ (3) 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; and

(4) Job training program shall mean vocational training in technical job skills and equivalent knowledge.

Sec. 4. That section 68-154, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-154. Any county which establishes a vocational, rehabilitation, or job training, or community service program shall adopt and promulgate written rules and regulations to ensure fair and equitable treatment of employable recipients of general assistance.

Sec. 5. (1) Any individual applying for general assistance who has completed a county-approved vocational, rehabilitation, or job training program within two years prior to the date of such application or who refuses or fails to participate in such a program may be required to participate in a county-approved community service program. Any employable recipient who has completed such a vocational, rehabilitation, or job training program and continues to be unemployed for a period of three calendar months from the date of completing such program may be required to participate in such a community service program.

(2) No individual who is a single parent and

has legal custody of his or her child under six years of age shall be required to perform community service. No individual shall be required to participate in a county-approved community service program unless he or she has first been given the opportunity to participate in a county-approved vocational, rehabilitation, or job training program.

(3) The maximum number of hours of community service required of each employable recipient shall be determined by dividing the amount of his or her general assistance received in the calendar month by the federal minimum hourly wage. No individual shall be required to perform community service for more than eight hours in any one day or more than sixteen hours in one week.

(4) No individual required to perform community service pursuant to this section shall be denied general assistance for failure to participate in a county-approved community service program through no fault of his or her own.

Sec. 6. The cost of transportation of participants to community service projects, supervision, and necessary equipment shall be paid by the county.

Sec. 7. Participation in a county-approved community service program shall not be construed as employment for purposes of Chapter 48. No employable recipient participating in such a community service program shall be deemed an employee of the county for purposes of the County Employees Retirement Act or for any other purpose.

Sec. 8. That section 68-155, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

68-155. Any employable recipient who fails or refuses to participate in a county-approved vocational, rehabilitation, or job training, or community service 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. 9. Any county utilizing a community service program for employable recipients as outlined in sections 68-151 to 68-155 and sections 5 to 7 of this act shall file an annual written report which shall include the number of persons placed through the community service program, the numbers of hours of

experience provided, the duration and location of each placement including the name and address of the business or agency accepting the placement, and the specific skills learned in the placement.

Commencing in 1992, the report shall be filed with the Department of Social Services by October 1 of each year for the fiscal year ending the preceding June 30.

The department shall annually compile the written reports from each county and summarize the findings in a written report to the Legislature by December 31. The report shall include the status of the number and use of community service placements, the locations of the placements, the number of hours worked, and the work skills addressed in the placements.

Sec. 10. That original sections 68-151 to 68-155, Reissue Revised Statutes of Nebraska, 1943, are repealed.