

2 **2SSB 5677** - S AMD TO S AMD (S-2023.2/97) - 050
3 By Senator Wojahn

4 NOT ADOPTED 3/3/97

5 Beginning on page 1, line 22 of the amendment, strike all material
6 through "repealed." on page 47, line 25 and insert the following:

7 "NEW SECTION. Sec. (a) INTENT. The legislature finds that it is
8 in the public interest that the state adopt public assistance policies
9 for needy families that stress: The central role of employment in
10 reducing poverty and need; the temporary nature of public assistance;
11 the importance of the state's efforts in sustaining economic
12 independence and promoting occupational and income advancement; and the
13 continuing responsibility of the state to protect children and other
14 vulnerable residents.

15 Therefore, the legislature intends that:

16 (1) Work should provide the best opportunity for needy families to
17 raise their incomes and leave poverty;

18 (2) Parents should be responsible for support of their children.
19 Child support will be aggressively pursued to assure that
20 responsibility is fulfilled;

21 (3) Those recipients who can work shall immediately participate in
22 mandatory work or work preparation activities;

23 (4) Sanctions for nonparticipation shall be clear, timely, and
24 progressive;

25 (5) Work should pay and the incentives in the system should support
26 unsubsidized employment opportunities;

27 (6) Education and job training should be accessible so an
28 entry-level job can be the first step on a career ladder;

29 (7) The individual shall sign a statement of personal
30 responsibility, acknowledging responsibility for moving quickly into
31 the world of work;

32 (8) The state should help provide the tools for assistance
33 recipients to get and keep a job, and improve their opportunity for
34 advancement;

1 (9) Essential services that low and moderate-income families need
2 for sustaining independence, including health care insurance and child
3 care, should be affordable and accessible;

4 (10) Assistance should be available for those unable to perform
5 self-sustaining work;

6 (11) Individuals temporarily not able to work will be responsible
7 for participating in activities designed to help them achieve self-
8 sufficiency;

9 (12) Legal immigrants should be eligible for the same programs as
10 other residents;

11 (13) State agencies involved with the temporary assistance for
12 needy families program will be focused on moving people into
13 self-sustaining work;

14 (14) The state's goals should be supported by working through
15 public and private providers who are most effective in getting people
16 ready for and into unsubsidized employment;

17 (15) Partnerships should be built with local governments, business,
18 labor, and civic and religious organizations to mobilize the resources
19 of communities to help families raise their incomes and leave poverty;
20 and

21 (16) WorkFirst should recognize the distinct needs and resources of
22 communities and provide recipients with programs suited to the
23 different labor markets of the state.

24 I. GENERAL PROVISIONS

25 **Sec. 101.** RCW 74.08.340 and 1959 c 26 s 74.08.340 are each amended
26 to read as follows:

27 All assistance granted under this title shall be deemed to be
28 granted and to be held subject to the provisions of any amending or
29 repealing act that may hereafter be enacted, and no recipient shall
30 have any claim for compensation, or otherwise, by reason of his
31 assistance being affected in any way by such amending or repealing act.
32 There is no legal entitlement to temporary assistance for needy
33 families.

34 **Sec. 102.** RCW 74.08.025 and 1981 1st ex.s. c 6 s 9 are each
35 amended to read as follows:

36 Public assistance (~~shall~~) may be awarded to any applicant:

1 (1) Who is in need and otherwise meets the eligibility requirements
2 of department assistance programs; and

3 (2) Who has not made a voluntary assignment of property or cash for
4 the purpose of qualifying for an assistance grant; and

5 (3) Who is not an inmate of a public institution except as a
6 patient in a medical institution or except as an inmate in a public
7 institution who could qualify for federal aid assistance: PROVIDED,
8 That the assistance paid by the department to recipients in nursing
9 homes, or receiving nursing home care, may cover the cost of clothing
10 and incidentals and general maintenance exclusive of medical care and
11 health services. The department may pay a grant to cover the cost of
12 clothing and personal incidentals in public or private medical
13 institutions and institutions for tuberculosis. The department shall
14 allow recipients in nursing homes to retain, in addition to the grant
15 to cover the cost of clothing and incidentals, wages received for work
16 as a part of a training or rehabilitative program designed to prepare
17 the recipient for less restrictive placement to the extent permitted
18 under Title XIX of the federal social security act.

19 NEW SECTION. **Sec. 103.** A new section is added to chapter 74.12
20 RCW to read as follows:

21 TIME LIMITS. (1) A family that includes an adult who has received
22 temporary assistance for needy families for sixty months after the
23 effective date of this section shall be ineligible for further
24 temporary assistance for needy families assistance.

25 (2) For the purposes of applying the rules of this section, the
26 department shall count any month in which an adult family member
27 received a temporary assistance for needy families cash assistance
28 grant unless the assistance was provided when the family member was a
29 minor child and not the head of the household or married to the head of
30 the household.

31 (3) The legislature recognizes that under P.L. 104-193 the
32 department may exempt no more than twenty percent of the temporary
33 assistance for needy families caseload from the sixty-month time limit.
34 The legislature further recognizes that not all adult recipients of
35 temporary assistance for needy families can be expected to attain self-
36 sufficiency within this time limit. Because the sixty-month time limit
37 will not be applicable to recipients until 2002, the legislature
38 further believes that it is appropriate to engage in the study required

1 in section 501 of this act before making decisions about caseload
2 exemptions.

3 **Sec. 104.** RCW 74.12.035 and 1985 c 335 s 1 are each amended to
4 read as follows:

5 ~~(1) ((A family or assistance unit is not eligible for aid for any~~
6 ~~month if for that month the total income of the family or assistance~~
7 ~~unit, without application of income disregards, exceeds one hundred~~
8 ~~eighty-five percent of the state standard of need for a family of the~~
9 ~~same composition: PROVIDED, That for the purposes of determining the~~
10 ~~total income of the family or assistance unit, the earned income of a~~
11 ~~dependent child who is a full-time student for whom aid to families~~
12 ~~with dependent children is being provided shall be disregarded for six~~
13 ~~months per calendar year.~~

14 ~~(2))~~ Participation in a strike does not constitute good cause to
15 leave or to refuse to seek or accept employment. Assistance is not
16 payable to a family for any month in which any caretaker relative with
17 whom the child is living is, on the last day of the month,
18 participating in a strike. An individual's need shall not be included
19 in determining the amount of aid payable for any month to a family or
20 assistance unit if, on the last day of the month, the individual is
21 participating in a strike.

22 ~~((3))~~ (2) Children over eighteen years of age and under nineteen
23 years of age who are otherwise eligible for temporary assistance for
24 needy families and who are full-time students ((reasonably expected to
25 complete a program of)) attending secondary school, or the equivalent
26 level of vocational or technical training((, before reaching nineteen
27 years of age)) are eligible to receive ((aid to families with dependent
28 children: PROVIDED HOWEVER, That if such students do not successfully
29 complete such program before reaching nineteen years of age, the
30 assistance rendered under this subsection during such period shall not
31 be a debt due the state)) temporary assistance for needy families.

32 NEW SECTION. **Sec. 105.** A new section is added to chapter 74.12A
33 RCW to read as follows:

34 GRANT DIVERSION. The legislature recognizes there are low-income
35 employable families who are in danger of becoming reliant on public
36 assistance. With minimal short-term help from the state, these
37 families can remain intact, actively involved in the labor market, and

1 financially self-sufficient. Therefore, the legislature finds it is in
2 the public interest to establish a grant diversion program to help at-
3 risk families remain off temporary assistance for needy families.

4 (1) The department may provide state-funded cash aid to meet short-
5 term need, thereby allowing employable low-income families to remain
6 off assistance.

7 (2) Diversion assistance may include cash or vouchers in payment
8 for the following needs:

9 (a) Child care;

10 (b) Housing assistance;

11 (c) Transportation-related expenses;

12 (d) Food;

13 (e) Medical costs not covered under chapter 74.09 RCW; and

14 (f) Employment-related expenses that are necessary to keep or
15 obtain paid unsubsidized employment.

16 (3) Diversion assistance is available once in each twelve-month
17 period. Recipients of diversion assistance are not included in the
18 temporary assistance for needy families program.

19 (4) Diversion assistance may not exceed one thousand five hundred
20 dollars for each instance.

21 (5) To be eligible for diversion assistance, a family must
22 otherwise be eligible for, but not receiving, temporary assistance for
23 needy families.

24 (6) Families ineligible for temporary assistance for needy families
25 due to sanction, noncompliance, the lump sum income rule, or any other
26 reason are not eligible for diversion assistance.

27 (7) Families must provide evidence showing that a bona fide need
28 exists according to subsection (2) of this section in order to be
29 eligible for diversion assistance.

30 (8) If the recipient of diversion assistance receives temporary
31 assistance for needy families assistance within a period specified by
32 the department, but not to exceed twelve months following the receipt
33 of diversion assistance, the amount of the diversion assistance shall
34 be recovered by the state by deduction from the recipient's temporary
35 assistance for needy families grant.

36 (9) If funds appropriated for grant diversion are exhausted, the
37 department shall discontinue the program in this section.

1 **Sec. 106.** RCW 74.09.510 and 1991 sp.s. c 8 s 8 are each amended to
2 read as follows:

3 Medical assistance may be provided in accordance with eligibility
4 requirements established by the department (~~(of social and health~~
5 ~~services)~~), as defined in the social security Title XIX state plan for
6 mandatory categorically needy persons and: (1) Individuals who would
7 be eligible for cash assistance except for their institutional status;
8 (2) individuals who are under twenty-one years of age, who would be
9 eligible for (~~(aid to families with dependent children)~~) temporary
10 assistance for needy families, but do not qualify as dependent children
11 and who are in (a) foster care, (b) subsidized adoption, (c) a nursing
12 facility or an intermediate care facility for the mentally retarded, or
13 (d) inpatient psychiatric facilities; (3) the aged, blind, and disabled
14 who: (a) Receive only a state supplement, or (b) would not be eligible
15 for cash assistance if they were not institutionalized; (4)
16 categorically related individuals who (~~(would be eligible for but~~
17 ~~choose not to receive cash assistance)~~) meet the income and resource
18 requirements of the cash assistance programs; (5) individuals who are
19 enrolled in managed health care systems, who have otherwise lost
20 eligibility for medical assistance, but who have not completed a
21 current six-month enrollment in a managed health care system, and who
22 are eligible for federal financial participation under Title XIX of the
23 social security act; (6) children and pregnant women allowed by federal
24 statute for whom funding is appropriated; (~~and~~) (7) other individuals
25 eligible for medical services under RCW 74.09.035 and 74.09.700 for
26 whom federal financial participation is available under Title XIX of
27 the social security act; and (8) persons allowed by section 1931 of the
28 social security act for whom funding is appropriated.

29 NEW SECTION. **Sec. 107.** A new section is added to chapter 74.08
30 RCW to read as follows:

31 GOOD CAUSE EXEMPTIONS. The department shall establish by rule good
32 cause exemptions consistent with the family violence options of Sec.
33 402 (a)(7) of Title IV-A of the federal social security act as amended
34 by P.L. 104-193. Individuals granted a good cause exemption may not be
35 subject to work requirements, child support cooperation requirements,
36 and time limits of section 103 of this act. The department shall
37 periodically review such exemptions to determine when they are no
38 longer necessary.

1 imposed on the recipient for refusing or failing to participate in the
2 WorkFirst program.

3 NEW SECTION. **Sec. 202.** A new section is added to chapter 74.25
4 RCW to read as follows:

5 WASHINGTON WORKFIRST PROGRAM. (1) There is established in the
6 department the WorkFirst program, the welfare-to-work program for
7 temporary assistance for needy families. The department shall
8 administer the program consistent with the temporary assistance for
9 needy families provisions of P.L. 104-193. In operating the WorkFirst
10 program the department shall require recipients of temporary assistance
11 for needy families to engage in work activities, as defined in P.L.
12 104-193 on the effective date of this section, including:

13 (a) Unsubsidized paid employment in the private or public sector;
14 (b) Subsidized paid employment in the private or public sector;
15 (c) Work experience, including work associated with the
16 refurbishing of publicly assisted housing, if sufficient paid
17 employment is not available;

18 (d) On-the-job training;

19 (e) Job search and job readiness assistance;

20 (f) Community service programs;

21 (g) Vocational educational training, not to exceed twelve months
22 with respect to any individual;

23 (h) Job skills training directly related to employment, including
24 structured pursuit of self-employment opportunities that involves
25 development of a business plan and meets criteria for micro-credit and
26 micro-enterprise opportunities;

27 (i) Education directly related to employment, in the case of a
28 recipient who has not received a high school diploma or a GED;

29 (j) Satisfactory attendance at secondary school or in a course of
30 study leading to a GED, in the case of a recipient who has not
31 completed secondary school or received such a certificate;

32 (k) The provision of child care services to an individual who is
33 participating in a community service program; or

34 (l) Other activities as defined by the department that are directly
35 related to improving the recipient's employability and lead to the
36 first available job.

37 (2) All recipients of temporary assistance for needy families shall
38 participate in the WorkFirst program except single custodial parent

1 recipients with a child under age one year. The exemption shall not
2 exceed a total of twelve months.

3 (3) The department shall adopt rules under chapter 34.05 RCW
4 establishing criteria constituting circumstances of good cause for an
5 individual failing or refusing to participate in an assigned activity,
6 or failing or refusing to accept or retain employment.

7 (4) All teen parents under age eighteen years who are approved for
8 assistance shall, as a condition of receiving benefits, actively
9 progress toward the completion of a high school diploma, GED, or an
10 approved alternative education program.

11 (5) The department may provide employment and training and
12 education support services to assist temporary assistance for needy
13 families recipients under chapter 74.12 RCW to obtain employment.

14 (6) The department may contract with public and private employment
15 and training agencies and other public service entities to carry out
16 the purposes of Washington's WorkFirst program.

17 (7) The department shall adopt rules under chapter 34.05 RCW as
18 necessary to effectuate the intent and purpose of this chapter.

19 NEW SECTION. **Sec. 203.** A new section is added to chapter 74.25
20 RCW to read as follows:

21 JOB SEARCH. (1) The department shall require temporary assistance
22 for needy families recipients to engage in initial and ongoing job
23 search. Failure to participate in the job search component shall
24 result in sanctions under section 204 of this act.

25 (2) The Washington WorkFirst program shall include an initial job
26 search component in which each nonexempt recipient of temporary
27 assistance for needy families shall participate. The initial job
28 search component will last four weeks for each recipient. Each
29 recipient shall be required to attend initial job search component
30 activities at least thirty hours per week. The initial job search
31 component shall serve as an assessment tool to determine a recipient's
32 employability. If a recipient fails to find paid employment during the
33 initial job search component, the department may refer the recipient to
34 those work activities that are directly related to improving the
35 recipient's employability. Priority shall be given to work activities
36 that simulate the work environment.

37 (3) As used in this section, "initial job search" means an activity
38 in which nonexempt recipients engage each weekday upon entering the

1 Washington WorkFirst program. The component shall provide classroom
2 instruction and a minimum of fifteen hours per week of structured,
3 individual job search activities.

4 (a) Individual job search shall include individual and group
5 activities.

6 (b) Job search instruction shall be structured in such a way as to
7 replicate the demands of a work environment. It shall include, at a
8 minimum, information on how to apply for work, the current labor
9 market, and available work force development resources.

10 (4) Ongoing job search shall include regular, structured work
11 search and weekly reporting of work search plans and results.

12 NEW SECTION. **Sec. 204.** A new section is added to chapter 74.08
13 RCW to read as follows:

14 SANCTIONS FOR NONCOOPERATION. Cooperation with the requirements of
15 Washington's WorkFirst program is required, unless exempt under this
16 title. Failure to cooperate, absent good cause, shall result in
17 sanctions, including but not limited to, reductions of the family's
18 cash assistance grant. The department shall adopt by rule, standards
19 for the imposition of such sanctions.

20 NEW SECTION. **Sec. 205.** A new section is added to chapter 74.25
21 RCW to read as follows:

22 WORKFIRST--SERVICE AREAS--PROGRAMS. (1) The legislature finds that
23 moving those eligible for assistance to self-sustaining employment is
24 a goal of the WorkFirst program. It is the intent of WorkFirst to aid
25 a participant's progress to self-sufficiency by allowing flexibility
26 within the state-wide program to reflect community resources, the local
27 characteristics of the labor market, and the composition of the
28 caseload. Program success will be enhanced through effective
29 coordination at regional and local levels, involving employers, labor
30 representatives, educators, community leaders, local governments, and
31 social service providers.

32 (2) The secretary shall establish WorkFirst service areas for
33 purposes of planning WorkFirst programs and for distributing WorkFirst
34 resources. Service areas shall reflect identifiable labor markets.

35 (3) By July 31st of each odd-numbered year, a plan for the
36 WorkFirst program shall be developed for each service area. The plan
37 shall be prepared in consultation with local and regional sources,

1 adapting the state-wide WorkFirst program to achieve maximum effect for
2 the participants and the communities within which they reside. Local
3 consultation shall include to the greatest extent possible input from
4 local and regional planning bodies for social services and work force
5 development. The regional and local administrator shall consult with
6 employers of various sizes, labor representatives, training and
7 education providers, program participants, economic development
8 organizations, community organizations, tribes, and local governments
9 in the preparation of the service area plan.

10 (4) The secretary shall have final authority in plan approval or
11 modification. Local program implementation may deviate from the state-
12 wide program if specified in a service area plan, as approved by the
13 secretary. The local service area plans may adjust the temporary
14 assistance for needy families cash grant for participants in that area,
15 under RCW 74.04.770, and an adjustment to the grant may not exceed five
16 percent of the state-wide grant established by the secretary. Local
17 administrators may adapt service delivery to reflect local labor market
18 and caseload characteristics, consistent with the service area plan, as
19 approved by the secretary.

20 **Sec. 206.** RCW 74.04.770 and 1983 1st ex.s. c 41 s 38 are each
21 amended to read as follows:

22 The department shall establish consolidated standards of need each
23 fiscal year which may vary by geographical areas, program, and family
24 size, for ~~((aid to families with dependent children))~~ temporary
25 assistance for needy families, refugee assistance, supplemental
26 security income, and general assistance. Standards for ~~((aid to~~
27 ~~families with dependent children))~~ temporary assistance for needy
28 families, refugee assistance, and general assistance shall be based on
29 studies of actual living costs and generally recognized inflation
30 indices and shall include reasonable allowances for shelter, fuel,
31 food, transportation, clothing, household maintenance and operations,
32 personal maintenance, and necessary incidentals. The standard of need
33 may take into account the economies of joint living arrangements, but
34 unless explicitly required by federal statute, there shall not be
35 proration of any portion of assistance grants unless the amount of the
36 grant standard is equal to the standard of need.

37 The department is authorized to establish rateable reductions and
38 grant maximums consistent with federal law. Further, the department

1 may adjust payment standards, within each WorkFirst service area, by up
2 to five percent, either up or down, to reflect labor market conditions,
3 resources needed to support work and mobilize and leverage local
4 resources, or cost-of-living differences within local geographic areas.

5 Payment level will be equal to need or a lesser amount if rateable
6 reductions or grant maximums are imposed. In no case shall a recipient
7 of supplemental security income receive a state supplement less than
8 the minimum required by federal law.

9 The department may establish a separate standard for shelter
10 provided at no cost.

11 NEW SECTION. Sec. 207. A new section is added to chapter 74.25
12 RCW to read as follows:

13 WORKER PROTECTIONS. (1) Recipients of public assistance who
14 participate in WorkFirst activities shall be entitled to certain
15 protections as provided in this section. In addition, the department
16 shall ensure, according to the criteria in this section, that existing
17 workers are not displaced from employment as a result of the
18 participation of public assistance recipients in department-mandated or
19 authorized WorkFirst activities.

20 (2) Work positions, paid or unpaid, held by public assistance
21 recipients as a department-authorized WorkFirst activity shall not be
22 created as the result of, nor result in, any of the following:

23 (a) The filling of a position created by termination, layoff, or
24 work force reduction;

25 (b) The filling of positions that would otherwise be promotional
26 opportunities for current employees;

27 (c) The filling of a position before compliance with applicable
28 personnel procedures or provisions of collective bargaining agreements;

29 (d) The filling of a work assignment customarily performed by a
30 worker in a job classification within a recognized collective
31 bargaining unit in that specific work site, or the filling of a work
32 assignment in any bargaining unit in which regular employees are on
33 layoff;

34 (e) A strike, lockout, or other bona fide labor dispute, or
35 violation of any existing collective bargaining agreement between
36 employees and employers; or

37 (f) Decertification of any collective bargaining unit.

1 (3) Participants in WorkFirst activities who receive a wage shall
2 be deemed employees, and as such shall be paid and receive benefits in
3 accordance with local, state, and federal law governing occupational
4 health and safety, minimum wage standards, worker compensation
5 insurance, and unemployment insurance.

6 (4) A participant who does not receive a wage should not be
7 required to participate in WorkFirst activities, other than job search,
8 for a number of hours greater than participant's monthly temporary
9 assistance for needy families benefit divided by the greater of the
10 state or federal minimum wage.

11 (5) Participants in WorkFirst activities who do not receive a wage
12 shall be deemed employees for purposes of medical aid benefits under
13 chapter 51.36 RCW and in accordance with local, state, and federal law
14 shall be covered by appropriate occupational health and safety
15 regulations. The agency or organization that provides the position
16 shall be the employer and, as such any and all premiums or assessments
17 due in relation to such benefits are the obligation of and shall be
18 paid by the agency.

19 (6) Subsection (2) of this section does not apply to public
20 assistance recipients who secure unsubsidized paid employment outside
21 of WorkFirst.

22 (7) WorkFirst employment positions shall not in any way be related
23 to political, electoral, partisan, or religious activities.

24 NEW SECTION. **Sec. 208.** A new section is added to chapter 74.25
25 RCW to read as follows:

26 COMMUNITY JOBS AND SUBSIDIZED EMPLOYMENT PROGRAMS. (1) The
27 department shall establish the community jobs program and the
28 subsidized employment program within WorkFirst to provide recipients of
29 temporary assistance for needy families valuable work experience,
30 increase their labor market participation, and meet business and
31 community needs.

32 (2) The community jobs program shall provide work opportunities
33 through nonprofit corporations. This shall be a mandatory program as
34 determined by the department.

35 (a) The department shall contract with local nonprofit corporations
36 for the operation of these programs. The contractor shall be
37 responsible for identifying work sites, referring recipients to work

1 sites, and providing support for recipients as necessary. The
2 contractor shall be considered the employer of the participant.

3 (b) The contractor shall receive the temporary assistance for needy
4 families recipient's monthly benefit allotment and an additional
5 payment, which together will cover the participant's wages, job
6 development, employee counseling, and administrative costs, including
7 the cost of employer-paid payroll taxes. Industrial insurance and
8 other applicable federal payroll taxes shall be deducted from wages
9 received by the employee.

10 (c) In lieu of a grant from the department, the recipient shall
11 receive wages from the contractor.

12 (d) In identifying recipients to place in the program, the
13 department shall target recipients who have limited prior work
14 experience; have low educational attainment; have children older than
15 two years of age; or have received public assistance for at least six
16 months.

17 (e) A temporary assistance for needy families recipient may
18 participate in the community jobs program for twelve months. At the
19 discretion of the department, the referral to community jobs may be
20 renewed. This section does not exempt the participant from mandatory,
21 ongoing job search requirements.

22 (3) The department may use cash grants as a wage subsidy in order
23 to provide full-time employment opportunities in the private sector for
24 temporary assistance for needy families recipients. In no case will
25 the wage subsidy exceed the value of the cash grant for which the
26 participant would be eligible through temporary assistance for needy
27 families. This shall be a voluntary program and no person will be
28 sanctioned by the department for failure to participate.

29 (a) The department shall adopt rules establishing the criteria for
30 employer participation and the participation of recipients of temporary
31 assistance for needy families in the wage subsidy program. Once the
32 recipient is hired, the wage subsidy shall be authorized for up to nine
33 months.

34 (b) In developing job opportunities through the subsidized
35 employment program, the department shall give priority to jobs with a
36 career ladder or reasonable opportunity for wage increases, either with
37 the subsidized employer or with another employer in the same industrial
38 sector. At the end of the subsidized employment, it is expected that

1 the employee be maintained in full-time, unsubsidized employment by the
2 employer.

3 (4) Participants in the community jobs program and the wage subsidy
4 program shall remain eligible for medical benefits.

5 NEW SECTION. **Sec. 209.** A new section is added to chapter 74.04
6 RCW to read as follows:

7 OUTCOME MEASURES. The WorkFirst program shall be evaluated through
8 a limited number of outcome measures designed to hold each region
9 accountable for program success. The outcomes measured used for
10 evaluation shall include:

- 11 (1) Exits through employment;
- 12 (2) Employment retention rates; measured every six months for up to
13 two years after leaving temporary assistance for needy families;
- 14 (3) Reduction in average grant through increased recipient
15 earnings; and
- 16 (4) Number of recipients working part time and full time.

17 NEW SECTION. **Sec. 210.** The following acts or parts of acts are
18 each repealed:

- 19 (1) RCW 74.25.010 and 1994 c 299 s 6 & 1991 c 126 s 5;
- 20 (2) RCW 74.25.020 and 1993 c 312 s 7, 1992 c 165 s 3, & 1991 c 126
21 s 6;
- 22 (3) RCW 74.25.030 and 1991 c 126 s 7;
- 23 (4) RCW 74.25.040 and 1994 c 299 s 8;
- 24 (5) RCW 74.25A.005 and 1994 c 299 s 19 & 1986 c 172 s 1;
- 25 (6) RCW 74.25A.010 and 1994 c 299 s 20 & 1986 c 172 s 2;
- 26 (7) RCW 74.25A.020 and 1994 c 299 s 21 & 1986 c 172 s 3;
- 27 (8) RCW 74.25A.030 and 1994 c 299 s 22 & 1986 c 172 s 4;
- 28 (9) RCW 74.25A.040 and 1986 c 172 s 5;
- 29 (10) RCW 74.25A.045 and 1994 c 299 s 23;
- 30 (11) RCW 74.25A.050 and 1994 c 299 s 24 & 1986 c 172 s 6;
- 31 (12) RCW 74.25A.060 and 1986 c 172 s 7;
- 32 (13) RCW 74.25A.070 and 1986 c 172 s 8; and
- 33 (14) RCW 74.25A.080 and 1994 c 299 s 25 & 1986 c 172 s 9.

34 **III. CHILD CARE**

1 temporary assistance for needy families program solely due to their
2 date of entry or their immigration status.

3 (2) Such assistance shall be provided under the same rules and in
4 the same amount as under the temporary assistance for needy families
5 program. Any month in which a family receives such assistance should
6 be considered a month in which the family received temporary assistance
7 for needy families for the purpose of the sixty-month time limit.

8 (3) The department may use state general assistance and state
9 medical care services funds as may be appropriated to provide such
10 benefits.

11 (4) The department may provide state-funded medical care services,
12 including long-term care, to legal immigrants including those
13 permanently residing in the United States under color of law who are
14 not eligible under federal law for the federal medicaid program solely
15 due to their date of entry or their immigration status.

16 NEW SECTION. **Sec. 403.** A new section is added to chapter 74.08
17 RCW to read as follows:

18 IMMIGRANTS--FOOD ASSISTANCE. (1) The department may establish a
19 state-funded food assistance program for legal immigrants who do not
20 qualify for federal food stamps solely due to the immigrant exclusions
21 under P.L. 104-193. The rules and benefit amounts for the state food
22 assistance program shall be the same as in the federal food stamp
23 program.

24 (2) The department shall enter into a contract with the United
25 States department of agriculture to use the existing federal food stamp
26 program coupon system for the purposes of administering the state food
27 assistance program.

28 NEW SECTION. **Sec. 404.** A new section is added to chapter 74.08
29 RCW to read as follows:

30 SPONSOR-DEEMING FOR LEGAL IMMIGRANTS. (1) Except as provided in
31 subsection (2) of this section, in determining the eligibility and
32 amount of benefits for state-funded general assistance or state-funded
33 food stamps, the department may provide that the income and resources
34 of an alien shall be deemed to include the income and resources of any
35 individual, and his or her spouse, who executes an affidavit of support
36 under section 213A of the federal immigration and nationality act on

1 behalf of the alien for a period of five years following the execution
2 of that affidavit of support.

3 (2) The sponsor-deeming provisions of subsection (1) of this
4 section do not apply to the following:

5 (a) An alien who has worked forty qualifying quarters of coverage
6 as defined under Title II of the social security act or can be credited
7 with such qualifying quarters as provided under P.L. 104-193 Sec. 435;

8 (b) An alien who is lawfully residing in any state and is a veteran
9 of, or on active duty in, the armed forces of the United States, or the
10 spouse or unmarried dependent child of such individual;

11 (c) An alien who served in the armed forces of an allied country,
12 or was employed by an agency of the federal government, during a
13 military conflict between the United States and a military adversary;

14 (d) Aliens who are victims of domestic violence and who petition
15 for legal status under the federal violence against women act;

16 (e) For a period not to exceed twelve months, an alien for whom a
17 determination has been made by the department that, in the absence of
18 the assistance provided by the department, the alien would be unable to
19 obtain food and shelter, taking into account the alien's own income
20 plus any cash, food, housing, or other assistance provided by other
21 individuals including the sponsor; and

22 (f) An alien who achieves United States citizenship through
23 naturalization pursuant to chapter 2 of Title III of the immigration
24 and nationality act.

25 NEW SECTION. **Sec. 405.** A new section is added to chapter 74.08
26 RCW to read as follows:

27 **NATURALIZATION FACILITATION.** The department shall make an
28 affirmative effort to identify and contact legal immigrants receiving
29 public assistance to facilitate their applications for naturalization.

30 **V. STUDIES**

31 NEW SECTION. **Sec. 501.** TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
32 STUDIES. (1) The office of financial management shall contract with a
33 qualified and objective research organization to evaluate the critical
34 elements of the program in chapter . . . , Laws of 1997 (this act).
35 Within available funds appropriated for this purpose, the research
36 shall address the impact of the program in promoting self-sufficiency,

1 in reducing poverty, and in improving the well-being of the families in
2 this state. In addition, the evaluation shall specifically examine:

3 (a) The effectiveness of the program design and of the
4 implementation of the program by state agencies in generating community
5 and employer participation to address the employment and family needs
6 of program participants;

7 (b) The impact of such components as wage subsidies and community
8 employment and the roles of private sector and nonprofit employers in
9 promoting unsubsidized employment;

10 (c) Participation by employed recipients and former recipients in
11 the community college or other education and training programs and the
12 impact of such participation;

13 (d) The impact of employment produced by the program on the labor
14 market and on the availability of child care;

15 (e) The effectiveness of employment produced by the program in
16 reducing poverty;

17 (f) The impact of other elements, such as diversion, the state-
18 funded temporary assistance for needy families program, and sanctions
19 in achieving the purposes of this program; and

20 (g) The effect of child support collections on the economic status
21 of recipients of temporary assistance for needy families and successful
22 collection strategies involving these families.

23 The evaluation in this section shall commence on the effective date
24 of this section and shall be completed by June 30, 2001. The office of
25 financial management shall ensure that reports are provided to the
26 legislature annually before the start of the legislative session and
27 that definitive responses to the research questions are available
28 before the start of the 2002 legislative session.

29 (2) Exemption Characteristics. The office of financial management
30 shall contract with a qualified and objective research organization to
31 study carefully the characteristics of adult recipients of temporary
32 assistance for needy families to determine the profile of recipients
33 for whom a hardship exemption to time limits should apply or where it
34 may be in the best interests of the state to broaden eligibility for
35 state-funded temporary assistance for needy families. Specifically,
36 the research shall address the extent and nature of the barriers to
37 independence based upon the personal characteristics of adults in the
38 temporary assistance for needy families program.

1 The office of financial management shall submit a final report on
2 the findings of this research by December 15, 1998. This final report
3 shall include an evaluation of the characteristics of adult recipients,
4 including a careful estimate of the prevalence of serious disability
5 and other barriers that may prevent self-supporting employment. The
6 research shall provide recommendations regarding how best to establish
7 criteria for exemptions to the five-year limit, how to establish
8 whether an adult recipient has satisfied those criteria, and whether
9 and in what ways the criteria for the state-funded program should be
10 narrowed or widened.

11

VI. DATA SHARING

12 NEW SECTION. **Sec. 601.** It is the intent of the legislature to
13 allow the department of social and health services access to employment
14 security department confidential employer wage files, for statistical
15 analysis, research, or evaluation of work force participation of
16 department of social and health services' clients. This information is
17 needed to monitor and evaluate department client outcomes in
18 employment, to fulfill agency performance reporting requirements of
19 chapter 43.88 RCW, for department management in evaluating and planning
20 for changing social needs, and in the effective development and
21 implementation of programs to achieve goals of the department of social
22 and health services. Chapter 50.38 RCW and federal law mandate the use
23 of labor market information, including employment security department
24 payroll and wage files, in the planning, coordination, management,
25 implementation, and evaluation of state programs like those of the
26 department of social and health services. RCW 50.13.060 requires
27 privacy protection of personal records obtained from employment
28 security department confidential employer wage files. Through
29 individual matches with accessed employment security department
30 confidential employer wage files, the department of social and health
31 services shall report only aggregate, statistical, group level data.

32 NEW SECTION. **Sec. 602.** A new section is added to chapter 43.20A
33 RCW to read as follows:

34 The employment security department shall provide to the department
35 of social and health services confidential employer wage files for
36 statistical analysis, research, and evaluation purposes as provided in

1 sections 604 and 605 of this act. The department of social and health
2 services shall limit access of its agency personnel to those
3 professional research and technical information systems personnel
4 needed to produce and analyze wage file data.

5 NEW SECTION. **Sec. 603.** A new section is added to chapter 50.13
6 RCW to read as follows:

7 The employment security department shall provide to the department
8 of social and health services confidential employer wage files for
9 statistical analysis, research, and evaluation purposes as provided in
10 sections 604 and 605 of this act. The department of social and health
11 services shall limit access of its agency personnel to those
12 professional research and technical information systems personnel
13 needed to produce and analyze wage file data.

14 NEW SECTION. **Sec. 604.** A new section is added to chapter 43.20A
15 RCW to read as follows:

16 (1) The information provided by the employment security department
17 under sections 602 and 603 of this act for statistical analysis,
18 research, and evaluation purposes shall be used to measure the work
19 force participation of department clients.

20 (2) The department shall protect the privacy of confidential
21 personal data supplied under sections 602 and 603 of this act
22 consistent with chapter 50.13 RCW and the terms and conditions of a
23 formal data-sharing agreement between the two departments. The misuse
24 or unauthorized use of confidential data supplied by the employment
25 security department is subject to the penalties in RCW 50.13.080.

26 NEW SECTION. **Sec. 605.** A new section is added to chapter 50.13
27 RCW to read as follows:

28 (1) The information provided by the employment security department
29 under sections 602 and 603 of this act for statistical analysis,
30 research, and evaluation purposes shall be used to measure the work
31 force participation of department clients.

32 (2) The department shall protect the privacy of confidential
33 personal data supplied under sections 602 and 603 of this act
34 consistent with chapter 50.13 RCW and the terms and conditions of a
35 formal data-sharing agreement between the two departments. The misuse

1 or unauthorized use of confidential data supplied by the employment
2 security department is subject to the penalties in RCW 50.13.080.

3 **VII. MISCELLANEOUS**

4 NEW SECTION. **Sec. 701.** A new section is added to chapter 74.12
5 RCW to read as follows:

6 EARNINGS DISREGARDS AND EARNED INCOME CUTOFFS. (1) In addition to
7 their monthly benefit payment, a family may earn and keep one-half of
8 its earnings during every month it is eligible to receive assistance
9 under this section.

10 (2) In no event may a family be eligible for temporary assistance
11 for needy families if its monthly gross earned income exceeds the
12 maximum earned income level as set by the department. In calculating
13 a household's gross earnings, the department shall disregard the
14 earnings of a minor child who is:

15 (a) A full-time student; or

16 (b) A part-time student carrying at least half the normal school
17 load and working fewer than thirty-five hours per week.

18 **Sec. 702.** RCW 74.04.005 and 1992 c 165 s 1 and 1992 c 136 s 1 are
19 each reenacted and amended to read as follows:

20 For the purposes of this title, unless the context indicates
21 otherwise, the following definitions shall apply:

22 (1) "Public assistance" or "assistance"«Public aid to persons in
23 need thereof for any cause, including services, medical care,
24 assistance grants, disbursing orders, work relief, general assistance
25 and federal-aid assistance.

26 (2) "Department"«The department of social and health services.

27 (3) "County or local office"«The administrative office for one or
28 more counties or designated service areas.

29 (4) "Director" or "secretary" means the secretary of social and
30 health services.

31 (5) "Federal-aid assistance"«The specific categories of assistance
32 for which provision is made in any federal law existing or hereafter
33 passed by which payments are made from the federal government to the
34 state in aid or in respect to payment by the state for public
35 assistance rendered to any category of needy persons for which

1 provision for federal funds or aid may from time to time be made, or a
2 federally administered needs-based program.

3 (6)(a) "General assistance"«Aid to persons in need who:

4 (i) Are not eligible to receive federal-aid assistance, other than
5 food stamps and medical assistance; however, an individual who refuses
6 or fails to cooperate in obtaining federal-aid assistance, without good
7 cause, is not eligible for general assistance;

8 (ii) Meet one of the following conditions:

9 (A) Pregnant: PROVIDED, That need is based on the current income
10 and resource requirements of the federal ((aid to families with
11 dependent children)) temporary assistance for needy families program((+
12 ~~PROVIDED FURTHER, That during any period in which an aid for dependent~~
13 ~~children employable program is not in operation, only those pregnant~~
14 ~~women who are categorically eligible for medicaid are eligible for~~
15 ~~general assistance~~)); or

16 (B) Subject to chapter 165, Laws of 1992, incapacitated from
17 gainful employment by reason of bodily or mental infirmity that will
18 likely continue for a minimum of ninety days as determined by the
19 department.

20 (C) Persons who are unemployable due to alcohol or drug addiction
21 are not eligible for general assistance. Persons receiving general
22 assistance on July 26, 1987, or becoming eligible for such assistance
23 thereafter, due to an alcohol or drug-related incapacity, shall be
24 referred to appropriate assessment, treatment, shelter, or supplemental
25 security income referral services as authorized under chapter 74.50
26 RCW. Referrals shall be made at the time of application or at the time
27 of eligibility review. Alcoholic and drug addicted clients who are
28 receiving general assistance on July 26, 1987, may remain on general
29 assistance if they otherwise retain their eligibility until they are
30 assessed for services under chapter 74.50 RCW. Subsection
31 (6)(a)(ii)(B) of this section shall not be construed to prohibit the
32 department from granting general assistance benefits to alcoholics and
33 drug addicts who are incapacitated due to other physical or mental
34 conditions that meet the eligibility criteria for the general
35 assistance program;

36 (iii) Are citizens or aliens lawfully admitted for permanent
37 residence or otherwise residing in the United States under color of
38 law; and

1 (iv) Have furnished the department their social security account
2 number. If the social security account number cannot be furnished
3 because it has not been issued or is not known, an application for a
4 number shall be made prior to authorization of assistance, and the
5 social security number shall be provided to the department upon
6 receipt.

7 (b) Notwithstanding the provisions of subsection (6)(a)(i), (ii),
8 and (c) of this section, general assistance shall be provided to the
9 following recipients of federal-aid assistance:

10 (i) Recipients of supplemental security income whose need, as
11 defined in this section, is not met by such supplemental security
12 income grant because of separation from a spouse; or

13 (ii) To the extent authorized by the legislature in the biennial
14 appropriations act, to recipients of ~~((aid to families with dependent
15 children))~~ temporary assistance for needy families whose needs are not
16 being met because of a temporary reduction in monthly income below the
17 entitled benefit payment level caused by loss or reduction of wages or
18 unemployment compensation benefits or some other unforeseen
19 circumstances. The amount of general assistance authorized shall not
20 exceed the difference between the entitled benefit payment level and
21 the amount of income actually received.

22 (c) General assistance shall be provided only to persons who are
23 not members of assistance units receiving federal aid assistance,
24 except as provided in subsection (6)(a)(ii)(A) and (b) of this section,
25 and will accept available services which can reasonably be expected to
26 enable the person to work or reduce the need for assistance unless
27 there is good cause to refuse. Failure to accept such services shall
28 result in termination until the person agrees to cooperate in accepting
29 such services and subject to the following maximum periods of
30 ineligibility after reapplication:

31 (i) First failure: One week;

32 (ii) Second failure within six months: One month;

33 (iii) Third and subsequent failure within one year: Two months.

34 (d) Persons found eligible for general assistance based on
35 incapacity from gainful employment may, if otherwise eligible, receive
36 general assistance pending application for federal supplemental
37 security income benefits. Any general assistance that is subsequently
38 duplicated by the person's receipt of supplemental security income for
39 the same period shall be considered a debt due the state and shall by

1 operation of law be subject to recovery through all available legal
2 remedies.

3 (e) The department shall adopt by rule medical criteria for general
4 assistance eligibility to ensure that eligibility decisions are
5 consistent with statutory requirements and are based on clear,
6 objective medical information.

7 (f) The process implementing the medical criteria shall involve
8 consideration of opinions of the treating or consulting physicians or
9 health care professionals regarding incapacity, and any eligibility
10 decision which rejects uncontroverted medical opinion must set forth
11 clear and convincing reasons for doing so.

12 (g) Recipients of general assistance based upon a finding of
13 incapacity from gainful employment who remain otherwise eligible shall
14 not have their benefits terminated absent a clear showing of material
15 improvement in their medical or mental condition or specific error in
16 the prior determination that found the recipient eligible by reason of
17 incapacitation. Recipients of general assistance based upon pregnancy
18 who relinquish their child for adoption, remain otherwise eligible, and
19 are not eligible to receive benefits under the federal (~~aid to~~
20 ~~families with dependent children~~) temporary assistance for needy
21 families program shall not have their benefits terminated until the end
22 of the month in which the period of six weeks following the birth of
23 the recipient's child falls. Recipients of the federal (~~aid to~~
24 ~~families with dependent children~~) temporary assistance for needy
25 families program who lose their eligibility solely because of the birth
26 and relinquishment of the qualifying child may receive general
27 assistance through the end of the month in which the period of six
28 weeks following the birth of the child falls.

29 (7) "Applicant"«Any person who has made a request, or on behalf of
30 whom a request has been made, to any county or local office for
31 assistance.

32 (8) "Recipient"«Any person receiving assistance and in addition
33 those dependents whose needs are included in the recipient's
34 assistance.

35 (9) "Standards of assistance"«The level of income required by an
36 applicant or recipient to maintain a level of living specified by the
37 department.

38 (10) "Resource"«Any asset, tangible or intangible, owned by or
39 available to the applicant at the time of application, which can be

1 applied toward meeting the applicant's need, either directly or by
2 conversion into money or its equivalent: PROVIDED, That an applicant
3 may retain the following described resources and not be ineligible for
4 public assistance because of such resources.

5 (a) A home, which is defined as real property owned and used by an
6 applicant or recipient as a place of residence, together with a
7 reasonable amount of property surrounding and contiguous thereto, which
8 is used by and useful to the applicant. Whenever a recipient shall
9 cease to use such property for residential purposes, either for himself
10 or his dependents, the property shall be considered as a resource which
11 can be made available to meet need, and if the recipient or his
12 dependents absent themselves from the home for a period of ninety
13 consecutive days such absence, unless due to hospitalization or health
14 reasons or a natural disaster, shall raise a rebuttable presumption of
15 abandonment: PROVIDED, That if in the opinion of three physicians the
16 recipient will be unable to return to the home during his lifetime, and
17 the home is not occupied by a spouse or dependent children or disabled
18 sons or daughters, such property shall be considered as a resource
19 which can be made available to meet need.

20 (b) Household furnishings and personal effects and other personal
21 property having great sentimental value to the applicant or recipient,
22 as limited by the department consistent with limitations on resources
23 and exemptions for federal aid assistance.

24 (c) A motor vehicle, other than a motor home, used and useful
25 having an equity value not to exceed one thousand five hundred dollars.
26 Recipients of temporary assistance for needy families may retain a
27 motor vehicle, other than a motor home, used and useful having an
28 equity value not to exceed five thousand dollars.

29 (d) All other resources, including any excess of values exempted,
30 not to exceed one thousand dollars or other limit as set by the
31 department, to be consistent with limitations on resources and
32 exemptions necessary for federal aid assistance. The department shall
33 also allow recipients of temporary assistance for needy families to
34 exempt savings accounts with combined balances of up to an additional
35 three thousand dollars.

36 (e) Applicants for or recipients of general assistance shall have
37 their eligibility based on resource limitations consistent with the
38 ~~((aid to families with dependent children))~~ temporary assistance for
39 needy families program rules adopted by the department.

1 (f) If an applicant for or recipient of public assistance possesses
2 property and belongings in excess of the ceiling value, such value
3 shall be used in determining the need of the applicant or recipient,
4 except that: (i) The department may exempt resources or income when
5 the income and resources are determined necessary to the applicant's or
6 recipient's restoration to independence, to decrease the need for
7 public assistance, or to aid in rehabilitating the applicant or
8 recipient or a dependent of the applicant or recipient; and (ii) the
9 department may provide grant assistance for a period not to exceed nine
10 months from the date the agreement is signed pursuant to this section
11 to persons who are otherwise ineligible because of excess real property
12 owned by such persons when they are making a good faith effort to
13 dispose of that property: PROVIDED, That:

14 (A) The applicant or recipient signs an agreement to repay the
15 lesser of the amount of aid received or the net proceeds of such sale;

16 (B) If the owner of the excess property ceases to make good faith
17 efforts to sell the property, the entire amount of assistance may
18 become an overpayment and a debt due the state and may be recovered
19 pursuant to RCW 43.20B.630;

20 (C) Applicants and recipients are advised of their right to a fair
21 hearing and afforded the opportunity to challenge a decision that good
22 faith efforts to sell have ceased, prior to assessment of an
23 overpayment under this section; and

24 (D) At the time assistance is authorized, the department files a
25 lien without a sum certain on the specific property.

26 (11) "Income"«(a) All appreciable gains in real or personal
27 property (cash or kind) or other assets, which are received by or
28 become available for use and enjoyment by an applicant or recipient
29 during the month of application or after applying for or receiving
30 public assistance. The department may by rule and regulation exempt
31 income received by an applicant for or recipient of public assistance
32 which can be used by him to decrease his need for public assistance or
33 to aid in rehabilitating him or his dependents, but such exemption
34 shall not, unless otherwise provided in this title, exceed the
35 exemptions of resources granted under this chapter to an applicant for
36 public assistance. In determining the amount of assistance to which an
37 applicant or recipient of ((aid to families with dependent children))
38 temporary assistance for needy families is entitled, the department is
39 hereby authorized to disregard as a resource or income the earned

1 income exemptions consistent with federal requirements. The department
2 may permit the above exemption of earnings of a child to be retained by
3 such child to cover the cost of special future identifiable needs even
4 though the total exceeds the exemptions or resources granted to
5 applicants and recipients of public assistance, but consistent with
6 federal requirements. In formulating rules and regulations pursuant to
7 this chapter, the department shall define income and resources and the
8 availability thereof, consistent with federal requirements. All
9 resources and income not specifically exempted, and any income or other
10 economic benefit derived from the use of, or appreciation in value of,
11 exempt resources, shall be considered in determining the need of an
12 applicant or recipient of public assistance.

13 (b) If, under applicable federal requirements, the state has the
14 option of considering property in the form of lump sum compensatory
15 awards or related settlements received by an applicant or recipient as
16 income or as a resource, the department shall consider such property to
17 be a resource.

18 (12) "Need"«The difference between the applicant's or recipient's
19 standards of assistance for himself and the dependent members of his
20 family, as measured by the standards of the department, and value of
21 all nonexempt resources and nonexempt income received by or available
22 to the applicant or recipient and the dependent members of his family.

23 (13) For purposes of determining eligibility for public assistance
24 and participation levels in the cost of medical care, the department
25 shall exempt restitution payments made to people of Japanese and Aleut
26 ancestry pursuant to the Civil Liberties Act of 1988 and the Aleutian
27 and Pribilof Island Restitution Act passed by congress, P.L. 100-383,
28 including all income and resources derived therefrom.

29 (14) In the construction of words and phrases used in this title,
30 the singular number shall include the plural, the masculine gender
31 shall include both the feminine and neuter genders and the present
32 tense shall include the past and future tenses, unless the context
33 thereof shall clearly indicate to the contrary.

34 NEW SECTION. **Sec. 703.** A new section is added to chapter 74.12
35 RCW to read as follows:

36 PATERNITY ESTABLISHMENT. In order to be eligible for temporary
37 assistance for needy families, applicants shall, at the time of
38 application for assistance, provide the names of both parents of their

1 child or children, whether born or unborn, unless the applicant meets
2 good cause criteria for refusing such identification.

3 NEW SECTION. **Sec. 704.** A new section is added to chapter 74.12
4 RCW to read as follows:

5 TRIBAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES. (1) The department
6 may (a) coordinate with and cooperate with eligible Indian tribes that
7 elect to operate a tribal temporary assistance for needy families
8 program as provided for in P.L. 104-193; and (b) upon approval by the
9 secretary of the federal department of health and human services of a
10 tribal temporary assistance for needy families program, transfer a fair
11 and equitable amount of the state maintenance of effort funds to the
12 eligible Indian tribe.

13 (2) An eligible Indian tribe exercising its authority under P.L.
14 104-193 to operate a tribal temporary assistance for needy families
15 program as a condition of receiving state maintenance of effort funds
16 shall operate the program on a state fiscal year basis. If a tribe
17 decides to cancel a tribal temporary assistance for needy families
18 program, it shall notify the department no later than ninety days
19 before the start of the state fiscal year.

20 NEW SECTION. **Sec. 705.** A new section is added to chapter 50.40
21 RCW to read as follows:

22 (1) An individual filing a new claim for unemployment compensation
23 shall, at the time of filing the claim, disclose whether or not the
24 individual owes an uncollected overissuance of food stamps as defined
25 under subsection (7) of this section. If the individual discloses that
26 he or she owes an uncollected overissuance of food stamps and is
27 determined to be eligible for unemployment compensation, the
28 commissioner shall notify the state food stamp agency enforcing those
29 obligations that the individual has been determined to be eligible for
30 unemployment compensation.

31 (2) The commissioner shall deduct and withhold from any
32 unemployment compensation payable to an individual who owes an
33 uncollected overissuance of food stamps as defined under subsection (7)
34 of this section:

35 (a) The amount specified by the individual to the commissioner to
36 be deducted and withheld under this subsection, if neither (b) nor (c)
37 of this subsection is applicable;

1 (b) The amount, if any, determined pursuant to an agreement
2 submitted to the state food stamp agency under section 13(c)(3)(A) of
3 the food stamp act of 1977; or

4 (c) Any amount otherwise required to be so deducted and withheld
5 from such unemployment compensation pursuant section 13(c)(3)(B) of the
6 food stamp act of 1977.

7 (3) Any amount deducted and withheld under subsection (2) of this
8 section shall be paid by the commissioner to the appropriate state food
9 stamp agency.

10 (4) Any amount deducted and withheld under subsection (2) of this
11 section shall be treated for all purposes as if it were paid to the
12 individual as unemployment compensation and paid by that individual to
13 the state food stamp agency in satisfaction of the individual's
14 uncollected overissuance.

15 (5) For the purposes of this section, "unemployment compensation"
16 means any compensation payable under this chapter including amounts
17 payable by the commissioner under an agreement under any federal law
18 providing for compensation, assistance, or allowances with respect to
19 unemployment.

20 (6) This section applies only if appropriate arrangements have been
21 made for reimbursement by the state food stamp agency for the
22 administrative costs incurred by the commissioner under this section
23 which are attributable to the repayment of uncollected overissuance to
24 the state food stamp agency.

25 (7) "Uncollected overissuances of food stamps" as used in this
26 section means only those obligations which are being enforced pursuant
27 to section 13(c)(1) of the food stamp act of 1977.

28 (8) This section applies only if arrangements have been made for
29 reimbursement by the state food stamp agency for the administrative
30 costs incurred by the commissioner under this section which are
31 attributable to the state food stamp agency."

32 Renumber the remaining parts and sections consecutively and correct
33 any internal references accordingly.

1 **2SSB 5677** - S AMD TO S AMD (S-2023.2/97)

2 By Senator

3

4 On page 210, beginning on line 11 of the amendment, strike all of
5 section 1005

6 Renumber the remaining sections consecutively and correct internal
7 references accordingly.

8 On page 210, beginning on line 32 of the amendment, after "(1)"
9 strike all material through "(2)" on line 34.

10 Renumber the remaining subsection consecutively.

11 **2SSB 5677** - S AMD TO S AMD (S-2023.2/97)

12 By Senator

13

14 On page 211, beginning on line 2 of the amendment, after "(1)"
15 strike all material through "immediately." on line 7 and insert
16 "Sections 1, 101 through 109, 201 through 210, 301, 405, 501, 601
17 through 605, and 701 through 705 of this act are necessary for the
18 immediate preservation of the public peace, health, or safety, or
19 support of the state government and its existing public institutions,
20 and take effect July 1, 1997."

21 On page 211, beginning on line 12 of the amendment, after "(3)"
22 strike all material through "(4)" on line 14

23 On page 211, beginning on line 19 of the title amendment, after
24 "RCW" strike all material through "74.12.410," on line 21 and insert
25 "74.08.340, 74.08.025, 74.12.035, 74.09.510, 74.04.770,"

26 **2SSB 5677** - S AMD TO S AMD (S-2023.2/97)

27 By Senator

28

29 On page 212, beginning on line 2 of the title amendment, after
30 "26.26.100;" strike all material through "28C.18 RCW;" on line 7 and
31 insert "adding new sections to chapter 74.12 RCW; adding a new section

1 to chapter 74.12A RCW; adding new sections to chapter 74.08 RCW; adding
2 new sections to chapter 74.25 RCW; adding a new section to chapter
3 74.04 RCW; adding new sections to chapter 43.20A RCW; adding new
4 sections to chapter 50.13 RCW; adding a new section to chapter 50.40
5 RCW;"

6 On page 212, line 32 of the title amendment, after "26.18 RCW;"
7 strike all material through "74 RCW;"

8 On page 212, beginning on line 33 of the title amendment, after
9 "RCW" strike all material through "74.04.770," on line 34 and insert
10 "74.12.420, 74.12.425, 74.25.010, 74.25.020, 74.25.030, 74.25.040,
11 74.25A.005, 74.25A.010, 74.25A.020, 74.25A.030, 74.25A.040, 74.25A.045,
12 74.25A.050, 74.25A.060, 74.25A.070, 74.25A.080,"

--- END ---