

**SENATE BILL NO. 189**

February 2, 1999, Introduced by Senator JAYE and referred to the  
Committee on Families, Mental Health and Human Services.

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
by amending sections 55a, 57e, and 57f (MCL 400.55a, 400.57e, and  
400.57f), section 55a as amended by 1980 PA 251 and sections 57e  
and 57f as added by 1995 PA 223.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 55a. (1) In determining the eligibility of an appli-  
2 cant for general assistance, and before granting the assistance,  
3 except temporary assistance pending disposition of the case, the  
4 county and district departments of social services shall conform  
5 to the following:

6       (a) Require each applicant entitled to alimony or separate  
7 maintenance to seek the assistance of the friend of the court.

1 (b) Clear with the proper legal authorities the case of an  
2 applicant who is deserted by his or her spouse to determine the  
3 advisability of legal action to obtain support.

4 (c) If it is indicated that eligibility for benefits from  
5 other programs, such as unemployment compensation, old-age and  
6 survivors insurance benefits, federal veterans' benefits, aid to  
7 families with dependent children, or supplemental security income  
8 exists, secure a clearance in writing with each appropriate  
9 agency.

10 (d) Require an employable person to work NOT LESS THAN 50  
11 HOURS PER WEEK on a work relief or work training project, or  
12 other departmental-approved activity, if available, in return for  
13 assistance given. A person participating in a work relief or  
14 work training project ~~shall be~~ IS entitled to the benefits pro-  
15 vided by ~~Act No. 317 of the Public Acts of 1969, as amended,~~  
16 ~~being sections 418.101 to 418.941 of the Michigan Compiled Laws~~  
17 THE WORKER'S DISABILITY COMPENSATION ACT OF 1969, 1969 PA 317,  
18 MCL 418.101 TO 418.941. All work relief or work training  
19 projects or other departmental-approved activities authorized by  
20 this section ~~shall be~~ ARE subject to all of the following  
21 conditions:

22 (i) Any person required to work on an approved project or  
23 activity, upon claiming to be physically incapable to work when  
24 so assigned, shall be given a thorough medical examination by  
25 competent medical authorities to ascertain his or her ability to  
26 participate in the required project or activity.

1       (ii) Each person assigned to an approved project or activity  
2 may be required to register for employment with the Michigan  
3 employment security commission, if the service is available, and  
4 to investigate all bona fide employment opportunities.

5       (e) Determine that each employable applicant, mentally and  
6 physically able to work, is not currently refusing to accept  
7 available employment for which wages not less than the usual rate  
8 paid by that employer for the particular kind of employment are  
9 being offered.

10       (2) Any employable person who, without good cause, fails to  
11 participate in an approved project or activity or to accept  
12 available lawful employment for which wages, not less than the  
13 usual rate paid by that employer for that particular kind of  
14 employment are being offered, shall have his or her needs removed  
15 from the general assistance grant and shall not be eligible for  
16 general assistance for 3 months.

17       Sec. 57e. (1) Each family receiving family independence  
18 assistance shall execute a social contract outlining the respon-  
19 sibilities of members of the family independence assistance  
20 group. The social contract shall be developed jointly by the  
21 family independence agency and the adult family members and shall  
22 identify compliance goals that are to be met by members of the  
23 family independence assistance group. The social contract shall  
24 reflect the individual needs and abilities of the particular  
25 family, and shall include at least all of the following:

26       (a) The obligation of each adult and each child aged 16 or  
27 older who is not attending elementary or secondary school

1 full-time to participate in work first unless exempt under  
2 section 57f.

3 (b) The obligation of each minor parent who has not com-  
4 pleted secondary school to attend school.

5 (c) The obligation of each adult to engage in ~~at least 20~~  
6 NOT LESS THAN 50 hours per week of employment ~~—~~ OR work first  
7 activities ~~—~~ OR NOT LESS THAN 20 HOURS OF education or train-  
8 ing, community service activities, or self-improvement  
9 activities.

10 (d) The obligation to cooperate in the establishment of  
11 paternity and the procurement of child support, if applicable.

12 (e) The obligation of a recipient who fails to comply with  
13 compliance goals due to substance abuse to participate in sub-  
14 stance abuse treatment and submit to any periodic drug testing  
15 required by the treatment program.

16 (f) Any other obligation the family independence agency  
17 determines is necessary to enable the family to achieve  
18 independence.

19 (2) Beginning 6 weeks after the birth of her child until the  
20 child is 3 months old, the family independence agency may permit  
21 a mother exempted from work first under section 57f(3)(d) to  
22 receive instruction in parenting, nutrition, and child develop-  
23 ment as fulfillment of her social contract obligation under  
24 section (1)(c).

25 (3) The family independence agency shall monitor each  
26 family's compliance with the social contract. If the family  
27 fails to comply with the compliance goals set forth in the social

1 contract, the family independence agency shall impose penalties  
2 ~~under~~ DEVELOPED AS PRESCRIBED BY section 57g.

3       Sec. 57f. (1) The family independence agency shall enter  
4 into an agreement with the Michigan jobs commission in order to  
5 facilitate the administration of work first. The family indepen-  
6 dence agency shall make information on the program available to  
7 the legislature.

8       (2) Except as otherwise provided in subsection (3), every  
9 member of a family independence assistance group shall be  
10 referred to and shall participate in work first. If a recipient  
11 has cooperated with work first but the work first agency deter-  
12 mines that a job is not available, the recipient may enroll in a  
13 program that is specifically job-related and of no more than 2  
14 years' duration that is offered by a college or university, com-  
15 munity college, state-licensed vocational or technical education  
16 program, or state-licensed proprietary school. The particular  
17 activities in which the recipient is required or authorized to  
18 participate, the number of hours of work required, and other  
19 details of work first shall be developed by the Michigan jobs  
20 commission and the family independence agency and shall be set  
21 forth in the recipient's social contract. HOWEVER, THE NUMBER OF  
22 HOURS OF WORK REQUIRED SHALL BE NOT LESS THAN 50 HOURS PER WEEK.

23       (3) The following individuals are exempt from participation  
24 in work first:

25       (a) A child under the age of 16.

26       (b) A child aged 16 or older, or a minor parent, who is  
27 attending elementary or secondary school full-time.

1 (c) An individual who is working a minimum number of hours  
2 determined by the family independence agency to be necessary to  
3 meet federal AND STATE requirements.

4 (d) The mother of a child under the age of 3 months.

5 (e) An individual aged 65 or older.

6 (f) A recipient of supplemental security income, social  
7 security disability, or medical assistance due to disability or  
8 blindness.

9 (g) An individual suffering from a physical or mental  
10 impairment that meets federal supplemental security income dis-  
11 ability standards, except that no minimum duration is required.

12 (h) The spouse of an individual described in subdivision (f)  
13 or (g) who is the full-time caregiver of that individual.

14 (i) A parent or caretaker of a child who is suffering from a  
15 physical or mental impairment that meets the federal supplemental  
16 security income disability standards, except that no minimum  
17 duration is required.

18 (4) In addition to those individuals exempt under subsection  
19 (3), the family independence agency may grant a temporary exemp-  
20 tion from participation in work first, not to exceed 90 days, to  
21 an individual who is suffering from a documented short-term  
22 mental or physical illness, limitation, or disability that  
23 severely restricts his or her ability to participate in employ-  
24 ment or training activities. An individual with a documented  
25 mental or physical illness, limitation, or disability that does  
26 not severely restrict his or her ability to participate in

1 employment or training activities shall be required to  
2 participate in work first at a medically permissible level.

3       (5) An individual is not disabled for purposes of this sec-  
4 tion if substance abuse is a contributing factor material to the  
5 determination of disability.