

GENERAL ASSEMBLY OF NORTH CAROLINA  
1989 SESSION

CHAPTER 966  
HOUSE BILL 2350

AN ACT TO CONFORM THE SOCIAL SERVICES STATUTES WITH THE  
FEDERAL JOB OPPORTUNITIES AND BASIC SKILLS TRAINING PROGRAM  
AND TO PRESERVE STATE FUNDS.

Whereas, The Job Opportunities and Basic Skills Training Program (JOBS) was established by the federal Family Support Act of 1988, and

Whereas, JOBS is a comprehensive education and training program designed to replace the Work Incentive Program and the Community Work Experience Program and expands opportunities for recipients of Aid to Families with Dependent Children to become independent; and

Whereas, JOBS is effective October 1, 1990; and

Whereas, State funds have been appropriated to begin the implementation of JOBS effective October 1, 1990; and

Whereas, the old programs that JOBS is designed to replace need to be removed from the General Statutes prior to October 1, 1990, to preserve the State funding and to effect the federal legislation; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. G.S. 108A-29 reads as rewritten:

**"§ 108A-29. Limitations on eligibility.**

(a) The Social Services Commission shall adopt such administrative rules concerning work requirements as conditions of eligibility for Aid to Families with Dependent Children in order to be in compliance with federal regulations, but such rules shall not be more restrictive than the work requirements applicable to the ~~work incentive program~~ Job Opportunities and Basic Skills Training Program provided for in G.S. 108A-30.

(b) Members of families with dependent children and with aggregate family income at or below the level required for eligibility for Aid to Families with Dependent Children assistance, regardless of whether or not they have applied for such assistance, shall be given priority in obtaining manpower services including training and public service employment provided by or through State agencies or with funds which are allocated to the State of North Carolina directly or indirectly through prime sponsors or otherwise for the purpose of employment of unemployed persons.

~~(c) The Social Services Commission shall adopt rules imposing work requirements under the Community Work Experience Program demonstration project,~~

in accordance with federal laws and regulations, as a condition for eligibility for Aid to Families with Dependent Children."

Sec. 2. G.S. 108A-30 reads as rewritten:

**"§ 108A-30. Work incentive program adopted; Job Opportunities and Basic Skills Training Program adopted ~~evidence of refusal to participate in special work projects; protective and vendor payments.~~**

(a) The provisions of ~~Part C of Title IV~~ Title IV A and Title IV F of the Federal Social Security Act pertaining to the ~~work incentive program~~ Job Opportunities and Basic Skills Training Program for recipients of aid to families with dependent children assistance, and the benefits thereunder, are hereby accepted and adopted.

(b) ~~The work incentive program provided for by this section is a part of, and subject to all the same provisions of law as, the aid to families with dependent children program provided for in this Article; except that in the case of inconsistent provisions, the provisions of this section shall be deemed exceptions to other provisions of law in this Article.~~

(c) ~~Written notice of a finding by the United States Secretary of Labor, or the United States Department of Labor, the Employment Security Commission, or other authorized agent of the Secretary of Labor as to whether a person has refused without good cause to accept employment or participate in a project shall be binding upon the State and its agencies and the political subdivisions of the State. Any other provision of law to the contrary notwithstanding, the original or copy of such a notice bearing the certification of a State or county agency that is the original or true copy of the original in or from the records of the agency shall be admissible in evidence without the appearance of a witness, and it shall be prima facie evidence that it was duly received by the agency from the Secretary of Labor or his authorized agent.~~

(d) ~~Protective and vendor payments required to be made under the work incentive program shall be made in accordance with federal rules and regulations and the rules and regulations of the Social Services Commission."~~

Sec. 3. G.S. 108A-39.2 is repealed.

Sec. 4. This act shall become effective October 1, 1990.

In the General Assembly read three times and ratified this the 18th day of July, 1990.