

AN ACT

AMENDING LAWS 1998 (1ST S.S.), CHAPTER 12, SECTION 1 TO REMOVE THE REQUIREMENT THAT THE ADULT BASIC EDUCATION MATCH BE USED AS MATCH FOR THE FEDERAL WELFARE-TO-WORK GRANT; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Laws 1998 (1st S.S.), Chapter 12, Section 1 is amended to read:

"Section 1. Laws 1998, Chapter 116, Section 6 is amended to read:

"Section 6. ADDITIONAL NEW MEXICO WORKS ACT AND WELFARE-TO-WORK APPROPRIATIONS.--The following amounts are appropriated from the funds as indicated for the purposes specified. Unless otherwise indicated, the appropriations are for expenditure in fiscal year 1999. Any unexpended or unencumbered balances of the general fund appropriation remaining at the end of fiscal year 1999 shall revert to the general fund.

A. Five million dollars (\$5,000,000) is appropriated from the general fund to the children, youth and families department to expand the headstart program to serve participants as defined in the New Mexico Works Act. Expenditure of any of the appropriation is contingent upon certification by the secretary of human services to the

secretary of finance and administration that the children, youth and families department has entered into an agreement with the human services department that provides for appropriate administrative and accounting procedures and oversight by the human services department to ensure that expenditures will meet all federal and state requirements for maintenance of effort; and monthly reports of all expenditures by the children, youth and families department to the department of finance and administration, the welfare reform oversight committee and the legislative finance committee. The appropriation shall not be expended for the purpose of matching federal funds or for any other purpose that may jeopardize its classification as maintenance of effort. The appropriation shall be reported by the human services department as maintenance of effort and included in the state plan for the temporary assistance for needy families block grant.

B. Two hundred thousand dollars (\$200,000) is appropriated from the general fund to the human services department to develop programs in cooperation with the Martin Luther King, Jr. commission to provide services for participants as defined in the New Mexico Works Act. The programs developed shall maintain a work-first concept, contain measurable performance standards, identify the number of target clients and provide a tracking and reporting

element. The appropriation shall not be expended for any purpose that may jeopardize its classification as maintenance of effort. The human services department shall ensure that expenditures meet all federal and state requirements for maintenance of effort. The appropriation shall be reported by the human services department as maintenance of effort. The human services department shall report quarterly to the welfare reform oversight committee on the programs developed.

C. Five hundred thousand dollars (\$500,000) is appropriated from the general fund to the commission on the status of women to develop, establish and operate job placement programs for participants as defined in the New Mexico Works Act that are referred to the commission by the department. In developing, establishing and operating these job placement programs, the commission shall cooperate and coordinate with the human services department. Prior to the expenditure of any of the appropriation, the commission shall seek the approval of each program it develops from the department. Expenditure of any of the appropriation is contingent upon certification by the secretary of human services to the department of finance and administration that the commission has entered into an agreement with the human services department that provides for programs that maintain a work-first concept; programs that contain measurable performance standards; programs that identify the number of

target clients; programs that provide a tracking and reporting element; and appropriate administrative and accounting procedures and oversight by the human services department to ensure that expenditures shall meet all federal and state requirements for maintenance of effort, including adherence to the cap on administrative costs. Additionally, the commission shall provide quarterly reports of all its expenditures to the human services department, the welfare reform oversight committee and the legislative finance committee. The appropriation shall not be expended for any purpose that may jeopardize its classification as maintenance of effort. The appropriation shall be reported by the human services department as maintenance of effort.

D. Five hundred thousand dollars (\$500,000) is appropriated from the general fund to the regents of western New Mexico university to provide job training and placement for participants as defined in the New Mexico Works Act that are referred to western New Mexico university by the department. In providing job training and placement for participants, western New Mexico university shall coordinate and cooperate with the human services department. Prior to the expenditure of any of the appropriation, western New Mexico university shall seek the approval of each program it develops from the human services department. Expenditure of any of the appropriation is contingent upon certification by

the secretary of human services to the department of finance and administration that western New Mexico university has entered into an agreement with the human services department that provides for programs that maintain a work-first concept; programs that contain measurable performance standards; programs that identify the number of target clients; programs that provide a tracking and reporting element; and appropriate administrative and accounting procedures and oversight by the human services department to ensure that expenditures shall meet all federal and state requirements for maintenance of effort, including adherence to the cap on administrative costs. Additionally, western New Mexico university shall provide quarterly reports of all the expenditures in these job training and placement programs to the human services department, the welfare reform oversight committee and the legislative finance committee. The appropriation shall not be expended for any purpose that may jeopardize its classification as maintenance of effort. The appropriation shall be reported by the human services department as maintenance of effort. An additional three hundred fifty thousand dollars (\$350,000) is appropriated from the general fund to the regents of western New Mexico university to continue the child development center.

E. One million dollars (\$1,000,000) is appropriated from the general fund to the department of

health to provide a one-time expenditure for substance abuse counseling for participants as defined pursuant to the New Mexico Works Act. The appropriation shall be reported by the labor department as a match for the federal welfare-to-work grant. Expenditure of any of the appropriation is contingent upon certification by the secretary of labor to the secretary of finance and administration that the department of health has entered into an agreement with the labor department that provides for appropriate administrative and accounting procedures and oversight by the labor department to ensure that the expenditure meets all federal and state requirements for the match for the federal welfare-to-work grant. The appropriation shall not be expended for any purpose that may jeopardize its classification as match for the federal welfare-to-work grant.

F. Two million dollars (\$2,000,000) is appropriated from the general fund to the human services department to provide job training and placement services to participants as defined in the New Mexico Works Act that include programs that maintain a work-first concept; programs that contain measurable performance standards; programs that identify the number of target clients; and programs that provide a tracking and reporting element. The appropriation shall not be expended for any purpose that may jeopardize its classification as maintenance of effort. The human services

department shall ensure that expenditures meet all federal and state requirements for maintenance of effort. The appropriation shall be reported by the human services department as maintenance of effort.

G. Two million four hundred eighty-two thousand five hundred dollars (\$2,482,500) is appropriated from the general fund to the human services department to develop early childhood-family support and education training programs with the state department of public education to provide before- and after-school programs to students who are ages five through eight who are participants as defined in the New Mexico Works Act. The human services department shall also develop job skills and leadership development programs for the parents who are participants as defined in the New Mexico Works Act. The human services department shall make referrals of eligible families. The early childhood-family support and education training programs shall be directed to areas lacking certified child-care services as determined by the children, youth and families department. The programs developed shall contain measurable performance standards, identify the number of target clients and provide a tracking and reporting element. The appropriation shall not be expended for any purpose that may jeopardize its classification as maintenance of effort. The human services department shall ensure that expenditures meet

all federal and state requirements for maintenance of effort. The appropriation shall be reported by the human services department as maintenance of effort. The human services department shall report to the welfare reform oversight committee on the programs developed.

H. Five hundred thousand dollars (\$500,000) is appropriated from the general fund to the department of health to provide a one-time expenditure for substance abuse counseling for Native Americans who are participants as defined in the New Mexico Works Act. The appropriation shall be reported by the labor department as a match for the federal welfare-to-work grant. Expenditure of any of the appropriation is contingent upon certification by the secretary of labor to the secretary of finance and administration that the department of health has entered into an agreement with the labor department that provides for appropriate administrative and accounting procedures and oversight by the labor department to ensure that the expenditure meets all federal and state requirements for the match for the federal welfare-to-work grant. The appropriation shall not be expended for any purpose that may jeopardize its classification as match for the federal welfare-to-work grant.

I. Thirteen million eight hundred thirty-eight thousand dollars (\$13,838,000) is appropriated from the

temporary assistance for needy families block grant to the human services department for training participants to become licensed daycare providers and for other services as defined in the New Mexico Works Act.

J. Of the general fund appropriations made to the human services department in Section 4 of the General Appropriation Act of 1998, the human services department shall report six hundred thousand dollars (\$600,000) in the department's child support enforcement division for child support enforcement pass-throughs to participants as defined in the New Mexico Works Act as maintenance of effort for the temporary assistance for needy families block grant.

K. Of the general fund appropriation made to children, youth and families department in Section 4 of the General Appropriation Act of 1998 for the child care development block grant in the children, youth and families department, up to two million eight hundred thousand dollars (\$2,800,000) and not less than two million dollars (\$2,000,000) shall be counted as maintenance of effort for the temporary assistance for needy families block grant.

L. The human services department shall report any amount of general assistance payments made to lawfully admitted immigrant families as maintenance of effort and include the payments in the state plan for the temporary assistance for needy families block grant.

M. Four million dollars (\$4,000,000) is appropriated from the general fund operating reserve to the department of finance and administration. Any unexpended or unencumbered balance remaining at the end of fiscal year 1999 shall revert to the general fund operating reserve. The appropriation, or so much thereof as is necessary, shall be distributed to the human services department for the purpose of meeting the state and federal requirements for maintenance of effort. No distribution shall be made until the distribution has been approved by the secretary of finance and administration.

N. Upon certification by the secretary of human services that a budget adjustment is essential to meet the state and federal maintenance of effort and the purpose of the budget adjustment is not contrary to legislative intent, the human services department may request a budget adjustment as necessary to ensure that all federal and state requirements for maintenance of effort are met. The department of finance and administration shall certify that the request meets the conditions specified in this subsection before approving the request. The procedures delineated in Section 6-3-25 NMSA 1978 shall be followed in approving a request."."

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately. \_\_\_\_\_

