

AMENDED IN SENATE FEBRUARY 19, 1998
AMENDED IN SENATE SEPTEMBER 10, 1997
AMENDED IN SENATE JULY 22, 1997
AMENDED IN SENATE JULY 14, 1997
AMENDED IN ASSEMBLY JUNE 2, 1997
AMENDED IN ASSEMBLY MAY 20, 1997
AMENDED IN ASSEMBLY APRIL 24, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 382

Introduced by Assembly Member Ducheny
(Principal coauthor: Senator Vasconcellos)
(Coauthor: Senator Thompson)

February 20, 1997

An act to amend Section 15365.53 of the Government Code, to amend Sections 11010, 11011, 11012, 11013, and 11014 of, and to amend the heading of Chapter 6 (commencing with Section 11010) of *add Chapter 3 (commencing with Section 10000)* to Part 1 of Division 3 of, the Unemployment Insurance Code, and to amend Section 10531 of, and to add Section 11322.63 to, the Welfare and Institutions Code, relating to employment services, *making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 382, as amended, Ducheny. Needy families: job training.

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families. Each county is required to pay a share of the cost of both aid grant and administrative costs for the CalWORKs program.

Existing law establishes various employment and training programs, *including welfare-to-work programs for CalWORKs recipients.*

~~Existing law, operative January 1, 1998, creates the continuously appropriated Job Creation Investment Fund, to be administered by the Trade and Commerce Agency, for the purpose of allocating funds to be used for job creation activities that will provide employment for recipients of aid under the CalWORKs program.~~

~~This bill would revise the schedule of activities that a recipient may use with money received from the Job Creation Investment Fund.~~

Existing federal law provides for a program under which grant funds are provided to states for welfare-to-work programs.

This bill would enact provisions implementing this program in California, including requirements for the allocation of these federal funds by the department, as well as provisions governing their expenditure by grantees.

The bill would, commencing April 1, 1999, require the Employment Development Department to submit annual reports to the Legislature on this program.

The bill would appropriate, out of federal funds received for this purpose, \$161,855,000, to the department, for implementation of this program during the 1997–98 fiscal year.

Existing law requires each county to develop a plan that describes how the county intends to deliver the full range of activities and services necessary to move CalWORKs recipients from welfare to work, and specifies those elements that must be included in the plan.



This bill would revise the elements of that plan *by requiring each county's plan to describe how the county will coordinate welfare-to-work activities with the local private industry councils or alternate local administrative entities designated by the Governor to administer these programs*, thus creating a state-mandated local program.

~~Existing law, operative January 1, 1998, requires the Secretary of the Health and Welfare Agency, the Secretary of the Trade and Commerce Agency, the Chancellor of the Community Colleges, and the Superintendent of Public Instruction, on or before April 1, 1998, to enter into a memorandum of understanding to develop and maintain a plan relating to the development of an integrated state work force plan.~~

~~This bill would revise the elements of that plan.~~

~~Existing law, operative January 1, 1998, requires regional collaboratives to promote effective service delivery through integration of existing partnerships in economic development, employment and training services, welfare reform, and school reform into one collaborative partnership and process.~~

~~This bill would recast that requirement, to refer to work force preparation collaboratives as the entities that are required to meet those requirements, and would revise the requirements.~~

~~The bill would also require the Health and Welfare Agency to perform various functions relating to the administration of certain federal welfare-to-work funds.~~

~~This bill would require the Department of Finance to make a specified report regarding federal matching fund requirements.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by



the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: majority ²/₃. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 15365.53 of the Government~~
2 ~~Code is amended to read:~~

3 ~~15365.53. (a) The fund is intended to provide flexible~~
4 ~~funding for local job creation initiatives whenever~~
5 ~~possible, using, rather than duplicating, existing~~
6 ~~resources. Notwithstanding Section 13340 of the~~
7 ~~Government Code, the fund is hereby continuously~~
8 ~~appropriated without regard to fiscal years for the~~
9 ~~purposes of this chapter. The Treasurer shall invest~~
10 ~~moneys not needed to meet current obligations incurred~~
11 ~~pursuant to this chapter.~~

12 ~~(b) Moneys in the fund shall be used by a recipient to~~
13 ~~either develop a strategic plan, in an amount not to~~
14 ~~exceed 50 percent of the recipient's allocation or two~~
15 ~~hundred fifty thousand dollars (\$250,000), whichever is~~
16 ~~less, or to implement initiatives consistent with the plan,~~
17 ~~including, but not limited to, all of the following:~~

18 ~~(1) Planning and coordination activities that lead to~~
19 ~~better local linkages between strategic economic~~
20 ~~planning and development of education and training~~
21 ~~curricula relevant to jobs that will exist locally.~~

22 ~~(2) Packaging economic development and~~
23 ~~community development projects in a manner that can~~
24 ~~utilize capital financing mechanisms, such as the~~
25 ~~California Infrastructure and Economic Bank provided~~
26 ~~for pursuant to Chapter 2 (commencing with Section~~
27 ~~63020) of Division 1 of Title 6.7.~~

28 ~~(3) Development of localized labor market~~
29 ~~information that enables placement of recipients of and~~
30 ~~under Chapter 2 (commencing with Section 11200) of~~



1 ~~Part 3 of Division 9 of the Welfare and Institutions Code~~
2 ~~is currently available, as well as future, jobs.~~

3 ~~(4) Assistance in developing economic development~~
4 ~~strategies for business expansion and location~~
5 ~~opportunities, including work force preparation and~~
6 ~~other local training services for employees.~~

7 ~~(5) Targeting economic development and job~~
8 ~~creation activities to emerging or growth industry~~
9 ~~clusters in the local area.~~

10 ~~(6) Expansion of technical assistance to small business~~
11 ~~and manufacturers for activities, such as those designed~~
12 ~~to make business operations more economical or~~
13 ~~competitive, while providing jobs for welfare recipients.~~

14 ~~(7) Permit streamlining services.~~

15 ~~(8) One-stop centers for small business financing to~~
16 ~~coordinate funding resources for business expansion.~~

17 ~~(9) Establishment of small business incubators.~~

18 ~~(10) Activities to support the use of intermediary~~
19 ~~employers.~~

20 ~~(11) Support of microenterprise activities.~~

21 ~~(12) Establishment and support of neighborhood~~
22 ~~development corporations pursuant to Section 15365.54.~~

23 ~~(13) Matching of seed capital funds with private~~
24 ~~capital for community development projects.~~

25 ~~(14) Planning and coordination activities that lead to~~
26 ~~better local linkages between job creation activities and~~
27 ~~implementation of the welfare-to-work grant program~~
28 ~~created by the federal Balanced Budget Act of 1997~~
29 ~~(Public Law 105-33).~~

30 ~~(e) Interest earnings may be used by the agency to~~
31 ~~offset administrative costs.~~

32 ~~SEC. 2. The heading of Chapter 6 (commencing with~~
33 ~~Section 11010) of Part 1 of Division 3 of the~~
34 ~~Unemployment Insurance Code is amended to read:~~

35
36 ~~CHAPTER 6. WORK FORCE PREPARATION~~
37 ~~COLLABORATIVE ACT~~
38

39 ~~SEC. 3. Section 11010 of the Unemployment~~
40 ~~Insurance Code is amended to read:~~



1 11010. (a) The Legislature finds and declares the
2 following:

3 (1) California must have a world class system of
4 education and training linked to economic development
5 in order to meet the demands of global economic
6 competition.

7 (2) The California Economic Strategy Panel
8 determined that California's economy is undergoing a
9 dramatic transformation whereby California is in an
10 established leadership position with respect to a number
11 of emerging industries representing a new economy of
12 the 21st century, and that education and work force
13 preparation are critical to the growth and
14 competitiveness of California's economy.

15 (3) California's work force preparation programs,
16 including job training, job placement, and education,
17 spend over six billion dollars (\$6,000,000,000) annually
18 serving 6,700,000 students, displaced and unemployed
19 workers, welfare recipients, and incumbent workers.

20 (4) At least 22 state programs and many federal and
21 local programs provide these work force preparation
22 services.

23 (5) With the increasing demand to educate and train
24 the youth and adults in this state with the skills necessary
25 to obtain and retain employment especially in the
26 industries essential for its economic growth, California
27 needs to maximize the effective use of resources for its
28 work force preparation programs to create a more
29 coherent, comprehensive, accountable, and
30 customer-focused system.

31 (6) An effective work force preparation system is
32 necessary for California to meet the time limit and work
33 force preparation requirements of the Personal
34 Responsibility and Work Opportunity Reconciliation Act
35 of 1996 (P.L. 104-193).

36 (7) In order to accomplish this, the public and private
37 sector entities responsible for economic development,
38 education, and work force preparation must collaborate
39 at the state and local levels.



1 ~~(8) This collaboration must be compatible with the~~
2 ~~existing missions and governance structures of all entities~~
3 ~~involved.~~

4 ~~(9) The major objectives of this chapter are the~~
5 ~~development of a state work force preparation plan and~~
6 ~~the integration of work force preparation initiatives with~~
7 ~~economic development strategies through local and~~
8 ~~regional collaboration.~~

9 ~~(10) In order to promote this collaboration, the~~
10 ~~Secretary of the Health and Welfare Agency, the~~
11 ~~Secretary of the Trade and Commerce Agency, the~~
12 ~~Chancellor of the California Community Colleges, and~~
13 ~~the Superintendent of Public Instruction shall, in~~
14 ~~consultation with local stakeholders and customers,~~
15 ~~collaborate in the development of a state work force~~
16 ~~development system and shall encourage and support~~
17 ~~local partners to develop work force preparation~~
18 ~~collaboratives.~~

19 ~~(b) The Legislature hereby enacts the Work Force~~
20 ~~Preparation Collaborative Act to demonstrate how,~~
21 ~~through the planning and collaboration of state and local~~
22 ~~resources, work force preparation services can be~~
23 ~~delivered to clients in a more responsive, integrated, and~~
24 ~~effective manner.~~

25 ~~SEC. 4. Section 11011 of the Unemployment~~
26 ~~Insurance Code is amended to read:~~

27 ~~11011. (a) On or before April 1, 1998, the Secretary of~~
28 ~~the Health and Welfare Agency, the Secretary of the~~
29 ~~Trade and Commerce Agency, the Chancellor of the~~
30 ~~California Community Colleges with the consent of the~~
31 ~~Board of Governors, and the Superintendent of Public~~
32 ~~Instruction, with the consent of the State Board of~~
33 ~~Education, shall enter into a memorandum of~~
34 ~~understanding to develop and maintain a plan including~~
35 ~~a schedule to do the following:~~

36 ~~(1) Develop an integrated state work force~~
37 ~~development plan for service delivery, resource~~
38 ~~investment, and performance measures. The plan shall~~
39 ~~be developed through a collaborative process that shall~~
40 ~~include substantial local input. The plan shall address the~~



1 ~~fundamental ways California's economy has changed and~~
2 ~~the demands of a new 21st century economy described by~~
3 ~~the California Economic Strategy Panel.~~

4 ~~(2) Initiate a competitive process to select a minimum~~
5 ~~of five work force preparation collaboratives that will~~
6 ~~receive financial and program incentives to develop local~~
7 ~~partnerships for planning and delivery of employment,~~
8 ~~training, and education services. These partnerships shall~~
9 ~~collaborate in the development of shared systems to~~
10 ~~improve their efficiency and effectiveness in delivering~~
11 ~~work force development services.~~

12 ~~(3) Identify new and redirected resources, federal and~~
13 ~~state waivers, and legislative changes necessary to~~
14 ~~enhance the effectiveness of work force preparation~~
15 ~~collaboratives.~~

16 ~~(b) Work force preparation collaboratives shall have~~
17 ~~representation from the following public and private~~
18 ~~entities:~~

19 ~~(1) The Employment Development Department.~~

20 ~~(2) The local Job Training Partnership Act~~
21 ~~administrative entity.~~

22 ~~(3) Community college districts.~~

23 ~~(4) Local school districts, including those that provide~~
24 ~~adult education and regional occupational centers or~~
25 ~~programs.~~

26 ~~(5) Regional occupational centers serving adults.~~

27 ~~(6) Entities administering local public assistance~~
28 ~~welfare-to-work programs.~~

29 ~~(7) Local economic development organizations.~~

30 ~~(8) The private sector, including both business and~~
31 ~~organized labor.~~

32 ~~In addition, the competitive selection process shall~~
33 ~~emphasize the expectation that these collaboratives will~~
34 ~~have broad representation of all public, private, and~~
35 ~~nonprofit agencies that have an interest in education,~~
36 ~~work force preparation, welfare to work, and economic~~
37 ~~development.~~

38 ~~(c) Work force preparation collaboratives shall be~~
39 ~~selected and shall receive financial and program~~
40 ~~incentives effective July 1, 1998.~~

1 ~~(d) From existing state and federal funds available for~~
2 ~~expenditure for the purposes of this section, the state~~
3 ~~partners shall identify five million dollars (\$5,000,000) per~~
4 ~~year for each of three years for distribution to a minimum~~
5 ~~of five work force preparation collaboratives, in order to~~
6 ~~create systemic change that results in increased~~
7 ~~collaboration and service delivery within each region.~~

8 ~~SEC. 5. Section 11012 of the Unemployment~~
9 ~~Insurance Code is amended to read:~~

10 ~~11012. Work force preparation collaboratives shall do~~
11 ~~the following:~~

12 ~~(a) Define regions consistent with labor market and~~
13 ~~economic areas giving consideration to education,~~
14 ~~employment, and training service areas.~~

15 ~~(b) Develop effective service delivery through~~
16 ~~integration of work force preparation initiatives and~~
17 ~~economic development strategies through local and~~
18 ~~regional collaboration. To the extent feasible, service~~
19 ~~delivery shall be consistent with the principles of~~
20 ~~California's One-Stop Career Center System.~~

21 ~~(c) Set measurable local program goals that meet the~~
22 ~~needs of various client groups as determined by both~~
23 ~~historical service levels and present needs, and that~~
24 ~~demonstrate the extent to which outcomes will improve~~
25 ~~through collaboration.~~

26 ~~(d) Provide for an evaluation of the pilot program.~~

27 ~~SEC. 6. Section 11013 of the Unemployment~~
28 ~~Insurance Code is amended to read:~~

29 ~~11013. (a) State partners shall jointly manage the~~
30 ~~work force preparation collaborative project with~~
31 ~~designated staff and shall use existing resources available~~
32 ~~for this purpose.~~

33 ~~(b) State partners shall identify in the memorandum~~
34 ~~of understanding existing funds that are available to~~
35 ~~support the funding of work force preparation~~
36 ~~collaboratives. The Secretary of the Health and Welfare~~
37 ~~Agency shall identify existing funds from sources~~
38 ~~including, but not limited to, the federal Job Training~~
39 ~~Partnership Act, the One-Stop Career Center grant, the~~
40 ~~School to Career grant, and the federal Wagner-Peyser~~



1 ~~Act. The Chancellor of the California Community~~
 2 ~~Colleges, with the consent of the Board of Governors,~~
 3 ~~shall identify funds from sources including, but not~~
 4 ~~limited to, the federal Carl D. Perkins Vocational~~
 5 ~~Education Act and state economic development funds.~~
 6 ~~The Superintendent of Public Instruction, with the~~
 7 ~~consent of the State Board of Education, shall identify~~
 8 ~~funds from sources including, but not limited to, the~~
 9 ~~federal Carl D. Perkins Vocational Education Act and the~~
 10 ~~federal Improving America's Schools Act of 1994.~~

11 ~~(e) The state partners shall pursue waivers from the~~
 12 ~~appropriate federal agencies to promote local flexibility~~
 13 ~~and remove obstacles to integrated service delivery for~~
 14 ~~selected work force preparation collaboratives.~~

15 ~~SEC. 7. Section 11014 of the Unemployment~~
 16 ~~Insurance Code is amended to read:~~

17 ~~11014. The state partners shall prepare an annual~~
 18 ~~progress report on March 15 of each year and a final~~
 19 ~~report by July 1, 2001, to be submitted to the Legislature,~~
 20 ~~which shall consist of an analysis of the project,~~
 21 ~~recommendations for expansion of work force~~
 22 ~~preparation collaboratives, and recommendations for~~
 23 ~~legislative changes to promote the development of work~~
 24 ~~force preparation collaboratives.~~

25 ~~SEC. 8.—~~

26 ~~SECTION 1. Chapter 3 (commencing with Section~~
 27 ~~10000) is added to Part 1 of Division 3 of the~~
 28 ~~Unemployment Insurance Code, to read:~~

29

30 *CHAPTER 3. WELFARE-TO-WORK GRANT PROGRAM*

31

32 *10000. It is the intent of the Legislature, in enacting*
 33 *this chapter, to implement federal welfare-to-work grant*
 34 *program provisions provided for pursuant to the federal*
 35 *Balanced Budget Act of 1997 (Public Law 105-33).*

36 *10001. There is hereby appropriated from moneys in*
 37 *the Federal Trust Fund received from the United States*
 38 *Department of Labor pursuant to the federal*
 39 *welfare-to-work grant program, to the department the*
 40 *sum of one hundred sixty-one million eight hundred*

1 *fifty-five thousand dollars (\$161,855,000), for the 1997-98*
2 *fiscal year, in order to implement the federal*
3 *welfare-to-work program. Moneys appropriated*
4 *pursuant to this section shall be allocated by the*
5 *department in accordance with this chapter and Public*
6 *Law 105-33. The funds appropriated pursuant to this*
7 *section shall be used to supplement and support activities*
8 *to transition individuals eligible under the federal*
9 *welfare-to-work program into self-sufficiency.*

10 *10002. To the extent permitted by federal law, the*
11 *department shall do all of the following in implementing*
12 *this chapter:*

13 *(a) Certify that each local welfare-to-work plan has*
14 *been approved, as evidenced by signatures of the*
15 *chairperson of the private industry council or the*
16 *alternate local administrative entity designated by the*
17 *Governor to administer the local welfare-to-work*
18 *program, and the chief local elected official of the*
19 *affected jurisdiction, and by approval by the county*
20 *board of supervisors at a public meeting.*

21 *(b) Certify that the plan demonstrates evidence of*
22 *collaboration between local workforce and development*
23 *partners and local economic development organizations.*

24 *(c) Allow multiple private industry councils or the*
25 *alternate administrative entities designated by the*
26 *Governor, within a single county, to combine their*
27 *welfare-to-work grant program plans into a single,*
28 *countywide welfare-to-work grant program plan that is*
29 *signed by all affected private industry councils or*
30 *alternate local administrative entities and the chief local*
31 *elected officials in the affected jurisdictions, and that*
32 *includes an approval by the county board of supervisors*
33 *at a public meeting. The combined welfare-to-work plan*
34 *shall describe the overall approach to be taken in the*
35 *county, the coordination efforts that have been made in*
36 *developing the plan, any uniform agreements reached*
37 *with the county welfare department, regarding referral*
38 *and case management, and any common definitions that*
39 *will be used by all private industry councils or alternate*
40 *local administrative entities. All other requirements*



1 contained in the local welfare-to-work grant plan
2 instructions shall be clearly delineated for each private
3 industry council or alternate local administrative entity,
4 including identification of the responsible entity's target
5 population to be served, the activities that will be offered,
6 performance goals, and expenditure and participant
7 planning information.

8 (d) Certify that the private industry council or the
9 alternate local administrative entity designated by the
10 Governor, and the county welfare department, through
11 a local joint planning process, have developed protocols
12 for the identification and referral of clients and the
13 provision of welfare-to-work services, as a condition for
14 the receipt of those federal funds.

15 (e) Develop procedures to recapture unused funds
16 and redistribute them to private industry councils or
17 alternate local administrative entities designated by the
18 Governor, which demonstrate a continued need for
19 additional funds.

20 (f) Certify that the plan documents collaboration with
21 the local lead agency responsible for coordination with
22 the welfare-to-work job creation task force, established
23 pursuant to paragraph (1) of subdivision (g) of Section
24 15365.55 of the Government Code.

25 10003. (a) Subject to subdivision (d), the
26 department shall distribute 85 percent of the federal
27 welfare-to-work grant funds to private industry councils
28 or alternate local administrative entities designated by
29 the Governor, according to the variables defined in the
30 federal welfare-to-work program, and consistent with the
31 following formula:

32 (1) A weight of 55 percent shall be given based on the
33 relative number, as determined pursuant to federal law,
34 by which the population in the area below the poverty
35 line exceeds 7.5 percent of the total population.

36 (2) A weight of 30 percent shall be based upon the
37 relative number of adults residing in the plan's service
38 area who are receiving assistance under a state program
39 funded in part through the federal Temporary Assistance
40 for Needy Families grant program or the federal Aid to



1 *Families with Dependent Children Program for at least*
2 *30 months.*

3 (3) *A weight of 15 percent shall be based upon the*
4 *relative number, as determined pursuant to federal law,*
5 *of unemployed individuals residing in the plan's service*
6 *area.*

7 (b) *Changes in the allocation formula established*
8 *pursuant to subdivision (a) that may be needed for*
9 *subsequent fiscal years may be implemented by the*
10 *department only after public hearings have been*
11 *conducted regarding the proposed changes. Any change*
12 *in that allocation formula may be implemented not*
13 *sooner than 30 days after notification in writing to the*
14 *chairperson of the committee in each house of the*
15 *Legislature that considers appropriations, the*
16 *chairpersons of the appropriate committees and*
17 *subcommittees in each house of the Legislature that*
18 *considers the state budget, and the chairperson of the*
19 *Joint Legislative Budget Committee, or not sooner than*
20 *whatever lesser time the chairperson of the Joint*
21 *Legislative Budget Committee or his or her designee,*
22 *may in each instance determine.*

23 (c) *Subject to subdivision (d), the department, at the*
24 *direction of the Governor, shall distribute the remaining*
25 *15 percent of federal welfare-to-work grant funds, less the*
26 *amount necessary to administer the program, to state and*
27 *local projects that will assist in moving eligible*
28 *participants into unsubsidized employment. The*
29 *Governor shall take into special consideration the needs*
30 *of rural areas in distributing funds under this subdivision.*
31 *Funds allocated pursuant to this subdivision shall be*
32 *distributed to employers, private nonprofit*
33 *organizations, and for-profit and public entities.*
34 *Payments of these funds shall be contingent upon*
35 *performance outcomes. Proposals submitted for state and*
36 *local projects shall include, at a minimum, comments by*
37 *the local private industry council or alternate local*
38 *administrative entity, and the county welfare*
39 *department, to ensure that grants that are approved will*



1 *be consistent with local plans for moving eligible*
 2 *participants into unsubsidized employment.*

3 *(d) Not more than 15 percent of federal*
 4 *welfare-to-work funds may be retained by the*
 5 *department for the cost of state administration of the*
 6 *welfare-to-work program.*

7 *10004. (a) On April 1, 1999, and on April 1 of each*
 8 *year thereafter, the department shall submit an annual*
 9 *report to the Legislature on the effectiveness of the*
 10 *program provided for under this chapter and the status*
 11 *of the federal welfare-to-work grant program funds*
 12 *allotted to this state.*

13 *(b) The report shall include information from the*
 14 *prior year, as compiled by, each service delivery area, on*
 15 *all of the following:*

16 *(1) The number of participants receiving services by*
 17 *federal target groups.*

18 *(2) The types of interventions and services provided.*

19 *(3) The employment outcomes achieved.*

20 *(4) The kinds of service providers receiving*
 21 *welfare-to-work grant funds.*

22 *(5) The amount of welfare-to-work grant funds*
 23 *received and expended.*

24 *(6) Any other data required to be reported to the*
 25 *United States Department of Labor regarding this*
 26 *program.*

27 *(c) The report shall also include information on the*
 28 *status of projects funded pursuant to subdivision (c) of*
 29 *Section 10003, and the outcomes associated with those*
 30 *projects.*

31 *10005. The unit of general local government or each*
 32 *unit of general local government that is a member of a*
 33 *consortium described in Section 15025, and which shall be*
 34 *represented by the chief local elected official described*
 35 *in subsection (c) of Section 103 of the federal Job Training*
 36 *Partnership Act (29 U.S.C. Sec. 1513(c)), shall be liable to*
 37 *the department for all federal welfare-to-work funds*
 38 *distributed pursuant to Section 10003 that are not*
 39 *expended in accordance with this chapter and federal*
 40 *welfare-to-work grant program provisions.*



1 SEC. 2. Section 10531 of the Welfare and Institutions
2 Code is amended to read:

3 10531. Each county shall develop a plan consistent
4 with state law that describes how the county intends to
5 deliver the full range of activities and services necessary
6 to move CalWORKs recipients from welfare to work. The
7 plan shall be updated as needed. The plan shall describe:

8 (a) How the county will collaborate with other public
9 and private agencies to provide for all necessary training,
10 and support services.

11 (b) The county's partnerships with the private sector,
12 including employers and employer associations, and how
13 those partnerships will identify jobs for CalWORKs
14 program recipients.

15 (c) Other means the county will use to identify local
16 labor market needs.

17 (d) The range of welfare-to-work activities the county
18 will offer recipients and the identification of any
19 allowable activities that will not be offered.

20 (e) The process the county will use to provide for the
21 availability of substance abuse and mental health
22 treatment services.

23 (f) The extent to which, and the manner in which,
24 mental health services will be available to recipients after
25 the period specified in subdivision (a) of Section 11454.

26 (g) The process the county will use to provide for child
27 care and transportation services.

28 (h) The county's community service plan.

29 (i) How the county will provide training of county
30 workers responsible for working with CalWORKs
31 recipients who are victims of domestic violence.

32 (j) The performance outcomes identified during the
33 local planning process that the county or other local
34 agencies will track in order to measure the extent to
35 which the county's program meets locally established
36 objectives.

37 (k) The means the county used to provide broad
38 public input to the development of the county's plan.

39 (l) A budget that specifies the source and
40 expenditures of funds for the program.



1 (m) How the county will assist families that are
2 transitioning off aid.

3 (n) All necessary components of the job creation plan
4 required by Section 15365.55 of the Government Code in
5 counties that choose to implement the program
6 described in Chapter 1.12 (commencing with Section
7 15365.50) of Part 6.7 of Division 3 of Title 2 of the
8 Government Code.

9 (o) Other elements identified by the director, in
10 consultation with the steering committee under Section
11 10544.5, including elements related to the performance
12 outcomes listed in Sections 10540 and 10541.

13 (p) How the county will comply with federal
14 requirements of the Temporary Assistance for Needy
15 Families program (Part A (commencing with Section
16 601) of Subchapter 4 of Chapter 7 of Title 42 of the United
17 States Code).

18 ~~(q) How the county and the private industry council
19 shall jointly plan to use welfare-to-work funds received
20 pursuant to the federal Balanced Budget Act of 1997 (P.L.
21 105-33) in an integrated plan for moving CalWORKs
22 recipients from welfare to work, including identification
23 of any allowable local matching funds available to meet
24 federal match requirements for these funds.~~

25 ~~SEC. 9. Section 11322.63 is added to the Welfare and
26 Institutions Code, to read:~~

27 ~~11322.63. (a) It is the intent of the Legislature in
28 enacting this section to implement the welfare-to-work
29 grant program created by the federal Balanced Budget
30 Act of 1997 (P.L. 105-33). The funds available under that
31 act shall be used to supplement and support activities to
32 transition CalWORKs recipients into self-sufficiency.~~

33 ~~(b) To the extent permitted by federal law, the Health
34 and Welfare Agency shall do all of the following:~~

35 ~~(1) Certify that the plan and the planning process for
36 the use of these funds has included collaboration with
37 local work force development providers.~~

38 ~~(2) Certify that a local joint planning process has
39 developed protocols by the private industry council and
40 the county welfare department for the referral of clients~~



1 and the provision of welfare-to-work services as a
2 condition for the receipt of these funds.

3 (3) Develop procedures to recapture unused funds
4 and redistribute them to private industry councils that
5 have expended all of their welfare-to-work grant funds
6 and that demonstrate a continued need for additional
7 funds.

8 (c) The Governor shall consider distributing 15
9 percent of the grant funds, less the amount necessary to
10 administer the program, to demonstration projects that
11 utilize innovative models, such as the use of intermediary
12 employers to move long-term recipients into
13 unsubsidized employment. It is the intent of the
14 Legislature that these funds should be distributed to
15 employers, private nonprofit organizations, and for-profit
16 and public entities on a competitive basis. It is further the
17 intent of the Legislature that payments to contractors
18 should be based upon performance outcomes, and that
19 the amount awarded to contractors should be based on
20 such items as the relative severity of an individual
21 recipient's barriers to employment, the length of job
22 retention, and the quality of job obtained. It is the intent
23 of the Legislature that, in all cases, local comment should
24 be solicited in order to ensure that grants approved are
25 consistent with local plans for moving welfare recipients
26 to work.

27 (d) State and local costs for the administration of this
28 section shall not exceed 15 percent of the federal funds
29 received under the formula provisions of the federal
30 welfare-to-work block grant program.

31 (e) By January 10, 1998, the Department of Finance
32 shall report to the Legislature about federal matching
33 fund requirements and the options the state has for
34 meeting those requirements.

35 **SEC. 10.**—

36 (q) *How the county will coordinate welfare-to-work*
37 *activities with the local private industry councils or*
38 *alternate administrative entities designated by the*
39 *Governor to administer local welfare-to-work programs,*
40 *including the expenditure of state or other matching*



1 *funds provided to the county welfare department for*
2 *welfare-to-work activities. No later than September 1,*
3 *1998, and each year thereafter, subject to continued*
4 *welfare-to-work funding, each county shall submit an*
5 *addendum to its plan required under this section that*
6 *describes its coordination efforts.*

7 SEC. 3. Notwithstanding Section 17610 of the
8 Government Code, if the Commission on State Mandates
9 determines that this act contains costs mandated by the
10 state, reimbursement to local agencies and school
11 districts for those costs shall be made pursuant to Part 7
12 (commencing with Section 17500) of Division 4 of Title
13 2 of the Government Code. If the statewide cost of the
14 claim for reimbursement does not exceed one million
15 dollars (\$1,000,000), reimbursement shall be made from
16 the State Mandates Claims Fund.

17 Notwithstanding Section 17580 of the Government
18 Code, unless otherwise specified, the provisions of this act
19 shall become operative on the same date that the act
20 takes effect pursuant to the California Constitution.

21 SEC. 4. *This act is an urgency statute necessary for the*
22 *immediate preservation of the public peace, health, or*
23 *safety within the meaning of Article IV of the*
24 *Constitution and shall go into immediate effect. The facts*
25 *constituting the necessity are:*

26 *In order to apply welfare-to-work grant program*
27 *provisions during the 1997–98 fiscal year, it is necessary*
28 *that this act go into immediate effect.*

