

SENATE BILL NO. 156

INTRODUCED BY J. WINDY BOY, STEWART-PEREGOY, CAFERRO, AUGARE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING TRIBAL FAMILY ASSISTANCE PLANS TO USE A PORTION OF TEMPORARY ASSISTANCE TO NEEDY FAMILIES MAINTENANCE OF EFFORT FUNDS FOR NONCASH BENEFITS; AMENDING SECTION 53-4-210, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-4-210, MCA, is amended to read:

"53-4-210. Tribal family assistance plan. (1) As used in this section, "Indian tribe" means an Indian tribe that has a federally recognized governing body carrying out substantial governmental duties and powers over any area.

(2) The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. 612, authorizes an Indian tribe or a combination of tribes to request federal approval to implement a tribal family assistance plan.

(3) (a) If a Montana Indian tribe or a combination of tribes receives approval to implement a tribal family assistance plan and chooses to base ~~their~~ its share of the federal temporary assistance for needy families block grant on the same federal fiscal year 1994 service population as ~~they plan~~ it plans to serve under ~~their~~ the tribal family assistance plan, the legislature shall continue to provide the Indian tribe or combination of tribes with a proportionate state share ~~for cash benefits~~ based on the maintenance of effort level established by the legislature for that biennium or the maintenance of effort level set in statute.

~~(b) A tribe or combination of tribes may use up to 15% of the state share for: costs related to the administration of the tribal family assistance plan. The remainder of the state share must be used for cash benefits~~

(i) MONTHLY CASH BENEFIT PAYMENTS; OR

(ii) SUPPORTIVE SERVICES COSTS AS ALLOWED UNDER THE MONTANA STATE PLAN FOR THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM.

(4) The Indian tribe or combination of tribes retain eligibility to form a partnership with the department and share funding for approved special projects related to welfare reform.

1 (5) The department shall provide the Indian tribe or combination of tribes with a reasonable level of
2 technical assistance in the form of eligibility and case management training, policy interpretation, and automated
3 system background information. The technical assistance must be provided at no cost to the Indian tribe or
4 combination of tribes for a period of 1 year after the inception of the tribal family assistance plan. After 1 year, the
5 Indian tribe or combination of tribes may contract with the department for continued technical assistance.

6 (6) The tribe or combination of tribes may contract with the department for the provision of participant
7 services or associated administrative functions that the tribe and the department find appropriate.

8 (7) The department shall transfer to each new tribal family assistance plan after April 28, 1999, \$100,000
9 of general fund money from existing general fund appropriation authority for each of the fiscal years of the
10 succeeding biennium for the use of each tribe implementing a family assistance plan."
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12 NEW SECTION. **Section 2. Notification to tribal governments.** The secretary of state shall send a
13 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
14 Chippewa tribe.
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16 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2011.
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