

CHAPTER 133

Original Senate File No. 169

PUBLIC WELFARE LAW—AMENDMENT NO. 2

AN ACT amending and re-enacting Subsections (A) and (D) of Section 42-15, Wyoming Statutes 1957, as amended by Section 2, Chapter 90, Session Laws of Wyoming 1965, relating to relief grants, providing for the allocation of grants, and broadening the class of recipients for whom department may appoint custodians; amending and re-enacting Section 42-28, Wyoming Statutes 1957, as amended by Section 6, Chapter 90, Session Laws of Wyoming 1965, relating to eligibility for aid to dependent children, granting additional powers and duties to the state department of welfare; and amending and re-enacting Section 42-32, Wyoming Statutes 1957, as amended by Section 1, Chapter 184, Session Laws of Wyoming 1961, relating to aid to the blind, striking an exception.

Be It Enacted by the Legislature of the State of Wyoming:

Grants Payable Monthly; Custodians of Incompetents

Section 1. That Subsection (A) and (D) of Section 42-15, Wyoming Statutes 1957, as amended by Section 2, Chapter 90, Session Laws of Wyoming 1965, are amended and re-enacted to read as follows:

(A) When a grant of old age assistance, aid to dependent children, aid to the permanently and totally disabled, aid to the blind or general relief has been approved, the grant shall then be payable monthly to the recipient through the county department of the county in which said grant was approved, from funds available for this purpose, until such time as the grant shall be modified or cancelled in compliance with the provisions of this act.

(D) When a recipient of general relief or other assistance is found to be incompetent to make the best use of the assistance granted under the provisions of the public welfare act, the county welfare department may, under rules and regulations prescribed by the state department, appoint or designate a suitable and responsible person as custodian of such assistance. Said custodian shall have authority, subject to the approval of the county board, to make such disposition of the assistance grants under his custodianship, as in his judgment is to the best advantage of the recipient. Such custodian shall report his acts to the county board at such times and in the manner provided by the county board.

Aid to Children; Prerequisites; Limitations; County Department to Notify Law Enforcement Officials of Granting Aid; Assistance in Locating Persons Deserting Children or Liable for the Support of Dependents; State Department to Investigate Children Born out of Wedlock; Participation in Training or Work-Training Programs

Section 2. That Section 42-28, Wyoming Statutes 1957, as amended by Section 6, Chapter 90, Session Laws of Wyoming 1965, is amended and re-enacted to read as follows:

(a) Aid to dependent children shall be awarded with respect to a needy child under the age of 18 or one who is eighteen (18) years of age and under the age of twenty-one (21), if a student regularly attending a high school in pursuance of a course of study leading to

STATE OF WYOMING GENERAL SESSION 1969

a high school diploma or its equivalent, or regularly attending a course of vocational or technical training designed to fit him for gainful employment, who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent; and who is living with a relative, as defined by the state department, in a place of residence maintained by one or more of such relatives as his or their own home; and (1) who has resided in the state for one year immediately preceding application; or (2) whose parent, or whose relative with whom he lives, has resided in the state for one year immediately preceding application; or (3) who, if born within the year immediately preceding application was born within the state, or who has resided in the state substantially from the time of birth; or (4) who is awarded assistance under the terms of an agreement with another state; or (5) who was born within one year immediately preceding the application if the parent or other relative with whom the child is living has resided in the state for one year immediately preceding the birth; or (6) who is or whose parent or guardian is participating in a work or educational training program.

(b) The state department is authorized to provide by rule and regulation, when it is determined to be advantageous to the state, that aid to dependent children shall be granted to any needy child of an unemployed parent or any needy child who is receiving foster home care where such child otherwise meets the eligibility requirements for aid to dependent children.

(c) Aid to dependent children shall not be granted under this act to any person who is receiving old age assistance, aid to the blind, or aid to the permanently and totally disabled.

(d) The county department shall give prompt notice to the local law enforcement officials of the granting of aid to a dependent child deserted or abandoned by a parent.

(e) To assist in locating parents who have deserted their children and other persons liable for support of dependents, the state department of public welfare may request and shall receive information from the records of all departments, boards, bureaus or other agencies of this state and the same are authorized to provide such information as is necessary for this purpose. Only information directly bearing on the identity and whereabouts of a person owing or asserted to be owing an obligation of support shall be requested and used or transmitted by the state department of public welfare pursuant to the authority conferred by this act. The state department of public welfare may make such information available only to public officials and agencies of this state, other states and the political subdivisions of this state and other states seeking to locate parents who have deserted their children and other persons liable for support of dependents for the purpose of enforcing their liability for support.

(f) The state department is hereby authorized to conduct investigations and to initiate judicial proceedings necessary to establish paternity of children who were born out of wedlock and for whom the state or any county department is rendering assistance. The state department is further authorized to collect money pursuant to any court order rendered as a result of any judicial proceeding initiated by the state or county department as herein set forth, or pursuant

to any court order establishing the paternity of such child and ordering the father to make payments for the benefit of the child.

(g) The state department may by rule and regulation establish in addition to the requirements for eligibility herein set forth, the further requirement that recipients of aid to dependent children participate in training or work-training programs which are designed to render the recipient economically self-sufficient by providing the recipient with the training in some skill, trade, or occupation, provided, however, that dependent children in the custody of any recipient required by the department to participate in any such training or work-training program, shall be provided with adequate child care during those periods that the parent or guardian is participating in any such training or work-training program.

(h) The state department may by rule and regulation authorize the provision of assistance and services to children or other persons referred to the state or county department by a state institution or court of competent jurisdiction having custody of such persons.

Amount of Aid to the Blind

Section 3. That Section 42-32, Wyoming Statutes 1957, as amended by Section 1, Chapter 184, Session Laws of Wyoming 1961, is amended and re-enacted to read as follows:

The amount of aid to the blind which a blind person eligible under this act may receive shall be determined with due regard to the resources and necessary expenditures of the individual and the conditions existing in each case, and in accordance with the rules and regulations of the state department and shall be sufficient, when added to all other income and support of the recipient, to provide such person with a reasonable subsistence compatible with decency and health.

Approved March 3, 1969.