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HOUSE JOINT RESOLUTION NO. 291
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Rules
on February 11, 2000)

(Patron Prior to Substitute—Delegate McDonnell)

Continuing the Special Task Force to Study Ways Faith-Based Community Service Groups May Provide Assistance to Meet Social Needs.

WHEREAS, the Special Task Force was created by House Joint Resolution No. 764 in the 1999 Session of the General Assembly to identify obstacles to the participation of faith-based groups in the welfare reform effort and recommend ways in which these groups can be given greater opportunity to participate in the delivery of these services; and

WHEREAS, the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) redefined welfare assistance and emphasizes work and time-limited benefits for recipients; and

WHEREAS, because of these new mandates, states are now required to place large numbers of individuals into work situations; and

WHEREAS, many of these individuals have a variety of problems, including low skills, substance abuse, domestic violence, and various health problems which present serious obstacles to placement in jobs and maintaining job security; and

WHEREAS, private, charitable, and faith-based groups have long been partners with the state in providing services to many of these clients and have a commendable success record since they tend to deal with the client in a holistic manner, addressing many problems simultaneously; and

WHEREAS, the PRWORA contained a "charitable choice" provision which intended to provide more incentive to private, charitable and faith-based organizations to collaborate with the state in the delivery of these services by placing them on equal status with all other nongovernmental providers of services when bidding for contracts; and

WHEREAS, the "charitable choice" provision contains stated safeguards to protect the religious character of the organization as well as the religious freedom of the client when services are provided by faith-based organizations; and

WHEREAS, there still remains much debate about the constitutionality of the provision and many states are moving cautiously to implement the law; and

WHEREAS, the Special Task Force made a number of recommendations which it felt to implement the spirit of the law while remaining conservative in its approach pending any constitutional challenge of the provision; and

WHEREAS, the Special Task Force felt that it was incumbent upon them to continue their review and expand the study in light of potential interpretations of the law; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Special Task Force to Study Ways Faith-Based Community Service Groups May Provide Assistance to Meet Social Needs be continued. The task force shall be composed of fourteen members which shall include eight legislative members and five nonlegislative members as follows: five members of the House of Delegates, to be appointed by the Speaker of the House, in accordance with the principles of Rule 16 of the Rules of the House of Delegates; three members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; and five citizen members, three of whom shall be appointed by the Speaker of the House and two of whom shall be appointed by the Senate Committee on Privileges and Elections; and the Lieutenant Governor.

The direct costs of this study shall not exceed \$12,500.

The Division of Legislative Services shall provide staff support for the study. Technical assistance shall be provided by the Department of Social Services and the Office of the Attorney General. All agencies of the Commonwealth shall provide assistance to the Task Force, upon request.

The Task Force shall complete its work in time to submit its written findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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