

MINUTES OF THE MEETING  
HOUSE APPROPRIATIONS COMMITTEE  
50TH LEGISLATIVE SESSION

The meeting of the House Appropriations Committee was called to order by Chairman Rep. Gene Donaldson on April 22, 1987 at 5:30 p.m. in Room 108 of the State Capitol.

ROLL CALL: All members were present at the meeting except Rep. Thoft, Iverson, Rehberg and Spaeth who were excused. Also in Attendance was Peter Blouke, LFA and Denise Thompson, Secretary.

HB 913: Rep. Bardanouve presented the bill to the committee saying it brings the law in compliance with the Switzer amendment with regard to the minimum amount of AFDC payments. He stated \$2,479,818 additional general fund would be required in HB 2 if the amendments were not implemented. The amendments can not be used without this legislation. Rep. Winslow supported the bill saying that this would legally lower the poverty level. Dave Lewis, Director of the Department of Social and Rehabilitative Services remarked this would freeze the support level for AFDC to two years if the statute stand as it is now. The reduction could instigate some litigation which would case more expense.

Sue Fifield of the Low Income Coalition spoke regarding the bill saying that she wanted to clarify the assumption that all AFDC people receive some kind of subsidized housing. This is incorrect and in fact, the majority of the people do not receive it. There is not a penny of their AFDC checks that does not go for necessities as there is no extra money available as previously remarked by the committee. The \$923 income that was figured by certain members takes a lot of things into account that are not necessarily received by the majority of these people.

(122:A:10.32) Mr. Jim Smith of the Human Resources Council said the \$923 amount is held on a questionable assumption. It seems that the poverty level at 40 percent is asking AFDC people to live on 25 percent of the medical income person salary in Montana.

Rep. Winslow asked Mr. Lewis how he felt about the legislature asking him one thing and him doing another. Mr. Lewis stated he is bound to follow the statute. Even the legislature can not override the state. If the legislature wants to make the change as Rep. Switzer suggested, then they must change the statute.

Rep. Bradley said that 4 million dollars of federal funds will be lost over the biennium if this is passed as there will not be the match monies required. She also said that the rapid trend in AFDC population increase are not necessarily long staying people, but the ones who are on for an average of 5 months.

Rep. Quilici asked Mr. Lewis if the 1/3 match for AFDC with federal funds, was correct. Mr. Lewis replied yes. Rep. Quilici also asked if this bill passes and we go to court, would we lose the federal funds or could we get them back. Mr. Lewis stated if we lost, we should be able to get them back.

(122:A:27.49) Rep. Winslow moved to DO PASS HB 912. Rep. Switzer supported the motion. Rep. Peck called the question. There was a roll call vote. Reps. Donaldson, Winslow, Bardanouve, Devlin, Manuel, Menke, Miller, Nathe, Peck, Poulsen, Quilici, Swift and Switzer voted YES. Reps. Bradley, Connelly, Menahan, and Quilici voted NO. The motion CARRIED by 12 to 4.

Rep. Bardanouve spoke in regard to the General Assistance Lawsuit and stated he had talked with Chief Justice Turnage who told him that a request from the legislature or the Appropriations Committee would possibility speed up the transcript and the case.

Mr. Lewis stated the hold up is the transcript. Apparently the court reporter is so busy she is unable to complete the transcript in a reasonable amount of time. If criminal cases come before the court, they have priority and therefore, it has been difficult for her to complete the transcript. Rep. Winslow moved that a letter be drafted to the Chief Justice in regard to this matter with possible solutions. The committee will review the letter prior to it being mailed. Rep. Quilici called the question. The motion CARRIED unanimously.

ADJOURNMENT:

There being no further business before the committee the meeting was adjourned at 6:45 p.m.

  
Rep. Gene Donaldson, Chairman

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 4/22/87 BILL NO. H 1 NUMBER 912

| NAME                            | AYE | NAY |
|---------------------------------|-----|-----|
| Rep. Gene Donaldson, Chairman   | ✓   |     |
| Rep. Bob Thoft, Vice Chairman   |     |     |
| Rep. Cal Winslow, Vice Chairman | ✓   |     |
| Rep. Francis Bardanouve         | ✓   |     |
| Rep. Dorothy Bradley            |     | ✓   |
| Rep. Mary Ellen Connelly        |     | ✓   |
| Rep. Gerry Devlin               | ✓   |     |
| Rep. Dennis Iverson             |     |     |
| Rep. Rex Manuel                 | ✓   |     |
| Rep. Red Menahan                |     | ✓   |
| Rep. Larry Menke                | ✓   |     |
| Rep. Ron Miller                 | ✓   |     |
| Rep. Dennis Nathe               | ✓   |     |
| Rep. Ray Peck                   | ✓   |     |
| Rep. Harold Poulsen             | ✓   |     |
| Rep. Joe Quilici                |     | ✓   |
| Rep. Dennis Rehberg             |     |     |
| Rep. Gary Spaeth                |     |     |
| Rep. Bernie Swift               | ✓   |     |
| Rep. Dean Switzer               | ✓   |     |
|                                 |     |     |
|                                 |     |     |

TALLY CARRIED

12 14

Denise Thompson  
Secretary

Rep. Gene Donaldson  
Chairman

MOTION: Rep. Winslow moved to DO PASS 912.

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ROLL CALL VOTE

*Roll Call*

HOUSE APPROPRIATIONS

COMMITTEE

DATE 4/12/87 BILL NO. \_\_\_\_\_ NUMBER \_\_\_\_\_

| NAME                            | AYE | NAY |
|---------------------------------|-----|-----|
| Rep. Gene Donaldson, Chairman   |     |     |
| Rep. Bob Thoft, Vice Chairman   |     | ✓   |
| Rep. Cal Winslow, Vice Chairman | ✓   |     |
| Rep. Francis Bardanouve         |     |     |
| Rep. Dorothy Bradley            |     |     |
| Rep. Mary Ellen Connelly        |     |     |
| Rep. Gerry Devlin               |     |     |
| Rep. Dennis Iverson             |     | ✓   |
| Rep. Rex Manuel                 | ✓   |     |
| Rep. Red Menahan                |     |     |
| Rep. Larry Menke                |     |     |
| Rep. Ron Miller                 | ✓   |     |
| Rep. Dennis Nathe               | ✓   |     |
| Rep. Ray Peck                   |     |     |
| Rep. Harold Poulsen             |     |     |
| Rep. Joe Quilici                | ✓   |     |
| Rep. Dennis Rehberg             |     | ✓   |
| Rep. Gary Spaeth                |     | ✓   |
| Rep. Bernie Swift               |     |     |
| Rep. Dean Switzer               |     |     |
|                                 |     |     |
|                                 |     |     |

TALLY

\_\_\_\_\_

Secretary

Chairman

MOTION: \_\_\_\_\_  
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*House* BILL NO. **912**  
*Enrolled*

1 INTRODUCED BY

2

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE MONTHLY

5 INCOME STANDARD, THEREBY REDUCING THE AMOUNT OF GENERAL

6 RELIEF FOR BASIC NECESSITIES TO ELIGIBLE HOUSEHOLDS IN

7 STATE-ASSUMED COUNTIES; AMENDING SECTION 53-3-205, MCA; AND

8 PROVIDING AN EFFECTIVE DATE."

9

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

11 Section 1. Section 53-3-205, MCA, is amended to read:

12 "53-3-205. Eligibility for general relief. (1) A

13 person or persons constituting a household may receive

14 general relief assistance for basic necessities if the

15 household is determined to be eligible under the provisions

16 of this section and is in need of such assistance as a

17 result of their infirmity, misfortune, or indigency.

18 (2) A household is eligible for general relief if the

19 household income does not exceed that set forth in the

20 following table:

21 Number of Persons Monthly Income Standard

22 in Household Fiscal 1988 Fiscal 1989

|    |   |       |       |       |
|----|---|-------|-------|-------|
| 23 | 1 | \$212 | \$193 | \$198 |
| 24 | 2 | 282   | 260   | 267   |
| 25 | 3 | 354   | 328   | 336   |

|   |            |     |     |     |
|---|------------|-----|-----|-----|
| 1 | 4          | 426 | 395 | 404 |
| 2 | 5          | 581 | 462 | 473 |
| 3 | 6          | 570 | 529 | 542 |
| 4 | 7          | 642 | 596 | 610 |
| 5 | 8          | 713 | 663 | 679 |
| 6 | 9          | 785 | 730 | 748 |
| 7 | 10 or more | 857 | 797 | 817 |

8 (3) Able-bodied persons without dependent minor

9 children living in the household are not eligible for

10 nonmedical general relief assistance, except as provided in

11 53-3-209.

12 (4) (a) When the household's income exceeds the

13 monthly income standard for a household of that size because

14 of receipt of jump-sum income, the household will be

15 ineligible for general relief for the full number of months,

16 beginning with the month of receipt, derived by dividing the

17 total of the lump-sum income and other income by the monthly

18 income standard for a household of that size. Any income

19 remaining from this calculation will be considered as income

20 in the first month following the period of ineligibility.

21 (b) The period of ineligibility may be recalculated if

22 the household size changes or if a portion of the lump sum

23 was used to pay medical bills for a serious medical

24 condition.

25 (c) Ineligibility due to the receipt of a lump sum



1 does not preclude eligibility for general relief medical  
 2 assistance.  
 3 (5) All applicants for and recipients of general  
 4 relief assistance who reside in the same residence are  
 5 considered as one household.  
 6 (6) Prospective income that is reasonably certain to  
 7 be received by the household during an eligibility period  
 8 must be considered when determining eligibility.  
 9 (7) The following resources of a household must be  
 10 excluded from consideration of resources for eligibility  
 11 purposes:  
 12 (a) the domicile of the household, including necessary  
 13 apartment land not exceeding 10 acres;  
 14 (b) a motor vehicle that has no more than \$1,500 in  
 15 equity value;  
 16 (c) personal items, clothing, household furniture,  
 17 appliances, and other essential household items, the total  
 18 equity value of which does not exceed resource eligibility  
 19 limits established by rule; and  
 20 (d) tools of a trade that are essential to the current  
 21 or future employment of a household member.  
 22 (8) A person who is committed or sentenced by legal  
 23 process to a state institution or a secure facility or who  
 24 is incarcerated in a secure facility pending resolution of  
 25 legal process is not eligible for general relief.

1 (9) A person who resides for a period of 1 day or more  
 2 in any state or federally operated institution or residence  
 3 is not eligible for general relief for the period of that  
 4 residency.  
 5 (10) For the purposes of an eligibility determination,  
 6 an applicant for or recipient of general relief may be  
 7 requested to produce all financial and other information  
 8 concerning the household.  
 9 (11) Whenever practical, an eligibility determination  
 10 must be made within 30 days of the date of application and  
 11 the applicant must be notified in writing of the eligibility  
 12 determination and the reasons for the determination.  
 13 (12) An alien determined to be illegally within the  
 14 United States is not eligible for general relief."  
 15 NEW SECTION. Section 2. Extension of authority. Any  
 16 existing authority of the department of social and  
 17 rehabilitation services to make rules on the subject of the  
 18 provisions of this act is extended to the provisions of this  
 19 act.  
 20 NEW SECTION. Section 3. Effective date. This act is  
 21 effective July 1, 1987.

-End-