MINUTES OF THE MEETING HUMAN SERVICES SUBCOMMITTEE MONTANA STATE HOUSE OF REPRESENTATIVES

January 28, 1985

The meeting of the Human Services Subcommittee was called to order by Chairman Cal Winslow on January 28, 1985 at 8:05 a.m. in Room 108 of the State Capitol.

ROLL CALL: All members were present.

Chairman Winslow announced that today's meeting will cover LIEAP, weatherization, and general assistance.

Dave Lewis (24:B:010), director of SRS, talked about the proposed reduction of the transfer to Title XX and gave everyone a chart listing the numbers that would affect various areas with and without the reduction (EXHIBIT 1).

Jim Nolan (24:B:037) discussed the LIEAP program and gave a brief history of it. Included in his information packet was a brochure on the LIEAP program (EXHIBIT 2). He discussed the charts on the LIEAP households served, fuel bill expenditures, LIEAP summary concerning incomes, and average LIEAP benefit (EXHIBIT 3). He pointed out there are only two eligibility tests required of LIEAP applicants:

- 1) Type of home eligibility
- 2) Assets test

He said if the full Title XX transfer to the DD program is continued in 1987, 2,500 families would receive no benefits at all from the LIEAP program.

Discussion followed concerning the program growth, what the median income is, and the eligibility cut-off. There was additional discussion on the carry-over funds and the payments staying in the utility's possession. Chairman Winslow asked about the payments received during the warm months and wondered how much the loss is.

Senator Manning asked if the weatherization program had more applications, would the fuel bills decrease if the building was weatherized properly. He was told they are committing 5 percent of the LIEAP funds towards the weatherization program.

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Jim Smith (24:B:465), from the Human Resource Development Councils, spoke on the LIEAP program, its history, and the type of funding for it.

Jeff Rupp (24:B:621), with the HRDC in Bozeman, spoke on behalf of the LIEAP block grant. He said he is in opposition to the LFA & governor's budget, particularly on the transfer to Title XX.

Weatherization

Jim Nolan spoke on the weatherization program and listed its purposes:

- 1) Reduce national energy consumption
- 2) Reduce the impact of fuel costs on low-income people

Since its inception into Montana, approximately 18,000 homes have been weatherized. Their goal this year is to weatherize 23,000 homes. As of December of 1984, they are at 87 percent of that total. The weatherization has the same eligibility criteria as LIEAP. He said homes are weatherized on a priority basis. The weatherization not only helps to save energy and help low income people, it benefits the local businesses with building materials and benefits the local carpenters and laborers.

There was discussion on the transfer amount to LIEAP, the transfer amount contained in both the executive and LFA budgets is 5 percent. There was additional discussion on the waiting list for weatherization.

Representative Ben Cohen (25:A:064), sponsor of a home weatherization bill, spoke on the additional loans for weatherizing homes. He said the homes that most need this type of services should be targeted, the reduction on the overall draw on the weatherization program would be felt. This would leave more funds available for people who need them, and at the same time, reduce the total power consumption for heating in Montana.

Discussion followed concerning the 5 percent transfer that Representative Cohen is trying to put in statute that is also included in the LFA budget.

Jim Smith (25:A:151) discussed the origins and benefits of the weatherization program. He gave everyone an informational handout on the weatherization program (EXHIBIT 4).

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General Assistance (GA)

Dave Lewis (25:A:252) discussed the general assistance program. He said the cost per general assistance case has increased over the last year from an average of \$150 to \$250. They are asking \$9 million over what the executive budget recommends. Their options are to cut back the cost per case to an average of \$88 per month. He said they are going to have to cut back the caseload; they are proposing that able-bodied individuals under the age of 50 would not be eligible for GA. They will be proposing that the people over age 50, or anyone that can not work would continue to receive GA.

He pointed out that Idaho does not provide assistance to people under 65, and Washington & Oregon do not have this type of program. He said they are getting some people moving into the state to receive the aid not possible elsewhere.

Lee Tickell (25:A:360), deputy administrator for the Economic Assistance Division of SRS, spoke on GA from his prepared statement (EXHIBIT 5). He also gave the committee charts that he referred to in his presentation (EXHIBIT 6). He referred to the court case by the Butte Community Union against John LaFaver, the former director of SRS, and gave the committee copies of the Summons, Complaint, Motion, Order, and Restraining Order pertaining to that court case (EXHIBIT 7).

He introduced the various county directors throughout the state:

Yellowstone County
Lake County
Jean Johnston
Jim Greer Lake County
Ravalli County
Cascade County
Deer Lodge County
Lewis & Clark County
Elathord County
Cascade County
Deer Lodge County
Elathord County
Elathord County
Route Bonnie Mueller
Carole Graham
Harold McLaughlin
Eudora Fald
Norman Waterman Flathead County

Ruth Davis

He also gave a copy of information from the county directors that was requested by the department describing six demographic data that showed up in all counties (EXHIBIT 8).

Discussion followed concerning the above information regarding the influx of people from other states; in some counties a third of the people coming into the program are from another state or from a non-state

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administered county. Additional discussion followed concerning the caseload reduction, the definition of a single case, and the medical costs for a single, able-bodied person.

Representative Bradley asked the Missoula County Director, Jean Johnston, what the average age for people on general assistance was; it is 30-33 years of age. There was also a question if there are any residency requirements in other states for general assistance.

Testimony was heard from the following people:

Sharon Vingom, from the Butte Community Union, said she thinks that general assistance should be adequately funded. She said it is more expensive to take care of people in the prisons than it is to take care of them outside. She said that many eligible for LIEAP do not receive their payments.

Reverend Joe Warren, from the Butte Community Union and Montana Low Income Coalition, spoke from his prepared testimony (EXHIBIT 9).

Helen Nicholls, from the Butte Community Union and the Low Income Coalition, said her husband worked for ARCO-Anaconda for over 20 years. She said if the committee cuts GA, they will turn many of them into street people (EXHIBIT 10).

Vivian Marie, attorney with the Montana Legal Services, asked how much is necessary for decency and health. She said people are not getting more in real dollars, they are getting less. The new poor have no idea what is out there for their benefit.

John Ortwein (26:A:128), from the Montana Catholic Conference, spoke from his prepared testimony (EXHIBIT 11).

Jerry Bergquist said he has led a life of theft and crime and GA is the only option for him right now because there is no work. He does not want to return to that type of life. He also gave his written testimony (EXHIBIT 12).

John Olson said he was receiving \$63.50 per month and was paying his utilities, lights, personal needs, etc. He said he was driving without insurance and always had when Montana passed the insurance law. He has worked on the railroad and with low-income people. He said he supports GA and opposed the cuts.

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Don Robertson, from the Concerned Citizen's Coalition in Great Falls, listed the benefits he receives for rent, personal needs, transportation, food stamps, and the amount of LIEAP subtracted from the total. He is thankful that he gets that much. He gave a written testimony (EXHIBIT 13).

Jim Smith, voiced his concerns on the needs for employment and training and also supports GA.

Arlene Bucchi, from the Butte Community Union and the Low Income Coalition, spoke from her prepared testimony (EXHIBIT 14).

Sister Kathleen O'Sullivan, from the Butte Community Union and Low Income Coalition, spoke from her prepared testimony (EXHIBIT 15).

Cathy Campbell, from the Montana Association of Churches, spoke from her prepared testimony (EXHIBIT 16).

Ed Boyle, from Great Falls, questioned the charts and graphs presented in the general assistance presentation.

Ronald Ell, from the Butte Community Union and the Low Income Coalition, spoke from his prepared testimony (EXHIBIT 17).

Tom Rowe, from the Butte Community Union and the Low Income Coalition, said he does not want assistance or LIEAP or anything if he does not earn it. He presented a written testimony (EXHIBIT 18).

Dan Rubick, from the Butte Community Union, who is on GA, went to Great Falls and Billings for work and was told the job situations there are not any better.

Louise Kunz, lobbyist for Low Income Coalition, submitted letters from people testifying and letters from Rodney Garcia who was unable to present them himself. Two of the letters are not signed due to the fear of reprisals. (EXHIBIT 19).

Carl Donovan urged the committee to keep the funding for GA at the present level, or at least increase it.

Sue Fifield, from Missoula, said if it was not for the general assistance program, lots of people would be out on the streets.

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Michelle St. John, from the Butte Community Union and the Low Income Coalition, testified that herself and her family are on GA and spent \$160 for her husband to go to other cities to look for work. She said she is hoping the committee would not cut GA any more. She presented a written testimony (EXHIBIT 20).

Wilbur Raymond, from Helena, urged the committee to continue GA at least at the court-mandated levels. He said it is important that a needs study be done.

Representative Bradley asked the Missoula County Director, or any other county director, what they think that the elimination of the able-bodied people under 50 will do to their county. It would decrease the number of people on GA.

Jim Greer, director of Yellowstone County, spoke on the GA program in his county.

Chairman Winslow asked Lee Tickell if he could take all the 12 assumed counties, add up their population, and took the number of people on welfare across the state, if it would show if people from the non-assumed counties are moving in the assumed counties.

The meeting was adjourned at 11:00 a.m.

CAL WINSLOW, Chairman

DAILY ROLL CALL

Human Services Subcommittee

49th LEGISLATIVE SESSION -- 1985

Date 1-28-85

NAME	PRESENT	ABSENT	EXCUSED
Rep. Dorothy Bradley	X		
Sen. Chris Christiaens-Vice Chair	X		
Sen. Richard Manning	×		
Rep. Dennis Rehberg	<u> </u>		
Sen. Pete Story	Χ		
Rep. Cal Winslow, Chairman	X		
	·		

LIEAP/TITLE XX

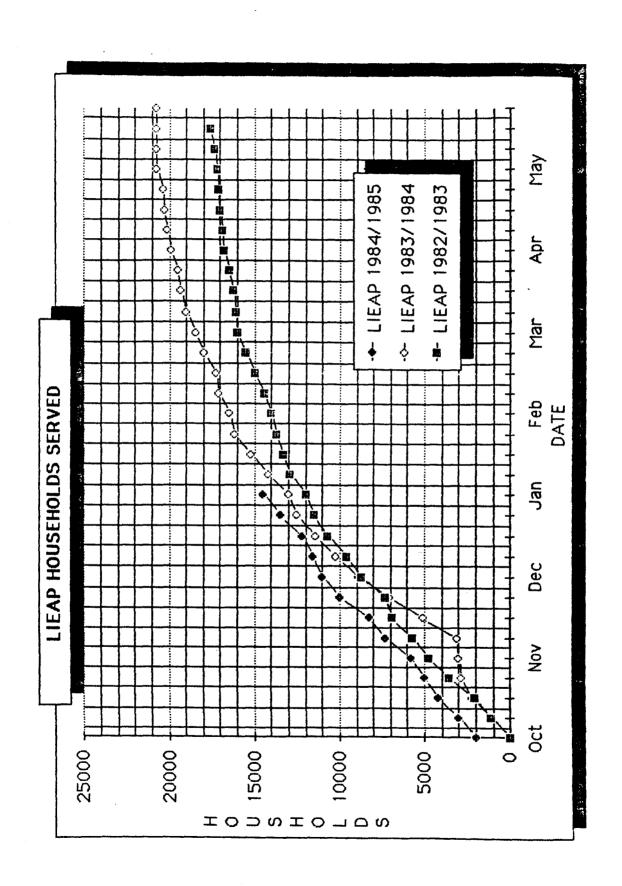
	If Title XX Transfer Reduced per Governor's Budget	If Title XX Transfer Continued at 10%
1985		
Grant Carryover	\$ 12,297,692 1,737,426 14,035,118	\$ 12,297,692 1,737,426 14,035,118
Title XX Weatherization Administration Fuel Bills 21,793/453 Carryover	1,229,769 614,885 1,000,000 9,872,229 1,318,235	1,229,769 614,885 1,000,000 9,872,229 1,318,235
1986		
Grant Carryover	\$ 11,695,105 1,318,235 13,013,340	\$ 11,695,105 1,318,235 13,013,340
Title XX Weatherization Administration Available for Fuel Bills	1,169,510 584,755 1,000,000 10,259,075	1,169,510 584,755 1,000,000 10,259,075
Carryover	-0-	-0-
Projected Fuel Bills 22,883/453	10,365,999	10,365,999
Potential Deficit Unles Program is Modified	s \$(106,924)	\$(106,924)
1987		
Grant Oil Overcharge	\$ 11,695,105 575,000 12,270,105	\$ 11,695,105 575,000 12,270,105
Title XX Weatherization Administration Available for Fuel Bills	373,755 584,755 1,000,000 10,311,595	1,169,510 584,755 1,000,000 9,515,840
Carryover	-0-	-0-
Projected Fuel Bills 24,027/464	11,148,528	11,148,528
Potential Deficit Unles Program is modified	s \$(836,933)	\$(1,632,688)

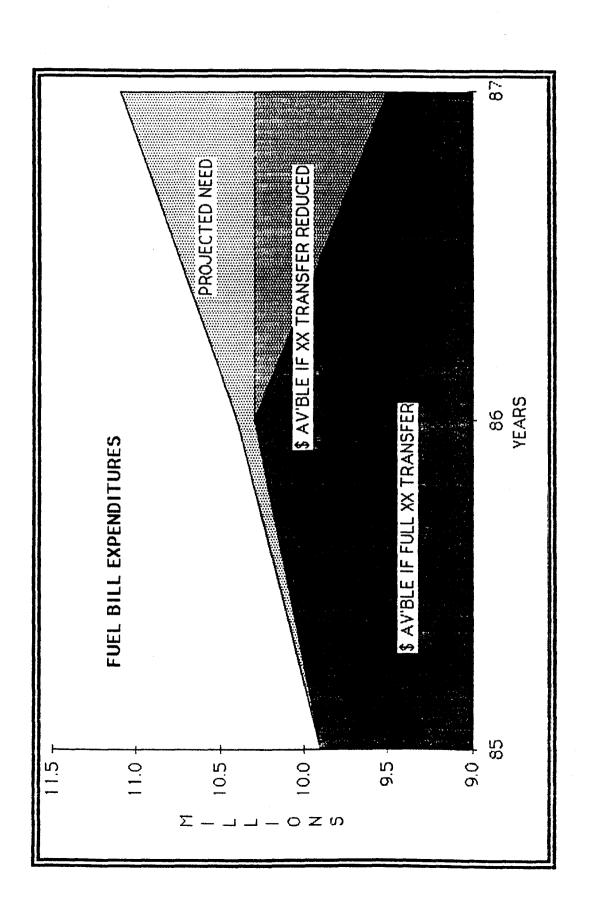
LOW INCOME ENERGY ASSISTANCE PROGRAM

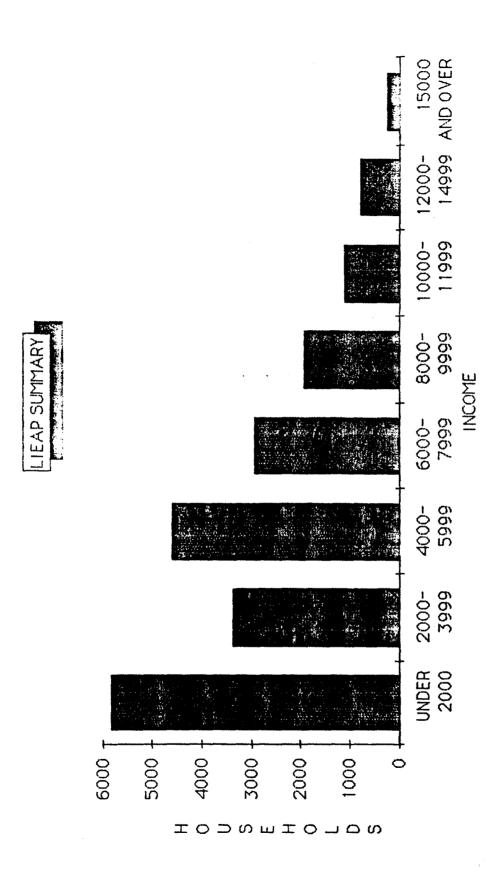


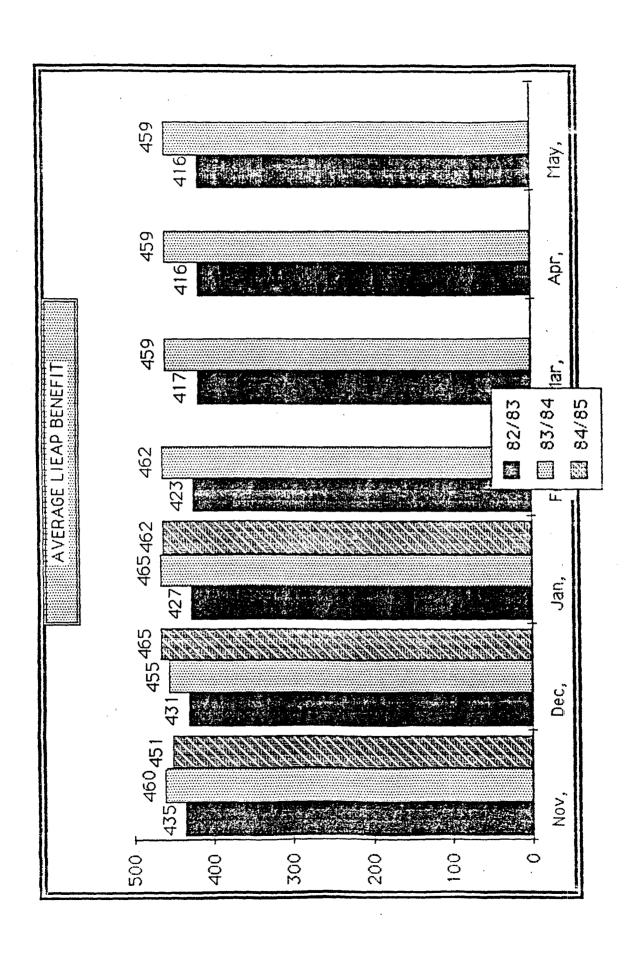
Can you afford to make your home warm and weather-tight? Can you pay your fuel bills?

If you can't, you may be eligible for Montana's programs for fuel bill assistance and home weatherization.









LIEAP: Low Income Home Energy Assistance Program

I. Funding

Federal---> State--->

HRDCs, AAAs, Counties

are local operators

- A. Original national administration was Community Services Administration (CSA/CAA)
- B. Health and Human
 Services (HHS) is
 current national
 administration--->A.SRS/EAD-->

A.Intake, income verification
B.Forward information to SRS/EAD

- C. Block Grant to
 Montana through Omnibus
 Reconciliation
 Act (OBRA, 1981)
 - D. Funding Levels

Nationally

State Level

1981 \$1.875 billion 1985 \$2.1 billion

E. CAA.HRDC E. State(SRS) designation in manages the force as lead program:

local agency

- a) makes vendor payments
- F. Anti-Poverty
 Focus--->elderly,
 handicapped,
 non-welfare poor
- b) provides outreach through pamphlets, media

Block Grant Flexibility:

1981 OBRA/LIEAP

Regulations

1) 10% transferability to any other Block Grant Recent Congressional

Decision (10/1/84),

through the Human

Services Reauthorization

Act, S.2625

- 2) 15% to DOE --->up to 20% transferability Weatherization
- 3) 25% carry over ---->down to 15% allowable allowable
- 4) 10% administrative costs allowable

Have the states made use of this flexibility? Yes.

Has Montana made use of flexibility?

Yes.

- 1)10% has been transferred to the Social Services Block Grant each year since 1981.
- 2)25% was carried over in 1981, 1982, and 1983. 15% was carried over in 1984.
- 3)15% was transferred to Weatherization in 1981, 1982, and 1983. 8% was transferred in 1984.
- 4)9-10% is used for state and local administration every year.

Has Congress Reacted? YES!

- 1). Re-writing flexibility to focus state efforts on conservation and actual use of funds
- 2). Re-allocating funds among the states, rewarding states utilizing these funds
 Result: Montana loses funds in 1986

II. Eligibility

- A. 125% of poverty--->states have }up to 150% of flexibility }poverty; 60% Bureau }of Labor Lower Living standards; state medium income
- B. Federally established-->OMB(Office of Management and Budget-->published annually
- C. 125% of Poverty in actual numbers as of 1984

Family Size	125% of Poverty			
1	\$6,275 (gross income, all sources)			
2	8,400			
3	10,575			
4	12,750			
5	14,925			
6	17,100			
7	18,675			
8	20,775			

D. How many Montanans at 125% of poverty?

1980 94,372 12.3%

1985 100,000+ -->15% approximately, same as the national trend

- D. Eligible Households = approximately 49,500
- E. Rising case load since 1977 & 1980---> from 4,000 to 20,000

III. Program

- A. Federal Mandate
 "Assist low income with home energy needs..."
- B. Caseload has increased dramatically since 1981. It should stablize at 20,000-22,000 cases.
- C. Benefit level is increasing to keep pace with rising energy costs.
- D. Funds are static in 1985, 1986, and 1987.
- E. HRDCs have responded by developing partnership with state's major regulated utilities--->Energy Share of Montana.
 - Financed by donations: individuals, charitable, and corporate
 - 2. Helps people that "fall through the cracks."

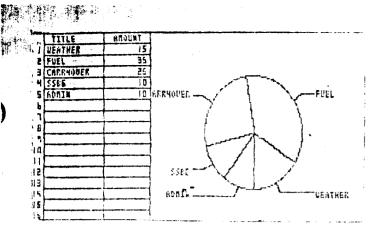
Energy Share of Montana

	1984	1983
Households Served	681	195
Funds Donated	\$358,042	\$50,000
Funds Expended	\$191,420	\$40,000
Individuals Contributing	2,840	1,500
Individual Donations	\$58,042	\$20,000
Average Payment	\$282	

IV. Benefits of LIEAP

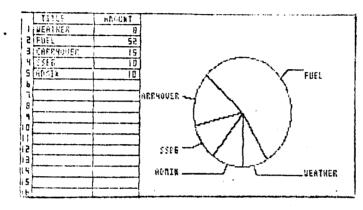
- A. To the low income person
 - -elderly
 - -working poor
 - -non-welfare poor

- B. To Montana's heat suppliers
 -MPC, MDU, PPL, other regulated utilities
 -oil and propane dealers
 -coal and wood suppliers
 -rural electric co-ops
- C. To the Public Service Commission -reduces shut-off problem
- D. Furthers the goal of deinstitutionalization -assists people to stay in their own homes -medicaid waiver program



Use of LIEAP funding 1981 through 1987

1981, 1982, 1983.



1984

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1987 (Projected)

LOW INCOME WEATHERIZATION

I. Funding

A. Community Services Administration (CSA) B. Department of Energy (DOE)since 1980	<pre>}>Montana: } }</pre>	A	10 HRDCs are local operators . first home weatherized in 1974 by Action For Eastern
<pre>1. a federal direct grant program</pre>	A. HRDCS design as loc Weathe agenci	B ated al rization	Montana . 17,000 homes weatherized since 1977
<pre>2. only DOE grant program to receive increase in 1984 -\$191 million natio -\$1.6 million for Montana</pre>	establ	ished an tion	<pre>C. 2,000+ homes each year in 1982, 1983 and 1984</pre>
3. funding since 1981 has been stable	C. fundi	ng in Montan <u>DOE</u>	LIEAP
4. CAA/HRDC designation force as lead local		\$1.6 milli \$1.5 milli \$1.5 milli	on \$1.5 million

5. Must be reauthorized in FY 1985

II. Eligibility

- A. 125% of Poverty
- B. Federally established-->OMB(Office of Management and Budget-->published annually
- C. 125% of Poverty in actual numbers as of 1984

Family Size	125* of Poverty			
	ورد جریر شد ورد شید شده دری شد که جوه جد شده دی شد هم هم هم هم این است.			
1	\$6,225 (gross income, all sources)			
2	8,400			
3	10,575			
4	12,750			
- 5	14,925			
6	17,100			
7	18,675			
8	20.775			

D. How many Montanans at 125% of poverty?

1980 94,372 12.3%

1985 100,000+ -->15% approximately, same as the national trend

E. Approximately 49,500 eligible households in Montana

III. Program

- A. "to increase energy efficiency of dwellings occupied by low income persons"
- B. Amount allowable per dwelling: 1977----->\$200.00 1985---->up to \$1,600
- C. Kinds of weatherization applications: caulking, attic and wall insulation, storm doors and windows, mobile home skirting, etc.
- D. Dimensions of the program:
 work crews, vehicles, tools...inventory
- E. Contracted work to local small businesses
- F. Completed weatherization work inspected by SRS

IV. Benefits of Weatherization

- A. Benefits to low income persons-->save money--->
 more disposable income
 for low income persons
- C. Benefits to LIEAP-->heating dollars used more effectively
- D. Benefits to utility companies and heat suppliers---> fewer terminations
- E. Saves 25% of of heating costs after Weatherization documented by studies conducted by

CECA (Consumer Energy Council of America) CSA (Community Services Administration) US Govt Bureau of Standards District VII DRDC; Billilngs, Montana

Opportunities Incorporated; Great Falls, Montana

- F. Benefits to Montana and to counties because these program dollars are 100% federal in origin
- V. Montana House Bill by Rep. Ben Cohen(District 3, Whitefish) requires 5% transfer of LIEAP funds to Weatherization

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES



TED SCHWINDEN, GOVERNOR

P.O. BOX 4210

STATE OF MONTANA

HELENA, MONTANA 59604

Testimony:
Lee J. Tickell
Deputy Administrator
Economic Assistance Division
Department of SRS
111 Sanders
Helena, MT 59604
444-4540

INTRODUCTION:

Mr. Chairman and members of the committee my name is Lee Tickell, Deputy Administrator of the Economic Assistance Division of SRS. With the introduction provided by Dave Lewis I would like to walk you through the remainder of the handouts which were provided to you. On those handouts, which are approximately 15 pages in length, for ease of reference I have put a number in the upper right hand corner so you may reference the appropriate chart or graph if you have any questions with regard to my discussion or any questions about those handouts.

To begin, with I would like to give a brief background of the administration of the General Assistance and State Medical Programs in Montana. The General Assistance Program is truly the last "safety net" in the web of social programs administered by the Federal Government, the State Government and County Government. The General Assistance Program is 100% general funded for those counties under State-Administration and 100% county funded in those non State-Administered counties. The role of the Department of SRS in the non State-Administered counties is limited to approval of the eligibility requirements and the payment levels adopted by the various boards of County Commissioners in non State-Administered counties.

In State-Administered Counties where the general fund contribution is 100% the role of the Department of SRS is very directly related to complying with legislative intent adopted in the law which established state administration. In general, that statement of legislative intent indicated that the amount of payments provided under General Relief should not exceed the scope, amount, and duration of those services provided under the Medicaid Programs or the Aid to Families with Dependent Children Programs. At the time of state assumption there were many counties which administered their General Assistance and County Medical Programs in a much more conservative fashion.

The General Assistance in all counties and during the first year of state assumption was administered on the basis of an emergent "need" based program

as opposed to a flat grant entitlement program such as the Aid to Families with Dependent Children Program.

What that means is, not only were individuals or families determined eligible for General Assistance but once that eligibility is determined the specific amount of "need", generally in the five areas of shelter, utilities, food, personal needs, and transportation, were individually determined based on family size and "needs" presented in each of the above five categories. This obviously causes a great deal of additional work when the specific amount of each persons' or families' needs are determined on a case by case and month by month basis. The concept of a "need" based program with payments less than the AFDC level was effectively eliminated with the decision in the Judge Olson ruling in the Butte Community Union lawsuit against the Department of SRS. The net effect of that court order was to mandate a flat grant payment consistent with the flat grant payment amount for a similar sized family in the AFDC program.

During the first year of state assumption the Department developed rules which established an upper limit consistent with legislative intent not to exceed the scope, amount, and payment level under the Aid to Families with Dependent Children Program. In addition, we established specific payment amounts within each of the five "need" categories that I mentioned previously that is: shelter, utilities, food, personal needs, and transportation. For the first year of state assumption the Department contended that those rules established an upper limit and that they were permissive in nature. By permissive in nature I mean that counties did not have to pay the upper limit but rather should continue whatever their past practices were prior to state assumption to live within the budgets that were administratively allocated to each individual county that came under state assumption.

For one year that was effective in meeting the basic needs of individuals on the General Assistance Program in the 11 State Administered Counties.

Again the court case which effectively took place on June, 1984 required that those payment levels be increased across the board in all 11 State Administered Counties, effectively to the AFDC grant level. I will get into a more detailed discussion later on in these handouts with regard to the precise impact that that court case had in terms of payments by the categories I mentioned.

EXPLANATION OF CHART NUMBER 2:

I would like now to discuss the second page or chart #2 in your handouts. It is entitled General Assistance Caseload Comparison. The Department collected data on the General Assistance caseload both before State Assumption and after State Assumption in both the State Administered Counties and the non State Administered Counties. The solid area at the bottom of that chart indicates the caseload trend and level that has existed in the non-State Administered Counties for the past four or five years. As you can see, that level has been at approximately 200 cases. The lightly shaded area above that represents the number of cases that historically before and after state assumption have existed in the State Administered Counties. I want to point out that the chart dips at 6/83 is an anomaly. At the time of State Assumption, there was

only a partial month of cases that we counted during that period of time and to that extent it causes an understatement of number of cases that truly existed.

You can see from the graph the caseload comparison has seasonal peaks, both generally tend to occur during the month of December thru March. This chart #2 generally reflects seasonal trends beginning approximately in November and December of each year and continuing upward through February and March and generally see a down turn in about April. The same trend appears for the four years indicated on the attached chart.

CHART NUMBER 3:

The next chart #3 reflects the average payment per case. Again, the solid line is the average payment per case in the State Administered Counties and the broken line is the average payments per case in non-State Administered Counties. As you can see, historically the State Assumed Counties prior to state assumption had an average payment per case slightly above that of those non State Administered Counties. Again the line at 6/83, the time of state assumption, would indicated for the first year from 6/83 to 6/84 that the average payment per case on a statewide basis in State Administered counties was somewhat higher although not much more than the previous three years and was maintained at a relatively flat level. There is one point at which the average payment per case in the non-State Administered Counties was higher than that in the State Administered Counties. Beginning at June, 1983 we see the sharp rise in the average payment per case which begins. Again I point out that this is the point at which the Butte court case came into effect causing our average payments to begin their increase through the current period of 12/84.

CHART NUBMER 4:

Now turn to chart #4 which is the General Assistance expenditures and that is simply a derivation of the previous two charts in which you multiply the increase caseload against the average payment levels to arrive at the our expenditure levels. I might also add that the far right peak at 1,284 is somewhat understated because the data for non-State Administered Counties is not yet in for December and therefore the average payment and the average number of cases is not yet computed in the far right hand peak at 12/84. The fact is that that peak would be somewhat higher once the December data is in from the non-State Administered Counties. The sharp dip at 6/83, I have previously explained, but from the court case at 6/84 we again see a sharp rise in the expenditures.

CHART NUMBER 5:

I am now turning to chart #5 which is the General Assistance caseload comparison for the Department's projection of what we think the caseload would be in the next two years in the 1987 biennium. In order to arrive at that estimate, we used a least squares line which compares the prior 17 months of caseload activity in the State Administered Counties and project that 17 month history into the next two years. That trend line is approximately a 12.3% caseload growth.

At this point, I might add that in the Legislative Fiscal Analyst's write up, the caseload expenditure increase during the past two years has amounted to approximately a 45% growth in expenditures in the State Administered Counties. To a large extent that expenditure level can be attributed to the increase in number of cases but more importantly I believe to the very rapid rise in the average payment per case that came about as a result of the Butte Community Union Court Case. The nexts charts that I will discuss are based on this projection line of approximately 12.3% increase with the approximate average monthly cases as indicated on chart #5.

CHART NUMBER 6:

The next chart #6 is an analysis using the same least squares projection. are projecting a line again based on the past 17 months of expenditure data and projecting that again into the next two years of the 1987 biennium. can see that this line is slightly higher than the caseload and again this is due to the large increase in the expenditures principally driven by the increase in the average cost per case. Again a result of the Butte Community I now turn my attention to page 7 in your handout and I would Union lawsuit. like to if I could digress briefly to explain the basic concept of the "need" based program which General Assistance has typically been. The chart at the bottom shows approximately 2/3 of the way down, there is a matrix with number of persons in a household on the left hand side and five areas of "need" with a maximum standard on the right hand side. Those are the five areas of "need" which I alluded to earlier and the maximum standard are the same as that payment standard for a similar size family in the AFDC program. As you can see by adding across that the total of each of those five would add up to more than the maximum standard. We did that in our initial rule beginning July, 1983 in order to insure that there was some flexibility for the counties to meet the needs of individuals and families applying for General Assistance but in no case could it exceed the maximum standard which was the legislative mandate. When the Montana Legal Services Corporation initially challenged the legality of our administering the General Assistance Program at less than those maximum standards we attempted to adopt new rules in order to insure that we would be able to live within our budget. Those rules were published and were restrained from adoption in a temporary restraining order issued by Judge Olson of Butte. Subsequent hearings were held and the temporary restraining order was put into effect permanently. We were therefore permanently restrained from lowering those payment levels that you see on this General Assistance addendum.

Just briefly I would like to indicate that we conducted what we felt was an adequate "need" based study taking into consideration local availability of shelter, basing that on 1980 census data and the number of units that were available at various price ranges. Utility portion we conducted again a study of what it cost in the LIEAP program to heat with various types of fuel in various types of dwellings in various areas of the state. We contended at that point that the utility category of General Assistance applicants should be met through the Low-Income Energy Assistance Program. The utility amount however could be used for additional utilities such as non-heating needs, water, sewer, and garbage collection.

The food need corresponds to the exact same amount as paid under the U.S. Department of Agricultures Thrifty Food Plan. Again the General Assistance applicants are categorically eligible for Low-Income Energy Assistance Program

and would easily be eligible for in most cases the maximum amount offered under the Thrifty Food Plan of the USDA Food Stamp Program.

In the personal needs category, this is intended to meet those kinds of personal hygiene needs and home care needs such as toilet paper, soap, laundry detergent, and household cleaning supplies in addition to various paper products and other grocery items that are not met through the Food Stamp Program. As you are probably aware, the only items that can be purchased with food stamps are foods that are used for human consumption.

The transportation portion was to meet the needs of individuals for such things as medical care, commuting to a job or participating in the Workfare Program for those who are mandatory workfare participants. In addition, the transportation could be used for such things as church or other personal matters. Finally, the maximum standard as I indicated before is the same level as the AFDC payment level for a similar size family.

In administering this program counties had typically only met the most emergent "needs" of those most in "need" of the General Assistance Program. Historically the Program was not developed or intended to be a long term income maintenance program but rather a short term, need-based program to meet the most emergent needs of the states citizens.

I would rather not go into further detail at this point on the application addendum for General Assistance except to summarize by saying that we attempted to lower these amounts to insure that we could live within our legislatively established budget and those rules were the ones restrained by the court order. We are currently restrained from adoption of any rule that would effect the payment level as indicated in this matrix.

CHART NUMBER 8:

The next chart #8 indicates the 12.3% growth per year. I included it here only to show that we are coming off a base of 1,737 cases, and are projecting that to grow 12.3% to 1,950 cases the average of which is 1,844 cases. For FY87 we start with the 1,950 case base inflated 12.3% to 2,190 cases for a monthly average for the year of 2,070. The 1,844 and the 2,070 figures are the ones we have used for purposes of budget projection. The reason we started from the 1,737 base is that the number of cases that existed during December 1983 was approximately 1,737 cases. In the AFDC Program we have typically found that for several years the number of cases that exist in December tends to be very close to the average for the year. We made the assumption that since General Assistance and AFDC appear to follow the same seasonal trend that we would make the assumption that this figure could also be used, that is the December number of cases for purposes of budget projection.

CHART NUMBER 9:

The next chart #9 is a projection using 51% of poverty as you can see under the basic assumptions for FY86 and 51% of poverty at FY87. This is consistent with that which has been requested in the executive budget for the Aid to Families with Dependent Children Program. The 12.3% caseload growth is indicated there along with the day one caseload for FY86 of 1.737 and as I indicated in the previous chart using a caseload average for FY86 and FY87 of 1.844 and

2,070 respectively. Two columns to the right you can see the distribution of cases and this was based on November and December, 1984 data which indicates that 70% of our caseload in GA is single, 14.5% is in the two family size, 6.1% in 3, 5% in 4, 2% in 5, and 2.45 in 6. There are no disregards, work allowance, 30 and 1/3 income reductions or \$160 day care reductions that is allowed under the Federal AFDC Program. I might remind you of those income reductions that Jack Ellery went over with you last Friday.

The next group of figures indicates the FY86 monthly poverty income level for FY86 and FY87. The cost projection for FY86 then are computed by taking the monthly grant amount times the number of cases reduced by the distribution of cases or 70% for a single times 12 months to give you the estimated payments. That same scenario is then computed for family size of 2 thru 6 and that is The figure you see of \$513,290 per month for the projected average monthly expenditure level for FY86. Using the distribution of cases and the monthly grant amount we have then a \$278 average monthly payment per case. might be important to note that figure for a chart that I will refer to later on in my presentation. The same basic cost projection is then used for FY87 and using the same distribution of cases with an increase monthly grant amount based on 51% of poverty for the FY87 monthly poverty income to arrive at the estimated payments for the family size 1 thru 6. Those amounts are then totaled for the average monthly payments for General Assistance during FY87. The average monthly payment per case increases to \$289. The amount of \$513,295, \$589,860 is added together multiplied by 12 to give you then the total cost over the biennium of \$13,345,860.

CHART NUMBER 10:

Turning to chart #10 is the computation for the State Medical Assistance cost that is a result of the increase in the number of cases that we are seeing in General Assistance Program. Again we utilize the same caseload growth of 12.3%. In FY86 our budget request in the executive budget was computed on the basis of 1,060 singles at the amount shown there for average utilization. The current projection however is 1,558 singles and we stayed with the same average cost per single for the current projection of \$2,798,293. This results in an overall increase in the budget of \$894,448. The same computation was done for the families or in this case we find the number of families are reduced resulting overall in decrease in expenditures for them of \$289,785. The budget request for the non-General Assistance clients is \$823,000. Our budget reducest is that we maintain that current projection with no net increase or decrease.

What I mean by non-General Assistance Medical are individuals who receive no cash payment or vendor payment under General Assistance but because of catastrophic accident or illness or other medical emergency received a medical payment under State Medical.

The DEFRA changes result in savings to the budget request but the same savings is projected under current projection to give a zero net increase or decrease.

The net effect of the above is to increase the State Medical cost by \$604,663 for FY86. The same methodology in FY87 with the resulting increase of \$819,160 for a total biennial increase of \$1,423,823. The reason for the

decrease in families is a result of the Unemployed Parent Program being adopted by the Legislature.

CHART NUMBER 11:

I now turn to handout #11 which demonstrates the average grant amount which would have to be given if we were to maintain the same number of case using the 12.3% caseload growth during the next two years of biennium and computing what the average grant would be if we were to stay within the executive budget. What we have done is taken for FY86 and FY87 the amount in the executive budget without considering the State Medical increase I talked about on chart #10 and divided it by the respective number of cases that we are projecting for FY86 and FY87, dividing it by 12 months to come up with what the average grant amount would be for FY86 and FY87 if we were again to maintain the same number of cases and live within the executive budget. The average grant amount would have to be, as indicated there, \$120.34 on the average for both singles and couples or families in FY86 and \$121.51 for the same groups in The second computation if you were to keep the same number of case and absorb the increase medical cost that we will experience because of that increased caseload, the same computation would be done. You would deduct the increase from the executive budget as money available divide by the same number of cases as indicated above divide by 12 months to get at the average grant for FY86 and FY87 of \$93.01 and \$88.53 respectively.

The reason I point this chart out is to demonstrate the magnitude of the cuts that would be necessary in the average grant for the General Assistance recipient if we were to live within the budget submitted. The reason that we feel this is not a viable option is addressed on handout 12, page 1 and 2.

This is a letter from Neal Haight, Director of Montana Legal Services Association for the State of Montana. Without going into detail on that letter, which I am sure you will want to read, the bottom line would be that we would be faced with a court challenge if there is any attempt to roll back the payment level as mandated by the Butte Court Case. As indicated in paragraph 1 "this will put us right back to where we were prior to the Butte case where the gross inadequacy of the then payment level was graphically demonstrated".

Number 12 page 2 is the second page of that letter. The bottom line of that I believe is to indicate, if there is an attempt to roll back the average payment level to anything less than the court mandated level, any thing near the amounts that would have to be given as demonstrated on chart #11 we would be immediately subjected to legal challenge.

CHART NUMBER 13:

Chart #13 is a scenario which we are recommending for you to consider that results in cost reductions by elimination of able-bodied males and females below the age of 50 years as a group. This group would no longer be eligible for the General Assistance Program in State Administered Counties. This cost reduction assumes that 60% of those single cases are abled-bodied, adult, male or female and would be removed from the General Assistance Program caseload. Our current experience would indicate that approximately 65% of the individuals on the General Assistance are on the Workfare Program and working their benefit amounts off. In addition, this will result in some cost savings

because of the Work Program no longer being required at the level we are currently experiencing. We feel that there are a number of those individuals who are currently working on the Workfare Program who may claim disability, given the choice between receiving a grant and not receiving a grant. There may be additional administrative costs required for a medical screening process to determine who could or could not be considered as abled bodied.

The computation is that 60% of the single cases or 774 single cases during FY86 and an average payment of \$229 per month, that is the court mandated level, out of 12 months a year would result in a savings of 2.1 million dollars. In FY87 \$869 single cases as court mandated level of 51% of poverty or \$238 times 12 months would result in approximately 2.48 million dollar savings for a total of 4.6 million dollars over the biennium. Using the same utilization factor in the Medical Program we come up with a potential savings of approximately 3.3 million dollars over the biennium. This results then in an overall cost savings by eliminating the abled-bodied individuals under the age of 50 of \$7,622,212.

I would then like to move to our summary which I believe summarizes all the previous charts which I have talked you through.

CHART NUMBER 14:

Under the summary we find the current budget for General Assistance and Medical as contained in the executive budget. We then see in the second column what the projected costs are of a 12.3% increase in the caseload over the next biennium. We then deduct the current budget from the projected cost to get the growth increase of approximately 9 million dollars. We then take that projected gross increase down to the next group of figures and then reduce the "60% of single case" reduction by 7.6 million and end up with a net increase based on our projection and budget for approximately \$1.46 million dollars.

Our proposal is to fund this with approximately 1 million dollars in the AFDC and Medicaid caseload reduction. That is based on the most current data available in terms of where we think the AFDC caseload reduction is going during the next biennium. We additionally reduced that 1.4 million by approximately \$300,000 which is the net amount that we feel we will save if the AFDC Unemployed Parent bill is inacted by this Legislature (SB122). The net amount that would result in increasing our budget would then be reduced to \$166,314, if the proposal of eliminating the able-bodied males and females from the General Assistance eligibility criteria is enacted.

RESIDENCY:

In addition to the cuts that would be realized through the elimination of able-bodied individuals under the age of 50 from the General Assistance Program there are potentially other savings which are difficult to estimate at this point. In general, the Department will propose that there be established a minimum of 6 months of residency in the state and the particular county for all individuals including families and others who are seeking General Assistance. At this point it is difficult to estimate the potential cost savings due to the uncertainty of exactly how many cases would be affected in the future with a residency requirement. It would be difficult to institute this on a retroactive basis, but such a requirement could be used to forestall

future growth by adoption of a 6 month residency requirement. I hasten to add, that both of these proposals like any others dealing with cuts in the General Assistance Program have the potential for legal challenge.

IMMEDIATE EFFECTIVE DATE:

Finally the Department would suggest in the proposed General Assistance law that there be adopted a provision for an effective date upon passage and approval with specific emergency rule making authority to adopt these and make them operative at the earliest possible date.

With that I would offer to answer any questions with regard to the handouts. I will be glad to answer any questions you may have about the court order, I would also be glad at some later point, walk you through a General Assistance eligibility determination similar to what was done by Jack Ellery and the AFDC Program. But again, I would be more than happy to answer any questions or clarify any any of the charts which are in the handout.

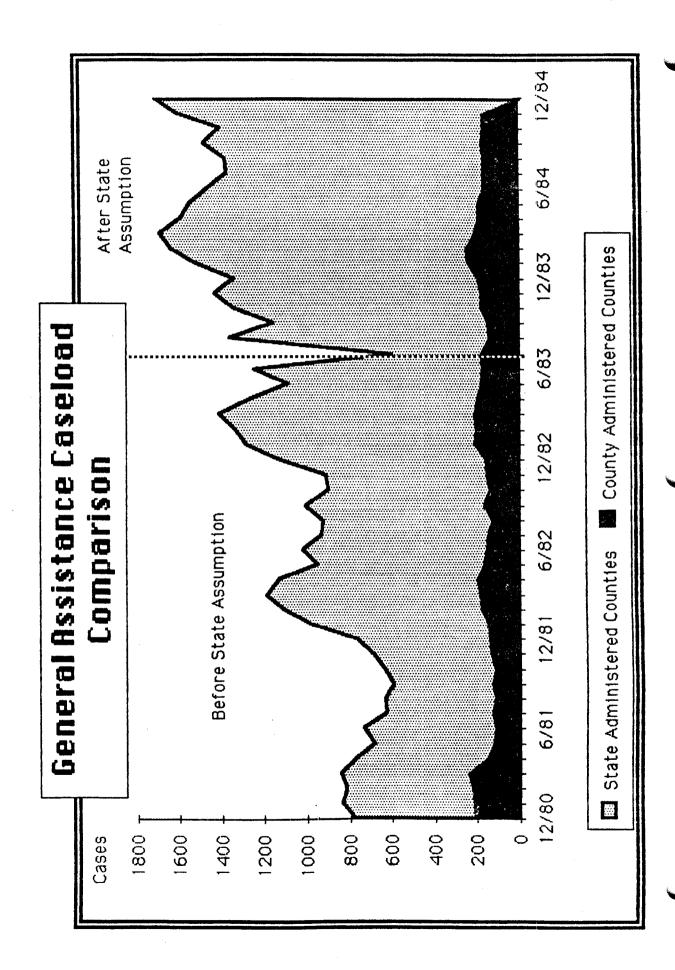
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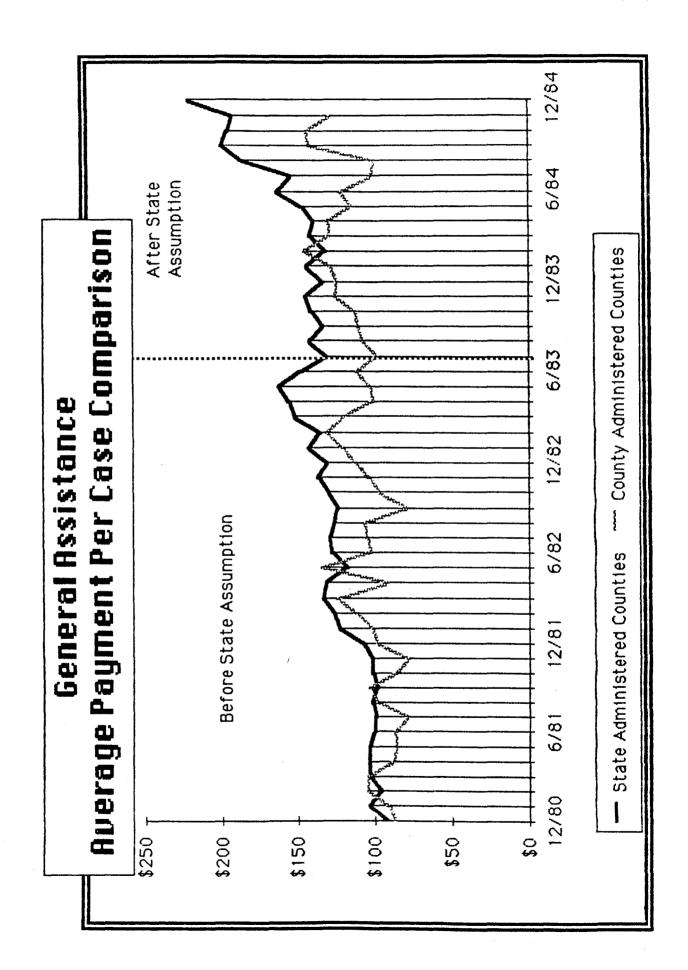
MONTANA STATE CONSTITUTION

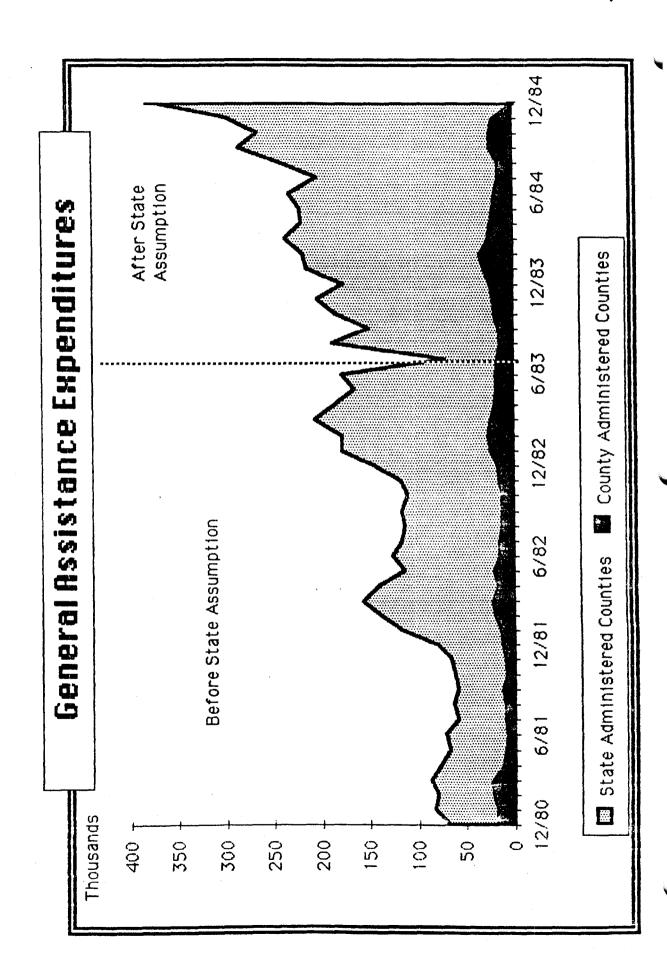
ARTICLE XII - SECTION 3. INSTITUTIONS AND ASSISTANCE. (1) THE STATE SHALL ESTABLISH AND SUPPORT INSTITUTIONS AND FACILITIES AS THE PUBLIC GOOD MAY REQUIRE, INCLUDING HOMES WHICH MAY BE NECESSARY AND DESIRABLE FOR THE CARE OF VETERANS.

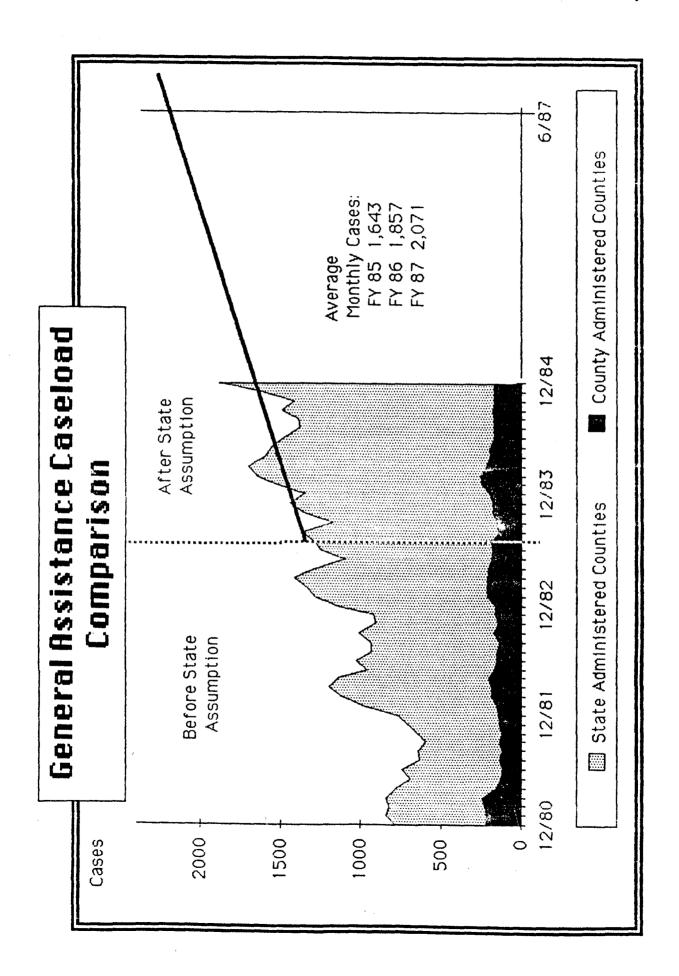
- (2) PERSONS COMMITTED TO ANY SUCH INSTITUTIONS SHALL RETAIN ALL RIGHTS EXCEPT THOSE NECESSARILY SUSPENDED AS A CONDITIONS OF COMMITMENT. SUSPENDED RIGHTS ARE RESTORED UPON TERMINATION OF THE STATE'S RESPONSIBILITY.
- (3) THE LEGISLATURE SHALL PROVIDE SUCH ECONOMIC ASSISTANCE AND SOCIAL AND REHABILITATIVE SERVICES AS MAY BE NECESSARY FOR THOSE INHABITANTS WHO, BY REASON OF AGE, INFIRMITIES, OR MISFORTUNE MAY HAVE NEED FOR THE AID OF SOCIETY.

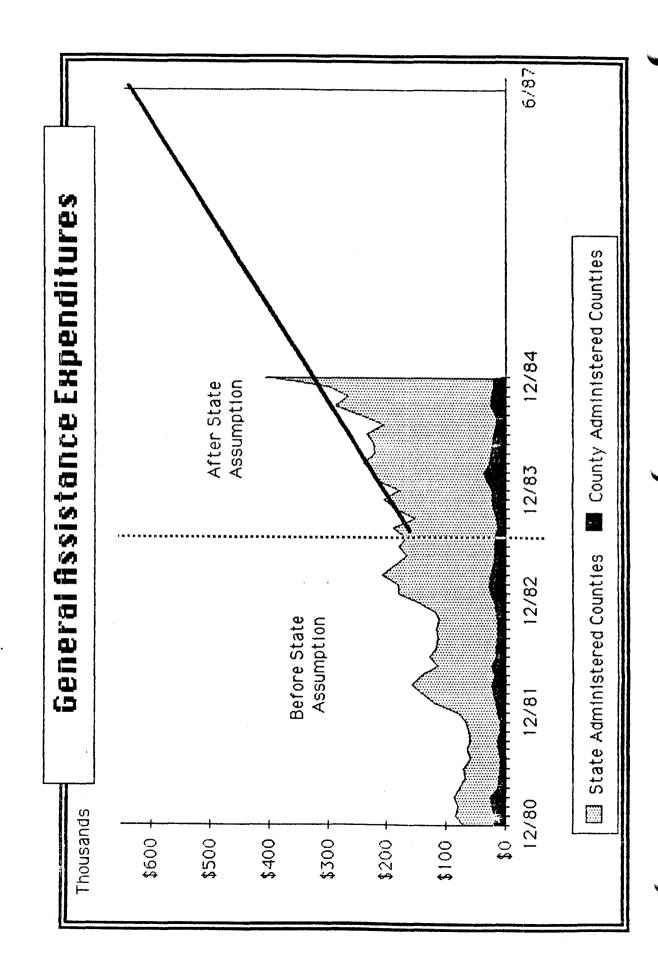
LEGIS/004











DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES ECONOMIC ASSISTANCE DIVISION

7.

ADDENDUM TO APPLICATION FOR GENERAL ASSISTANCE

Recipient's Name

YOU MUST RETURN THIS FORM BY THE END OF THIS MONTH. IF THIS REPORT IS NOT RECEIVED, YOUR ASSISTANCE WILL BE CLOSED AS OF THE LAST DAY OF THE MONTH.

Please list below the needs of your household for the next month in each category. It will be necessary to bring or mail in your rent and utility receipts. The total of all your grant cannot exceed the maximum standards for household size. Refer to the table below for the maximum amount allowable in each category.

Month	•		
*Rent	\$	FOR OFF	ICE USE ONLY
House Payment	\$	Rent	\$
Home Property Taxes	\$	- House Payment	\$
Home Insurance	\$	Home Property Taxes	\$
*Utilities	\$	Home Insurance	\$
Food-(125% of Thrifty Food Plan available upon request)	\$	- Utilities	\$
Personal Needs	S	Food	\$
	•	Personal Needs	\$
Transportation	\$		\$
What type of Transport (public, car, etc.)	tation		
How many miles per mo.	-		

No. of Persons in Household	Shelter*	Utilities*	Food	Personal Needs	Trans- portation	Maximum Standard
1	\$120	\$ 75	\$ 79	\$ 50	\$ 50	\$212
2	160	98	145	67	67	279
3	190	116	208	80	80	332
4	242	149	264	102	102	425
5	285	178	·313·	120	120	501
6	321	197	376	135	13 5	564
7	3 55	218	416	150	150	624
8	390	240	475	165	165	685

\$59 Each Additional

If you are a family of 9 or more, ask your worker for the table of standards.

*THE AMOUNT YOU RECEIVE FOR SHELTER AND UTILITIES MAY EXCEED THE TOTAL OF THE TWO (SHELTER AND UTILITIES) CATEGORIES UP TO A MAXIMUM STANDARD.

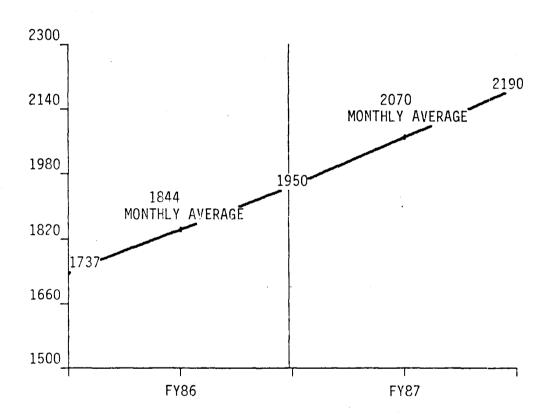
Recipient Signature	Date
,	
Eligibility Technician Signature	Date

RECIPIEMT RIGHTS:

- ° To make application without delay.
- To inquire and be informed orally and in writing about coverage, conditions of eligibility, scope of program and other services available.
- To be determined eligible or ineligible within 30 days of application.
- To be informed of fair hearing rights.

- To continuation of benefits during the fair hearing process.
- ° To have immediate needs satisfied.
- To receive timely written notice of denial, reduction or termination of assistance of all or part of assistance requested.

STATE GENERAL ASSISTANCE BIENNIAL CASELOAD GROWTH 12.3% GROWTH/YEAR



\$13,345,860

TOTAL COST OVER BIENNIUM:

GENERAL ASSISTANCE ESTIMATE S A C FOR FY 87 BIENNIUM S A C INCLUDES ALL CASES (SINGLES AND FAMILIES)

BASIC ASSUMPTIONS:		Family Size	Distribution of Cases	%Income Reduction
% Poverty FY86: % Poverty FY87:	51% 51%	77	70.0%	0.00%
Caseload Growth Rate: Dav-1 Caseload FY86:	12.3%	3	6.1% 5.0%	0.00%
Caseload Avg. FY86:	1.844	5	2.0%	0.00%
Caseload Avg. FY87:	2070	9	2,4%	0.00%
Family Size 2 2 3 3 4 4 6 6	FY86 M Poverty \$4, 54, 1,0	FY86 Monthly Poverty Income \$44.9 605 762 919 1,076 1,233	FY87 Monthly Poverty Income \$467 629 792 956 1,119	

COST PROJECTIONS FY86:

Estimated Payments	\$295,593	\$82,620	\$43,756	\$43,242	\$20,247	\$27,837	\$513,295 \$278
Distribution of Cases	70.00%	14.50%	6.10%	5.00%	2.00%	2.40%	TOTAL: MONTHLY PAYMENT PER CASE:
Income Reduction	0.00%	0.00%	%00 ° 0	%00.0	%00 * 0	%00.0	AVERAGE MONT
Monthly Grant	\$229	\$309	\$389	694\$	\$549	\$629	
Family Size	1	2	n	7	z.	9	

CCST PROJECTIONS FY87:

Estimated Payments	\$344,862	\$96,348	\$51,013	\$50,508	\$23,639	\$32,490	\$598,860 \$289
Distribution of Cases	70.00%	14.50%	6.10%	5.00%	2.00%	2.40%	TOTAL: MONTHLY PAYMENT PER CASE:
Income Reduction	0.00%	0.00%	0.00%	0.00%	%00.0	%00.0	AVERAGE MONT
Monthly Grant	\$238	\$321	\$404	\$488	\$571	\$654	
Family Size	1	2	m	7	z,	9	

LEGIS/006/2

#10.

STATE MEDICAL ASSISTANCE COST 12.3% Caseload Growth

<u>FY86</u>	Budget <u>Request</u>	Current <u>Projection</u>	Increase (Decrease)
1,060 singles x \$1,796.08 =	\$ 1,903,845		
1,558 singles x \$1,796.08 =		\$ 2,798,293	\$ 894,448
372 families x \$3,369.60 =	1,253,491		
286 families x \$3,369.60 =		963,706	(289,785)
Non-GA	823,332	823,332	-0-
DEFRA	(300,872)	(300,872)	-0-
Total FY86	\$ 3,679,796	\$ 4,284,459	\$ 604,663
<u>FY87</u>			
1,166 singles x \$1,867.92 =	\$ 2,177,995		
1,749 singles x \$1,867.92 =		\$ 3,266,992	\$ 1,088,997
398 families x \$3,504.38 =	1,394,743		
321 families x \$3,504.38 =		1,124,906	(269,837)
NON-GA	856,265	856,265	-0-
DEFRA	(368,177)	(368,177)	-0-
Total FY87	\$ 4,060,826	\$ 4,879,986	\$ 819,160
Biennial Total	\$ 7,740,622	\$ 9,164,445	\$ 1,423,823

#11.

Avg Grant

AVERAGE GRANT ASSUMING 12.3% CASELOAD GROWTH AND CURRENT BUDGET REQUEST

Allowing Increase for Medical:

										*
FY86 =	\$2,662,836	divided	by 1,844	cases	divided	l by 12	2 monti	ns =		\$120.34
FY87 =	\$3,018,281	divided	by 2,070	cases	divided	by 12	2 montl	ns =		\$121.51
Not All	lowing Incre	ease for	Medical:							
FY86 =	\$2,662,836	- \$604,6	63 divid	ed by	1,844 di	ivided	by 12	months	= 9	93.01
FY87 =	\$3,018,281	- \$819,1	60 divid	ed by	2,070 di	ivided	by 12	months	= 5	88.53

MONTANA LEGAL SERVICES ASSOCIATION

#12.p.1.

801 N LAST CHANCE GULCH HELENA. MONTANA 59601 (406) 442-9830

NEIL HAIGHT

RUSSELL LAVIGNE, JR
MANAGING ATTORNEY

January 25, 1985

Mr. Dave Lewis
Director of Montana
Department SRS
P.O. Box 4210
Helena, MT 59604

Dear Dave:

This concerns the stark realities of the GA budget. According to figures I have been given State assumed GA is presently budgeted at \$6,371,000. This assumes a six million dollar reduction from present GA payment levels. Present payment levels are capped at ADC rates which are 47% of poverty. We know that ADC levels meet only bare necessities. A reduction of six million in the GA budget will mean recipients will be receiving approximately 1/2 of the amount needed to meet bare necessities. This will put us right back to where we were prior to the Butte case where the gross inadequacy of the then payment levels was graphically demonstrated.

I realize the serious budget problems facing the state but the state must recognize its responsibility to provide for minimum standards of decency and heath. I think we have tended to join the bandwagon of federal cuts and have not faced up to the reality that federal cuts mean a greater, not lesser, burden for the states.

The much vaunted national recovery has not reached the low income person in Montana. In 1983 G.A. averaged about 700 cases per month. In 1984 the average was about 1400 - double. That increase is obiously not hard core unemployables. It is people whose jobs have disappeared and who desparately want to return to employment. And it now appears GA case numbers are continuing to rise. Failure to increase the budget to meet this larger caseload will only exacerbate the inadequate benefit levels.

If there is to be any reduction in GA benefit levels we think it should be based upon the results of a valid needs study.

Sincerely,

NEIL HAIGHT

Director

NH/pjc

COST REDUCTIONS

1. Assume 60% of single cases able-bodied are removed from caseload:

<u>GA</u>

FY86 = 774 single cases x \$229 x 12 = \$2,126,952
FY87 = 869 single cases x \$238 x 12 =
$$2,481,864$$

Total \$4,608,816

Medical

SUMMARY

	Current <u>Budget</u>	12.3% <u>Caseload</u>	Gross Increase
GA	\$ 5,681,117	\$13,345,860	\$ 7,664,743
Medical	7,740,662	9,164,445	1,423,783
Total	\$13,421,779	\$22,510,305	\$ 9,088,526
	Gross Increase	€ 0% single Cases Reduction	Net Increase
GA	\$ 7,664,743	\$(4,608,816)	\$ 3,055,927
Medical	1,423,783	(3,013,396)	(1,589,613)
Total	\$ 9,088,526	\$(7,622,212)	\$ 1,466,314
Caseload Reduction	on in AFDC- Medicaid	(approximately)	\$(1,000,000)
AFDC-UP (approxi	mately)		(300,000)
Total			\$ 166,314

SECONDE ENHANTE OF 890

Exhibit 7

FEB 21 1004

SRS LEGAL UNIT

In the District Court of the First Judicial District of the State of Montana, in and for the County of Lewis and Clark

	SUMMONS	50268
	2 0 14 14 0 W 2	Case No
BUTTE COMMUNITY UNION, PHIL	IP GRANBY, LINDA LUCUS, BARBA	RA CATRON, DALE AND CHERYL
FLEISCHACKER, ARLENE BUCCHI	, SAMUEL LOCKEY, GERALD CRAIG	, DAN RUBICK, THE REVEREND
	, DON AND KIM SHEPHERD, JAMES	
ELMER RODRIGUES, JANE AND T	OM JOHNSON, RUDY RODRIGUEZ, J	R., ROBERT JAMES, MICHAEL
PEET, JOHN OLSON, AL REED, LONG, BOBBY SEXTON, MICHAEL	JEWEL MACUMBER, ANISETO HERNA COX and DAVE STANDISH	ANDEZ, RAY LACOMBE, JOHN D.
	V3.	•
JOHN LAFAVER, Director of t	he Montana State Department o	of Social and Rehabil-
itation Services	(************************************	·
***************************************	, , , , , , , , , , , , , , , , , , , 	. ************************************
***************************************	**************************************	***************************************
**************************************		Defendant.
and serve a copy thereof upon the Summons, exclusive of the day	y of which is herewith served upor ne Plaintiff's attorney within twenty of service; and in case of your failt by default for the relief demanded	y days after the service of this ure to appear or answer, judg-
This is a class action for	declaratory and injunctive re	elief for payment of
living needs to State Gener	cal Assistance recipients.	
`		
		
Winness my hand and seal o	f said Court, this	700 Elisary 1984
Fig. 100 The		
(SEAD) = AL	CLARA GILREATH,	
34.	KATHLEEN	J. GARRETT
	Ву	

MONTANA LEGAL SERVICES ASSOCIATION 801 NORTH LAST CHANCE GULCH HELENA MT 59601

Attorneys for Plaintiffs

Deputy Clerk.

REGION TO

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She LEGAL THE

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF MONTANA, IN AND FOR THE COUNTY OF LEWIS AND CLARK

* * * * * * * *

BUTTE COMMUNITY UNION, PHILIP)
GRANBY, LINDA LUCUS, BARBARA)
CATRON, DALE AND CHERYL FLEIS-)
CHACKER, ARLENE BUCCHI, SAMUEL)
LOCKEY, GERALD CRAIG, DAN
RUBICK, THE REVEREND JOE WARREN)
STEPHEN JELINEK, DON AND KIM)
SHEPHERD, JAMES SIMPSON, JR.,)
PAM PEDERSON, ELMER RODRIGUES,)
JANE AND TOM JOHNSON, RUDY)
MICHAEL PEET, JON OLSON, AL)
REED, JEWEL MACUMBER, ANISETO)
HERNANDEZ, RAY LACOMBE, JOHN D.)
LONG, BOBBY SEXTON, MICHAEL COX)
and DAVE STANDISH, for themselves and those similarly
situated,

Plaintiffs,

-vs-

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JOHN LaFAVER, Director of the Montana State Department of Social and Rehabilitation Services,

Defendant.

No.

COMPLAINT

I

PRELIMINARY STATEMENT

This is a class action on behalf of county general assistance recipients in state-administered counties, which seeks declaratory and injunctive relief from a variety of illegal practices. Central to the constitutional and statutory violations involved here is the State of Montana's failure to meet even the bare necessities of life with its general assistance grant. This failure violates art. XII, sec. 3(3) of the 1974 Montana Constitution which requires: "[T]he legislature shall provide such economic assistance and social and rehabilitative services as may be necessary for those inhabitants who, by reason of age, infirmities, or

EYATE PUBLISHING CO MELENA, MONT misfortune may have need for the aid of society."

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PARTIES

- 1. The named plaintiff, BUTTE COMMUNITY UNION is an organization advocating the needs of low-income persons and is specifically advocating the living needs of general assistance recipients in Silver-Bow County.
- 2. The other named plaintiffs are Montana residents who were or are eligible for general assistance benefits through a state-administered county but whose needs were not met or were inadequately met.
- 3. Plaintiff class consists of all persons in Montana's state-administered counties who were or are eligible for general assistance benefits but whose needs were not met or were inadequately met.
- 4. The class of persons whom the named plaintiffs represent is so numerous that joinder of all members is impracticable. There are questions of law and fact common to the class and the claims of the named plaintiffs are typical of the class. Prosecution of several actions by individual members of the class would create a risk of inconsistent or varying adjudications with respect to individual members of the class which would establish incompatible standards of conduct for defendant and would create a risk of adjudication to individual members of the class which would as a practical matter be dispositive of the interests of the other members not parties to the adjudication. The defendant has acted and will continue to act on grounds applicable generally to the class thereby making appropriate final injunctive relief and corresponding declaratory relief with respect to the class as a whole.
 - 5. The defendant, JOHN LaFAVER, is the Director

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of the Montana Department of Social and Rehabilitation

Services and in that capacity is responsible for administering, implementing and enforcing the policies and procedures for the general assistance program in state-administered counties.

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FACTS

- 6. The named plaintiff, BUTTE COMMUNITY UNION has organized a group of general assistance recipients in Silver-Bow County whose living needs are not being met.
- 7. Due to the policies and procedures developed and implemented by the defendant, the named plaintiffs were either refused general assistance benefits or received general assistance benefits that were insufficient to meet their needs.
- 8. Plaintiff PHILIP GRANBY is a resident of Lewis and Clark County, Montana. He applied for general assistance through the Lewis and Clark Department of Health and Human Services, was found eligible, and received the maximum amount allowed for an individual, \$212.00 for the month. In December 1983, Mr. Granby was again considered eligible but, without notice or explanation, and without a determination of reduced need, received only \$201.00.
- 9. Mr. Granby was involved in an accident which resulted in a metal plate being placed in his arm.

 Because of the metal in his body, Mr. Granby finds it very painful to travel in cold weather. However, he still must see doctors who are treating his condition, thus he has a need for transportation. Moreover, he cannot afford to buy sufficient amounts of medicines and pain-killers necessary to treat his condition without jeopardizing his other needbased obligations such as rent, food, home-heating fuel, cleaning and washing supplies, and personal grooming and

cleaning necessities.

 10. The needs stated in the following paragraphs reflect only the barest minimums for immediate and temporary relief. They do not include where applicable such items as school supplies, clothing, shoes, bedding, auto repairs, license and insurance for essential travel, home repairs and taxes, essential household utensils and furnishings, and like items which add substantially to the below stated needs.

11. Plaintiff PHILIP GRANDY, a family of one adult and no children, receives \$212.00 in General Assistance from Lewis and Clark County, but has unmet needs because his living needs are as follows:

Rent	\$171.70
Utilities (above LIHEAP)	30.00
Food (above food stamps)	20.00
Nonfood items	20.00
Non-prescription medicines	10.00
Transportation	25.00
	2076 70
TOTAI.	\$276.70

12. Plaintiff LINDA LUCUS, a family of one adult and no children, receives \$212.00 in General Assistance from Lewis and Clark County, but has unmet needs because her living needs are as follows:

Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation	\$160.00 - 0 - 30.00 25.00 30.00 20.00
TOTAL	\$265.00

13. Plaintiff BARBARA CATRON, a family of one adult and no children, receives \$107.50 in General Assistance from Silver Bow County, but has unmet needs because her living needs are as follows:

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2		Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation	\$ 75.00 35.00 34.50 20.00 10.00 20.00
4		TOTAL	\$194.50
5		14. Plaintiffs DALE and CHERYL FLEIS	SCHACKER, a
6	family of	two adults and two children, receives	s \$197.00 in
7	General A	ssistance from Silver Bow County, but	has unmet
8		ause their living needs are as follows	
9		Rent	\$150.00
10		Utilities (above LIHEAP) Food (above food stamps)	124.00 82.00
11		Nonfood items Non-prescription medicines	30.00
12		Transportation	20.00
13		TOTAL	\$311.00
14		15. Plaintiff ARLENE BUCCHI, a fami	ly of two adults
15	and three	children, receives \$220.00 in Genera	l Assistance
16	from Silv	er Bow County, but has unmet needs be	cause their
17	living ne	eds are as follows:	
17 18	living ne	Rent	\$192.00 90.00
٠	living ne	Rent Utilities (above LIHEAP) Food (above food stamps)	90.00 98.00
18	living ne	Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines	90.00 98.00 34.00 5.00
18 19	living ne	Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation	90.00 98.00 34.00 5.00 20.00
18 19 20	living ne	Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation TOTAL	90.00 98.00 34.00 5.00 20.00 \$439.00
18 19 20 21		Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation TOTAL 16. Plaintiff SAMUEL LOCKEY, a fami	90.00 98.00 34.00 5.00 20.00 \$439.00
18 19 20 21 22	adults an	Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation TOTAL 16. Plaintiff SAMUEL LOCKEY, a family and no children, receives \$152.00 in General states.	90.00 98.00 34.00 5.00 20.00 \$439.00 ly of two
18 19 20 21 22 23	adults an	Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation TOTAL 16. Plaintiff SAMUEL LOCKEY, a family and no children, receives \$152.00 in General States of the county, but has unmet needs because the states of th	90.00 98.00 34.00 5.00 20.00 \$439.00 ly of two
18 19 20 21 22 23 24	adults an	Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation TOTAL 16. Plaintiff SAMUEL LOCKEY, a familiand no children, receives \$152.00 in General Bow County, but has unmet needs becaused are as follows:	90.00 98.00 34.00 5.00 20.00 \$439.00 ly of two eneral Assistance
18 19 20 21 22 23 24 25	adults an	Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation TOTAL 16. Plaintiff SAMUEL LOCKEY, a familed no children, receives \$152.00 in General Board are as follows: Rent Utilities (above LIHEAP)	90.00 98.00 34.00 5.00 20.00 \$439.00 Ty of two eneral Assistance cause their \$ 50.00 131.60
18 19 20 21 22 23 24 25 26	adults an from Silv living ne	Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation TOTAL 16. Plaintiff SAMUEL LOCKEY, a familed no children, receives \$152.00 in General Board of the control of the cont	90.00 98.00 34.00 5.00 20.00 \$439.00 ly of two eneral Assistance cause their \$ 50.00 131.60 61.00 30.00
18 19 20 21 22 23 24 25 26 27	adults and from Silve living ne	Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation TOTAL 16. Plaintiff SAMUEL LOCKEY, a familed no children, receives \$152.00 in General Board and seeds are as follows: Rent Utilities (above LIHEAP) Food (above food stamps)	90.00 98.00 34.00 5.00 20.00 \$439.00 ly of two eneral Assistance cause their \$ 50.00 131.60 61.00
18 19 20 21 22 23 24 25 26 27 28	adults an from Silv	Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation TOTAL 16. Plaintiff SAMUEL LOCKEY, a familed no children, receives \$152.00 in General Board of the company of the comp	90.00 98.00 34.00 5.00 20.00 \$439.00 Aly of two eneral Assistance ecause their \$ 50.00 131.60 61.00 30.00 5.00

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17. Plaintiff GERALD CRAIG, a family of two adults and three children, receives \$220.00 in General Assistance from Silver Bow County, but has unmet needs because their living needs are as follows:

Rent Utilities (above Food (above food Nonfood items Non-prescription Transportation	stamps)	\$ 75.00 100.00 100:00 60.00 15.00
TOTAL		\$400.00

18. Plaintiff DAN RUBICK, a family of one adult and no children, receives \$107.50 in General Assistance from Silver Bow County, but has unmet needs because his living needs are as follows:

\$ 45.00
5.00
20.00
25.00
20.00
35.00
\$150.00

19. Plaintiff REVEREND JOE WARREN, a family of one adult and no children, receives \$ 86.50 in General Assistance from Silver Bow County, but has unmet needs because his living needs are as follows:

Property taxes Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation	\$ 30.00 45.00 10.00 25.00 10.00 50.00
TOTAL	\$170.00

20. Plaintiff STEPHEN JELINEK, a family of one adult and no children, receives \$107.50 in General Assistance from Silver Bow County, but has unmet needs because his needs are as follows:

Rent Utilities (above Food (above food Nonfood items Non-prescription Transportation	stamps)	\$ 85.00 30.00 20.00 20.00 5.00 20.00
TOTAL		\$180.00
21. Plaintiffs,	DON and KIM SHEPHERD,	a family

21. Plaintiffs, DON and KIM SHEPHERD, a family of two adults and one child, receives \$124.00 in General Assistance from Silver Bow County, but has unmet needs because their living needs are as follows:

Rent Utilities (above Food (above food Nonfood items Non-prescription Transportation	stamps)			20. 11. 30. 10.	00 00 00
TOTAL		•	\$1	86	nn

22. Plaintiff JAMES SIMPSON, JR., a family of two adults and no children, receives \$ 85.00 in General Assistance from Silver Bow County, but has unmet needs because their living needs are as follows:

Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicines Transportation	\$ 85.00 50.00 134.00 15.00 5.00 10.00
TOTAL	\$299 00

22. Plaintiff PAM PEDERSON and her two young sons are recipients of AFDC. Ms. Pederson's two younger brothers, aged 24 and 18, now reside with her. She requested General Assistance for her brothers, which was completely denied. One brother is presently hospitalized; inquiries by Ms. Pederson regarding assistance with medical expenses were met with a denial of assistance. Plaintiff Pederson, her two sons and two brothers are existing on \$332.00 per month from AFDC and \$236.00 per month in food stamps.

23. Plaintiff ELMER RODRIGUES, a family of two.

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adults and no children, receives \$152.00 in General Assistance from Silver Bow County, but has unmet needs because their living needs are as follows:

Rent Utilities (above LIHEAP) Food (above food stamps) Nonfood items Non-prescription medicin Transportation	40.00 20.00
TOTAL	\$205.00

25. Plaintiffs JANE and TOM JOHNSON, a family of two adults and no children, receives \$156.00 in General Assistance from Silver Bow County, but has unmet needs because their living needs are as follows:

Rent	\$ 75.00
Utilities (above LIHEAP)	20.00
Food (above food stamps)	20.00
Nonfood items	30.00
Non-prescription medicines	10.00
Transportation	20.00
TOTAL.	\$175.00

26. Art. XII, sec. 3 of the Montana Constitution states that: "[T]he legislature shall provide such economic assistance and social and rehabilitative services as may be necessary for those inhabitants who, by reason of age, infirmities, or misfortune may have need for the aid of society." Current economic assistance is now restricted to AFDC dollar limits by § 53-2-803 M.C.A. The AFDC levels do not meet the needs of plaintiffs or other needy inhabitants of Montana and thus § 53-2-803 is contrary to art. XII, sec. 3 as cited above.

27. The limitation placed on general assistance by § 53-2-803 M.C.A. bears no factual relation to the actual needs of Montana residents. Section 53-2-803 M.C.A. states that the amount, scope, and duration of general relief shall not exceed the amounts payable under defendant's programs of Medicaid or Aid to Families With Dependent Children (AFDC).

Medicaid and AFDC programs are federally created and, in part, federally-administered, and are not intended to be based solely on the needs of applicants. By arbitrarily limiting general assistance, a needs-based program, to the levels of Medicaid and AFDC, non-needs-based programs, the statute violates art. XII, sec. 3 of the Montana Constitution.

28. Sections 53-2-201(1)(e), (g), and (2)(e); 53-2-801; 53-3-104; 53-3-106; 53-3-202; 53-3-203; and 53-3-204 provide for particular authority and obligations of the defendant in regard to state-administered general assistance programs.

29. Section 53-2-201(1)(e) states the defendant shall provide services in respect to organization and shall supervise county departments of public welfare and county boards of public welfare in the administration of public assistance functions and for efficiency and economy. The defendant has violated this provision by failing to prevent certain state-administered counties from implementing local general assistance policies which resulted in denial of or reduced benefits to eligible GA applicants.

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30. Section 53-2-201(1)(g) states the defendant shall administer all state and federal funds allocated to the department for public assistance and do all things necessary, in conformity with federal and state law, for the proper fulfillment of public assistance purposes. The purpose of general assistance is to provide a level of subsistance compatible with decency and health. The defendant fails to fulfill this purpose by failing to provide such a subsistence level. Therefore, the defendant is not doing "all things necessary".

31. Section 53-2-201(2)(c) states that the defendant may make rules, consistent with state and federal

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law, establishing the amount, scope, and duration of services to be provided to recipients of public assistance. The defendant has chosen to make rules regarding the general assistance program which are not consistent with the State's constitutional mandate to meet the need of its indigent citizenry. The defendant's rules are not related to the actual needs of general assistance applicants and, to that extent, the defendant has violated this provision.

32. Section 53-2-801 states that the purpose of this part is to provide for SRS to assume all responsibilities for public assistance programs and protective services for children and adults, that, as of July 1, 1983, are provided by the counties pursuant to Titles 41 and 53. The defendant has violated this statute by failing to assume "all the responsibilities" of counties SRS is administering. The defendant has failed to provide adequately and sufficiently for the needs of indigent county residents, a responsibility of every county.

the primary legal duty and financial obligation of a board of county commissioners (defendant, in state-administered counties) to make such tax levies and to establish such budgets in the county poor fund as, provided by law and as are necessary to provide adequate institutional care for all such indigent residents as are in need of institutional care and to make such tax levies and establish such budgets in the county poor fund as are necessary to make provision for medical aid and services and hospitalization for all indigent county residents. All such public assistance and services shall be charged against and payable from the county poor fund. The defendant violates this statute by failing to establish "such budgets" as are "necessary" to meet medical

needs and services. The defendant does not fulfill that duty which this statute declares to be the "primary" legal duty and financial obligation of the general assistance program.

for and in need of general relief, whether employable or unemployable, shall be given equal consideration for public assistance as those persons eligible for assistance under other parts of this title. The defendant violates this statute through its acquiescence in the practice of certain counties which refuse to allow persons to apply for general assistance because they are able-bodied. Furthermore, defendant's lack of supervision in state-administered counties allows one county to give no consideration to able-bodied applicants, while another county gives full consideration and benefits. This statute is violated by defendant's failure to adequately supervise and enforce equal consideration in the application process.

35. Section 53-3-202 M.C.A. states that applicants for general assistance shall make application to the county department on the form described by defendant and that all persons wishing to apply shall have the opportunity to do so. The defendant violates this statute by allowing certain state-administered counties to refuse eligible applicants the right to make application for general assistance.

36. Section 53-2-203 states that whenever a county public welfare department receives an application for general relief assistance, an investigation shall be promptly made. The investigation of each application for general relief shall be conducted by the county board through a staff worker of the county department. Upon completion of such investigation, the county welfare board shall determine

whether the applicant is eligible for and should receive a grant, the amount of the grant, and the date on which assistance shall begin. Aid shall be furnished promptly to all eligible persons. Each applicant shall receive written notice of the decision concerning his application. The defendant has violated this statute by failing to provide a complete investigation into the needs of each general assistance applicant. The defendant has violated this statute further by failing to provide a written notice in Lewis and Clark County of its decision to reduce benefits to general assistance eligible applicants.

- 37. Section 53-3-204 M.C.A. states that an applicant for general relief assistance, including medical care and hospitalization, shall be eligible to receive assistance only after investigation by the county department reveals that the income and resources are insufficient to provide for the "necessities of life". Assistance shall be provided to meet a "minimum subsistence compatible with decency and health". The defendant has violated this statute by failing to provide assistance which meets a "minimum subsistence compatible with decency and health".
- 38. Defendant acts and will continue to act unlawfully in regard to its policies and procedures implementing general assistance programs in state-administered counties unless this court declares certain statutes and certain policies and procedures of the defendant unlawful, and enjoins defendant from continuing such unlawful policies and procedures.
- 39. The defendant has developed and implemented new standards and policies adversely affecting plaintiffs and plantiff class. The defendant failed to provide public notice of the changes in policy and standards and failed to

provide for a period of comment before implementation.

Defendant also failed to provide individual recipients with notice of reduction in benefits.

ΤV

CAUSES OF ACTION

Count One

Defendant is violating art. XII, sec. 3(3) of the Montana Constitution by limiting general assistance benefits pursuant to M.C.A. 1983, § 53-2-803.

Count Two

Defendant's administration of the general assistance program violates M.C.A. 1983, §§ 53-2-201(1)(e) and (g) and (2)(c); 53-3-106; 53-3-202; 53-3-203; and 53-3-204.

Count Three

Defendant's vague and arbitrary methods of determining eligibility and amount of assistance violates plaintiffs' right to due process under both the United States and Montana Constitutions, and 42 U.S.C. § 1983.

Count Four

Defendant's establishment of general assistance policies in state-administered counties, without public notice and hearing, violated plaintiff's right to participation under the Montana Constitution, art. II, sec. 8, and the Montana Administrative Procedures Act.

Count Five

Defendant's implementation, without notice to individual recipients of certain assistance policies in state-administered counties, violates plaintiffs' rights to due process under the United States and Montana Constitutions.

WHEREFORE, plaintiffs pray that the Court grant relicf as follows:

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- 1. The Court allow this action to be maintained as a class action.
- 2. The Court declare $\$ 53-2-803 M.C.A. unconstitutional.
- 3. The Court declare that defendant's current administration of the general assistance program is an unconstitutional violation of plaintiffs' due process rights.
- 4. The Court declare that Defendant's establishment of general assistance policies in state-administered counties without public notice and hearing violated plaintiffs' right to participation under the Montana Constitution, and violated the Administrative Procedures Act.
- 5. The Court declare that Defendant's implementation of unpublished general assistance policies in state-administered counties without letters of notification to plaintiffs, violates plaintiffs' rights to due process under the United States and Montana Constitutions.
- 6. The Court enjoin defendant to meet actual needs of applicants from the date of application or attempted application.
- 7. The Court enjoin defendant to develop and implement rules, pursuant to the Montana Administrative Procedures Act, to administer the general assistance program on the basis of applicants' actual need.
- 8. The Court grant plaintiffs their costs in pursuing this action.
- 9. The Court grant plaintiffs their reasonable attorney fees incurred in pursuing this action pursuant to 42 U.S.C. § 1988.

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For such other relief as the Court deems just and proper. DONE AND DATED this 10 th day of Fobruary, 1984. MONTANA LEGAL SERVICES ASSOCIATION 801 NORTH LAST CHANCE GULCH HELENA MT 59601 RUSSELL A LaVIGNE

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IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF MONTANA, IN AND FOR THE COURTY OF LEWIS AND CLARK

BUTTE COMMUNITY UNION, PHILIP) GRAHBY, LINDA LUCAS, BARBARA CATRON, DALE AND CHERYL FLEIG-) CHACKER, ARLEND BUCCHT, SAMUEL) LOCKEY, GERALD CRAIG, DAW RUBICK, THE REVERBUD JOS MARREU, STEPHEN JELIUSK, DON AND KIN SHEPHERD, JAMES SIMPSON, JR., PAM PEDERSON, ELUER RODRIGUES, JAME AND TON JOHNSON, RUDY RODRIGUEZ, JR., ROBURT JAMES, MICHAEL PEET, JOH OLSOH, AL REED, JEWEL MACUMBER, AMISENO HERMANDEZ, RAY LaCOTED, JOHN D. LONG, BOBDY SEXTON, MICHREL COX and) DAVE STANDISH, for themselves) and those similarly situated,

Plaintiffs.

-VS--

JOHN LaFAVER, Director of the Montana State Department of Social and Rehabilitation Services,

Defendant.

No. 50268

CRANTED 184
CRANTED 184
CAROLE STATES P. 6
CA. Dr. du.

COME NOW the plaintiffs and respectfully move the Court to enter the following orders:

1. Preliminary injunction restraining defendant from implementing SRS proposed rules dated May 17, 1934,

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M.N.E. Motion No. 46-2-406, or any other rules which reduce General Essistance (GA) banefits below what the existing rules allow:

- 2. Proliminary injunction ordering defendant to administer State Assumed General Assistance pursuant to the administrative rules currently in effect, [1 46.35.302 et seq., A.R.M.;
- 2. Preliminary injunction rectaning defendant from administering the State Assumed January Assistance program based on any unwritten rules, including but not limited.to:
- (a) the irrebuttable procumption that Low //
 Indome Energy Assistance Program mosts winter heating costs:
- (b) the irrebuttable presumption that fool stamps meet food meeds;
- (c) denying benefits based on line of decumentation which is unavailable to the applicant, and
- (6) denying shelter netos in the form of house payments, insurance or taxes due and owing by applicant who is a homeowner;
- (c) denying utility needs in the form of utility bills due and owing by applicant;
- (1) denying or limiting transportation needs when applicant cannot use public transportation;

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those	set.	forth	in	the	State	Rules,	3,	46.25.71	2,	Δ.R.!1.;	0 K

- (h) resource limitations which are more restrictive than the State Rules, § 46.25.726, A.R.M.; OF
 - (i) denial of assistance to able-bodied persons;
- (j) denial of assistance based on lump sun cash receipts once the case has been expended;
- (%) denial of assistance because the applicant lives with other persons;
- (1) denial of assistance because in automobile has not been exempted in accordance with the State Rule, \$46.25.726, A.R.M.;
- (n) denial of Emergency General Assistance for utility shut-offs;
- '(n) denial of assistance prior to applicant having completed the work program pursuant to 5 46.25.732, A.R.M.;
 - (o) time limits on cligibility;
 - (p) ineligibility during the summer months;
- (q) ineligibility based on income which is less than the maximum standard for the size of the assistance unit, § 46.25.712(2) A.R.M.;
 - (r) ineligibility based on age or student status;

(s)	dolaying	the	application	process

(t) denying assistance unless the person appeals;
DATED this 6 day of Aure, 1994.

MOSTAWA LEGAL SERVICES ASSOC. 801 W. Lest Chance Gulch Helena, MT 59601 Attorneys for Potitioners

By Turnel (Sligno)

CERTIFICATE OF SERVICE

This is to certify that the foregoing HOTION was duly served by personally delivering a copy to opposing attorney of record, Dal Smilie at his address this _____ day of ______, 1994.

By Russell Lalling .

and LEGAL work

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF MONTANA, IN AND FOR THE COUNTY OF LEWIS AND CLARK

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CAUSE NO. 50268

STIPULATION AND ORDER

JOHN LaFAVER, Director of the Montana State Department of Social and Rehabilitation Services,

vs.

BUTTE COMMUNITY UNION, et al.,

Defendant.

Plaintiffs.

IT IS HEREBY STIPULATED by and between RUSSELL A. LAVIGNE, JR., attorney for Plaintiffs, and LEE J. TICKELL, administrator of State Assumed General Assistance Program and agent for Defendant:

Regarding the fair hearings which were filed on February 21, 1984, SRS will mail each general assistance recipient a letter setting forth the amount of general assistance received for the month of May and giving the recipient the option of settling the fair hearing by accepting a supplemental check in an amount equal to the difference between 3 times the amount of general assistance paid in May minus the amount of general assistance received for the months of February, March and April, 1984. For those recipients who accept that amount in settlement of their fair hearing, the fair hearing request will be withdrawn. For those recipients who decline the settlement, SRS will proceed with the fair hearing process.

II

Regarding the fair hearings which were filed on April 11, 1984, SRS will mail each general assistance recipient a letter setting forth the amount of general assistance

received for the month of May and giving the recipient the option of settling the fair hearing by accepting a supplemental check in an amount equal to the difference between the amount of general assistance paid in May minus the amount of general assistance received for April 1984. For those recipients who accept that amount in settlement of their fair hearing, the fair hearing request will be withdrawn. For those recipients who decline the settlement, SRS will proceed with the fair hearing process.

III

General assistance for 1984 for back utility bills will be paid in the amount of either the back utility bill or the difference between the maximum standard benefit minus the amount of general assistance already received for the month of May 1984, whichever is less, In the event that a back utility bill is still due and owing, SRS will determine whether or not the back utility bill was incurred while the recipient was eligible for general assistance. If the back utility bill was incurred while the recipient was eligible for general assistance, SRS will continue to pay general assistance up to the maximum standard benefit until the bill is discharged. If the back utility bill was incurred while the recipient was ineligible for general assistance, SRS will make no further general assistance payment on the back utility bill.

IV

If a general assistance recipient is receiving less than the maximum food stamp allotment, SRS will pay general assistance for food needs in an amount equal to the maximum food stamp allotment minus the amount of food stamps received.

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Defendant's stipulation

2	That the foregoing Stipulation be submitted to the
3	court and if approved be entered as an order of the court.
4	D A
5	DATED THIS 30 day of July , 1984.
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7	RUSSELL A. LAVIGNE, JR
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9	2. A Tukee
10	LEE J. TECKELL Deputy Administrator
11	Economic Assistance Division, SRS
12	ann Th
13	ORDER
14	Upon stipulation of Plaintiffs' counsel and Defendant
15	agent and good cause appearing thereon, the foregoing stipulati
16	is approved and entered as an order of this court.
17	little 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
18	DATED this day of (figuret, 1984.
19	DISTRICT TUDGE
20	DISTRICT JUDGE
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IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF MONTANA IN AND FOR THE COUNTY OF LEWIS AND CLARK

BUTTE COMMUNITY UNION, PHILIP GRANBY, LINDA LUCAS, BARBARA CATRON, DALE AND CHERYL FLEISCHACKER, ARLENE BUCCHI, SAMUEL LOCKEY, GERALD CRAIG, DAN RUBICH, THE REVEREND JOE WARREN, STEPHEN JELINEK, DON AND KIM SHEPHERD, JAMES SIMPSON, JRS., PAM PEDERSON, ELMER RODRIQUES, JANE AND TOM JOHNSON, RUDY RODRIGUEZ, JR., ROBERT JAMES, MICHAEL PEET, JON OLSON, AL REED, JEWEL MACUMBER, ANISETO HERNANDEZ, RAY LaCOMBE, JOHN D. LONG, BOBBY SEXTON, MICHAEL COX and DAVE STANDISH, for themselves and those similarly situated,

NO. 50268

Plaintiffs,

vs.

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JOHN LaFAVER, Director of the Montana State Department of Social and Rehabilitation Services,

Defendants.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RESTRAINING ORDER

This matter having come before the Court on June 13, 14, and 18, 1984 to hear Plaintiffs' Motion dated June 6, 1984, both parties appearing with counsel, and the Court having heard the testimony presented by both parties, the Court hereby makes the following:

FINDINGS OF FACT

Defendent has published rules and amendment of rules regarding State General Assistance (SGA), M.A.R. Notice No. 46-2-406, and Defendant intends to publish those rules effective July 1, 1984.

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The effect of the proposed rules will be to reduce SGA below the benefit levels which are presently allowed under the current rules, Section 46.25.702 et. seq., A.R.M.

TTT.

In support of the proposed rules, Defendant has offered Defendant's Exhibits A, B, C, and D and the testimony of Lee Tickell; however, those exhibits and testimony do not support the Defendant's contention that the proposed or current SGA benefit levels are based on non-arbitrary needs studies because:

- (a) The exhibits and testimony were not based on systematic, independent analysis;
- (b) The exhibits and testimony were not based on reliable or valid standards related to the development of a need standard in each of the five categories of need in the SGA program;
- (c) The exhibits and testimony did not contain an adequate informational or methodological basis compared to standard work for this type of analysis;
- (e) The exhibits and testimony were not based on hard data with known properties and certainties of measurement;
- (f) The exhibits and testimony did not indicate that a methodology, necessary for systematic updating of standards based on current, independent data and price levels, was used;
- (g) The exhibits and testimony did not use methods for development of payment levels that have been documented to allow for independent evaluation; therefore, they failed to meet acceptable or any standards whatsoever for review and systematic cross-checking.

IV.

The rents allowed under the proposed rule are insufficient and arbitrary because they are based on current or past expenditure levels without regard to habitability of housing.

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Section 46.25. 712(1)(a), M.A.R. Notice No. 46-2-406.

٧.

The presumption that Low Income Energy Assistance (LIEAP) meets winter heating costs, relied upon by the proposed regullations (Section 46.25.712(1)(b)(ii), M.A.R. Notice No. 46-2-406) results in proposed benefit levels that are insufficient to meet need because in many cases LIEAP does not provide sufficient benefits to pay winter heating costs.

VI.

The presumption that food stamps meet food need, relied upon by the proposed regulation (Section 46.25.712(1)(f), M.A.R. Notice No. 46-2-406), makes the benefit levels inadequate to meet food need because food stamps do not meet minimum nutritional requirements.

VII.

Present food stamp allotments are insufficient to meet:

- (a) caloric needs of most males;
- (b) caloric needs of most workfare participants;
- (c) minimum nutritional requirements.

VIII.

The Thrifty Food Plan fails to meet nutritional needs because:

- (a) It was developed without regard to many relevant nutritional factors, including American cultural food consumption patterns;
- (b) Suggested foods to be purchased are nutritionally unbalanced;
- (c) Suggested menus contain large amounts of foods suspected to be health risks.

IX.

The amount of SGA allowed to meet personal needs (Section 46.25.712(1)(a) and (d), M.A.R. Notice No. 46.2-406) is



insufficient for the following reasons:

- (a) The amount allowable was based on present expenditure levels for personal needs without regard to the actual cost of items required to meet those needs;
- (b) The actual cost of personal needs is higher than the amount allowed by the proposed rules;
- (c) No scientific study was conducted to determine the cost of personal items and what personal items should be provided.

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The amount of SGA allowed to meet transportation needs (Section 46.25.712(1)(d) and (g), M.A.R. Notice No. 46-2-406) is insufficient to meet the cost of transportation because:

- (a) The amount allowable was based on present expenditure levels without regard to the actual cost of transportation required to meet transportation needs;
- (b) The actual cost of transportation needs is higher than the amount allowed by the proposed rules;
- (c) No scientific study was conducted to determine the cost of transportation and what transportation needs should be provided.

XI.

To the extent economic recovery has reached Montana, it has not reduced either the number of people applying for assistance or the amount of assistance required to meet living needs.

XII.

Rescue Mission, The Friendship Center of Helena, God's Love, Inc., of Helena, and the Women Infants and Children (WIC) Programs in Helena and Butte have all increased substantially in the past year.

ABTEMPT

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ARTERIT

XIII.

Child abuse and neglect is caused in part by economic stress, people having insufficient income to meet their basic living needs.

XIV

Unless this Court restrains Defendant from implementing said proposed rules, Defendant will implement those rules, and thereby further deprive plaintiff class of its basic living needs and cause irreparable harm to the class.

xv.

Defendant admitted in testimony that all of the enumerated unwritten rules set forth in Plaintiffs' Motion dated June 16, 1984, para. 3, (a) through (t), have been in effect, and may still be in effect, in various counties in which SGA is administered by Defendant.

XVI.

Unless Defendant is restrained by this Court from following any unwritten rules, including but not limited to those enumerated unwritten rules contained in Plaintiffs' Motion dated June 6, 1984, Defendant will continue to follow unwritten rules in the administration of SGA, and thereby further deprive plaintiff class of its basic living needs and cause irreparable harm to the class.

CONCLUSIONS OF LAW

I.

Defendant's proposed rules are unlawful because they do not provide benefits sufficient to meet living needs as required by the Montana Constitution, Art. XII Section 3(3) and Montana Law, Section 53-3-204, M.C.A.

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ABTERFT

Plaintiff class is entitled to a preliminary injunction restraining Defendant, and the Defendant is therefore restrained and enjoined until further order from implementing SRS proposed rules dated May 17, 1984, M.A.R. Notice No. 46-2-406, or any other rules which reduce SGA benefits below what the existing rules allow, to prevent plaintiff class from suffering irreparable harm.

III.

Unwritten rules are illegal and without effect.

IV.

The unwritten rules enumerated in Plaintiffs' Motion dated June 6, 1984, para. 3, (a) through (t), are unlawful as having no legal basis under the current SGA rules.

ν.

By following any unwritten rule, including but not limited to those enumerated unwritten rules, Defendant is acting unlawfully by depriving plaintiff class of its rights to living needs as required by Montana Constitution, Art. XII Section 3(3) and Montana Law, Section 53-3-204, M.C.A.

VI.

Plaintiff class is entitled to a preliminary injunction restraining Defendant from administering SGA based on any unwritten rules, including but not limited to those enumerated unwritten rules, in order to prevent plaintiff class from suffering irreparable harm.

Plaintiff is enjoined and restrained from administering State General Assistance based on S.R.S. proposed rules dated May 17, 1984, M.A.R. Notice No. 46-2-406 or on any unwritten rules, including but not limited to those enumerated unwritten rules herein even as thereafter written until further order of this Court.

DATED this 29th day of June, 1984.

ARNOLD OLSEN, DISTRICT JUDGE

INFORMATION ON BUTTE-SILVER BOW COUNTY GENERAL ASSISTANCE PROGRAM

JAN 24 1935

Single and 2 Adult Households:

ECONOMIC ASSISTANCE



- I. How many clients have been in the State less than 6 months/more than 6 months?
 Less than 6 months 127 clients 33% More than 6 months 248 clients 67%
- II. Approximate age of clients. 37 years of age is the approximate average.
 Sex 88 women -- 287 men.

Young people 35 years or under on U.C. or not. Status of U.C. Out of benefits or chronic U.C.

The young people are not on U.C. Either they did not qualify or their benefits are exhausted.

- III. How many clients are Medically Disabled? Approximately 27 are disabled according to Jack Powers, Workfare Co-ordinator.
- IV. How many have come from out-of-state? Approximately 127 have come from out-of-state Why come to Butte? About 15 came to be in the Half-way House. Most of the others said they came because they liked the area or because they have relatives here.
- V. How long average stay on GA? 3 months, 6 months, 1 year? What % on GA for each period.

Average stay on GA - 41% on 3 to 6 months 35% on 6 to 12 months 24% on 1 year or more

- VI. How many from non-assumed counties moving in to assumed counties?

 About 18 clients came from non-assumed counties.
- VII. Veteran Status? Approximately 20 clients have VA status.
- VIII. Special circumstances in County affecting GA. Emergency Assistance of GA.

At a workshop conducted for new policy on GA a number of the Butte Community Union attended. It was stated during this workshop that "budget was no object". Since this workshop, a great number of the clients have made out addendums requesting the maximum GA. We have never received a State approved definition of what constitutes emergencies. Clients are comming in with the exact mileage for the maximum travel for their grants. These are all automatically correct and are requested whether they have a car or not. Previously they were instructed, as were we, that no documentation was necessary for personal needs or transportation. Ordinary household maintenance items are being requested as emergency assistance. Emergency food needs are being requested immediately after receiving the Thrifty Food Plan under the regular Food Stamp program. regular Intakes are being scheduled to the hilt every day. On top of this, a multitude of clients are requesting emergency needs, which is making the workload heavier than can be handled by the Intake Workers. We are attempting to schedule a method for payment of emergency needs on a routine basis that can be handled by the clerical staff in writing checks between the regular payrolls. First time requests for emergency food are being issued by the County Treasurer on a daily basis and then being placed on the regular GA card of the client showing the Disbursing Order number.

AFDC-UP PROGRAM FOR LEGISLATURE SB-122.

What effect UP program will have on GA?

66% of the current family cases would be eligible for the AFDC-UP program. However, if UP program were re-instated, the policy would be to see that the Workfare was distributed so that each family would have Workfare in every quarter to qualify them for the UP Program.

Providers prefer having clients on Workfare for more than one month at a time which is why it is only 66% at this time.

Queenie Lynch, Director IV

l 7 5:0 1125

Cascade - Harald Mc Laughlin 5% (20 years 55% 20-3 grooted 256 30-40 years 10% 40.50 50-60 grs. 3% 760 gres. 20% femile 80% mole 10% 53mos 9% 3-6 ms. 12% le -/sp. 69% in State mouther 1 p. 17-45 yesold 87% / male // femsy 13% 2 female 8% in state & 3 montes 8% > 3 months 85% mon than /year none due to incopring none deaving U.C. 83% not qual. duing or plin S.A.

g. A.

Time or

35% 3-le mas 8% le-/yur

40%

C3 mus

2 adult 4.4 age: 17-45 yes. old sex: 87% / male + / female 13% 2 female

Instate:

8% instate (3 months

8% > 3 months

85% > Arree year

Disabled - none U. C. - none

83% not qualified for any other assistance during or prior to G. A.

Time on: 40 % (3 mos)
35% 3-6 mos
8% 6 mos. - 1 yr
17% > 1 year

DEPARTMENT OF SOCIAL & REHABILITATION SERVICES

CASCADE COUNTY OFFICE OF HUMAN SERVICES CEIVED

TED SCHWINDEN, GOVERNOR

JAN 22 1935

P.O. BOX 1546

ECONOMIC ASSISTANCE

(406) 761-6605 January 21, 1985

GREAT FALLS MONTANA 59403

Lee J. Tickell, Deputy Administrator Economic Assistance Division Department of Social & Rehabilitation Services Helena, Montana

Dear Lee:

We are offering the following analysis and projections of the General Assistance program in Cascade County.

The program is growing at a significant rate. Our GA caseload in December, 1984 was 62% higher than December '82 and 39% higher than December '83. Expenditures for December '84 were 139% greater than the same month last year.

We recommended a GA budget of \$509,000 for the current fiscal year based on the prior year's experience of case numbers and average grants. We now anticipate costs will be \$176,00 more than requested with the potential for an additional cost of \$85,000 depending on the outcome of a pending group Fair Hearing on the coordination of GA and LIEAP.

A funding shortfall is only one of several problems which plague the GA program in Cascade County, all of which are related directly or indirectly to the GA lawsuit. The following is a summary of some of those other issues.

Eligibility Determination Staff. Our staffing plan includes 18 Eligibility Technicians, 2 ET Supervisors and one Administrative Officer who also supervises. Caseloads are growing both with respect to numbers and complexity for all programs we administer. The December Food Stamp caseload was 2572 compared to 2474 in December, 1983; the ADC caseload in October was 789 compared to 778 a year ago. We cannot maintain reasonable work efficiency when 10% more work is required each year of already overburdened staff.

Work Flow. Clerical work assignments as well as ET work has been severly disrupted by the requirement that we administer GA cases on a calendar as opposed to fiscal month. Prior to November, we had traditionally evaluated need and issued benefits on a fiscal month basis which enabled us to distribute work on a balanced basis throughout the month. The mandate of a calendar month program requires an intense work effort during the last 10 work days of the month to assure issuance of benefits at the first of each month. We do not have an automated system for writing checks and posting data and the manual effort is overwhelming.

Lee Tickell, EA Div. Re: GA Issues 1/21/85 page 2

Meeting Immediate Need. A mandate for administration of GA benefits as a result of the lawsuit which requires us to meet immediate need has had the effect of delaying service to recipients of and applicants for other benefit programs. In late November we reorganized our ET staff to assure that a worker would be available to screen clients who claim an immediate need and to issue benefits when required. freeing of a worker's time to assume that duty has necessitated reassigning her regular duties to remaining staff. The added responsibility assumed by six other employees in that work unit diminishes their ability to serve applicants and recipients. The specialized worker screens several requests each day. For the 27 work days between 12/11/84 and 1/21/85 we have thoroughly considered the immediate need claims of 42 persons. with the following result:

16 individuals did not qualify to have needs met immediately; 12 qualified for Food Stamps only; the needs of 2 cases were met with Emergency Assistance; 14 applicants qualified for GA and had their need met immediately.

Workfare Problems. The increased numbers and payments of General Assistance have necessitated revising the Workfare program. Our contract with Cascade County provides for 55 work slots per day. The County has consistently served more clients (as many as 83 per day) but cannot effectively place more than 60 or 65 per day. We have a need for 110 to 120 work sites each day based on the current GA caseload. Since that number cannot possibly be accommodated we have taken emergency measures which include exempting clients and almost doubling the work credit level. With respect to Workfare I feel we will be faced with either discontinuing the program or increasing the appropriation for administration.

In addition to the specific concerns noted above, I offer the following general comments. The nature of the GA program is changing from a time limited, needs based program to a longer term maintanence program. Turnover has declined noticeably during the past six months; I forsee the GA program reaching a level both in terms of numbers and cost equivalent to the ADC program within the next 3 to 5 years. The 320 single persons cases we served in December are mostly in the 20 to 35 year age range. Fifty four of the 92 multi-person cases are 2 person adult households and 38 of the 92 are intact families with children. Twenty-five percent of our GA cases are Indian. A random sample of cases reveals 30% having lived in Cascade County for less than a year (of those came from other counties and from other states); 20% have resided in the county from 1 to 3 years and 50% have resided here for more than 3 years.

I hope the foregoing information is useful to you in planning both for budget and staffing.

Very truly yours,

// Lacephic Harold McLaughlin, County Director

cc: Joe Beery, EA Field Supervisor

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DEPARTMENT OF SOCIAL & REHABILITATION SERVICES

CASCADE COUNTY OFFICE OF HUMAN SERVICES RECEIVED

TED SCHWINDEN, GOVERNOR

(406) 761-6605

GREAT FALLS, MONTANA 59403

January 24, 1985

Lee J. Tickell, Deputy Administrator Economic Assistance Division SRS Helena

Dear Lee:

Earlier this week I had a call from Carole Graham, President of the County Welfare Directors Association, who asked that I compile demographic data on the GA program. She specified a need for information in six areas.

The attached sheet contains the information requested from a 20% sample of cases that received benefits in the month of January, 1985. On Monday I sent you information on the GA program that was taken from our record of payments in December, 1984. There are minor changes in some of the characteristics of the caseload, but the two reports are essentially equivalent.

I am planning to meet with you and several other County Directors at 7:00 Sunday evening in preparation for attending a legislative appropriations sub-committee hearing on Monday morning.

Very truly yours,

Harold McLaughlin, Director CASCADE COUNTY OFFICE OF HUMAN SERVICES

HBM: fmz

cc: Carole Graham Joe Beery

DEMOGRAPHIC DATA FOR CASCADE COUNTY GENERAL ASSISTANCE PROGRAM - January, 1985

STATE OF MONTANA DEPARTMENT OF SOCIAL & REHABILITATION SERVICES

INTER-OFFICE CORRESPONDENCE RECEIVED

JAN 24 1935

TO: Jim McDonald

Date: January 23, 1985 ASSISTANCE

DSRS - Economic Assistance Division

Box 4210 Helena, MT 59604

FROM: Ruth Davis, Director

Flathead Office of Human Services, Box 1096, Kalispell, MT 59901

RE: General Assistance for Flathead County

Enclosed is the information on Flathead County's General Assistance. This was phoned in to you today.

Call if you have any questions.

Ruth Davis, Director

RD/rmp Enc.

INFORMATION ON GENERAL ASSISTANCE FOR FLATHEAD COUNTY

January 23, 1985

Prepared by Ruth Davis

- 1. Number of adult cases: 54 Male 42 Female 12
- 2. Age: Average age is 37

Age 19 through 25 - 14 Age 26 through 35 - 12 Age 36 through 45 - 14 Age 46 through 55 - 9 Age 56 through 65 - 5

Length of Time in County: Three months or less 2
Three to six months 3

Six months to one year 13 One year or more 36

- 3. Of the 54, 16 are receiving SSI interim because of medical problems.
- 4. From what states: Minnesota, Washington, California, Texas and Pennsylvania. Many have been in several states.
- 5. Estimate that of Total on GA, 30% have received Unemployment Compensation and exhausted benefits.
- 6. Length of time on General Assistance: One month

 Three months or less
 Fourth Six months
 12
 Seven Nine months
 Ten Twelve months or more
 3
- 7. Veterans Status: 25% or less are Veterans.
- 8. From non-state assumed counties: One from Glacier County.

Did notice 1 from Lake County and 2 from Missoula. The majority that are new to the county come from out of state.

9. Cost per case \$632 per case (I averaged GA cost for 1/2 of caseload).

Comment: It appears the largest expenditures, per case, for either general assistance or state medical are for those individuals who are trying to establish proof of disability.

DEPARTMENT OF SOCIAL & REHABILITATION SERVICES

LAKE COUNTY OFFICE OF HUMAN SERVICES IVED



TED SCHWINDEN, GOVERNOR

PO. BOX 843

SIAIE OF MONIANA ROBBETHING

(406) 883-6211

POLSON, MONTANA 59860

January 22, 1985

Lee J. Tickell, Assistant Administrator Economic Asssistance Department of Social and Rehabilitation Services Box 4210 Helena, Montana 59604

RE: General Assistance Survey

Dear Lee:

The following is a breakdown of General Assistance in Lake County:

NUMBER OF CASES IN LAKE COUNTY CURRENTLY ON GENERAL ASSISTANCE NUMBER OF CASES THAT ARE PENDING A DETERMINATION	23 5
NUMBER OF SINGLE ADULT CASES WITH NO CHILDREN	20
13 MALES	
7 FEMALES	
NUMBER OF TWO ADULT HOUSEHOLDS WITH NO CHILDREN	2
2 MALES	
2 FEMALES	
NUMBER HERE UNDER THREE MONTHS	1
NUMBER HERE UNDER SIX MONTHS BUT MORE THAN THREE	1
NUMBER HERE OVER SIX MONTHS	21
HOW MANY ARE WORKFARE	16
HOW MANY ARE REQUIRED TO PARTICIPATE IN THE WORKFARE PROGRAM	7
HOW MANY HAVE APPLIED FOR SSI	10
THREE HAVE BEEN DENIED	
HOW MANY ARE FROM OUT OF STATE	2
HOW MANY HAD THEIR UNEMPLOYMENT RUN OUT	9
LENGTH OF TIME THEY HAVE BEEN ON GENERAL ASSISTANCE	
ONE MONTH 5	
TWO MONTHs 7	
THREE MONTHS 1	
FIVE MONTHS 3	
SEVEN MONTHS 2	
EIGHT MONTHS 1	
TEN MONTHS 1	
TWENTY MONTHS 3	

LEE TICKELL, ASSISTANT ADMINISTRATOR

JANUARY 22, 1985

AGE OF THOSE ON ASSISTANCE

20/29	8
30/39	5
40/49	7
50/59	5
60/69	1

Sincerely,

LAKE COUNTY OFFICE OF HUMAN SERVICES

Bonnie Mueller,

County Director II

cc: Carole Graham, County Director

DEPARTMENT OF SOCIAL & REHABILITATION SERVICES

LAKE COUNTY OFFICE OF HUMAN SERVICES

TED SCHWINDEN, GOVERNOR

P.O. BOX 847 EIGHTH AVENUE & MAIN STREET

STATE OF MONTANA

(406) 883-6211

POLSON, MONTANA 59860

January 21, 1985

Lee J. Tickell, Assistance Administrator Economic Assistance Department of Social and Rehabilitation Services Box 4210 Helena, Montana 59604

Dear Lee:

I have two issues that I would like to address in this letter.

One is the increase in the number of clients that we are seeing in general and two is the increase in General Assistance cases and the General Assistance Budget (which is now spent over my request).

I looked at the number of new applicants that we had in January, 1980; a total of thirty-one (31). In February of that same year there was a total of sixty-seven (67) new applicants. February seemed to be a high applications month for that era. These are only new applications for all categories; none of the figures given reflect reapplications regardless of how long ago the client might have been in the system. When I compare those figures with the month of July of last year, when we had one hundred one (101) new applications or December of last year, when we had one hundred twelve (112) new applications, or this month when there have already been one hundred ten (110) new applications as of January 20, 1985. I now can see why people are not being seen and their needs are not being met as quickly as in the past. I wanted you to be aware of this situation, as I have started receiving more and more calls complaining about the situation and I assume that you will be getting them also. I assure you that we are taking the applications as quickly as possible and getting their benefits to them, also, as quickly as possible. We have been brainstorming to try to think of ways to speed up the process without increasing the errors. There are just eight hours in the day and only five Workers to do the job.

JANUARY 21, 1985

The second issue is the increase in General Assistance cases and the increase in costs per case. I am sure that you are aware that Lake County had a very conservative policy in the past (prior to State Assumption). This accounts for the increase in costs per case. We are finding that clients now have the word of the change in policies as given under the Court Order. That has accounted for a small percentage of the increase of applicants. The largest percent of increase is related to the economy; farmers are no longer able to keep help or can only keep them part of the season. That and the fact that clients have now exhausted their regular Unemployment Benefits and the Extension Benefits and now have two or three months of debts when they come in to see us. They have been using Food Stamps or Commodities so they have been eating but now the landlord, utility companies, etc. will no longer carry them. These all seem to be clients that have lived in Lake County or the surrounding area for some time.

Sincerely,

LAKE COUNTY OFFICE OF HUMAN SERVICES

Bonnie Mueller,

County Director II

cc: Bonnie Frey, Field Services Bureau Chief

Marilyn Jensen, Field Supervisor

onnie Mueller

Lewis & Clark County Office

Demographic Information on General Assistance

JAN 25 1985

Attachment number 1 shows a breakdown of the total caseload from Octo-NCE ber 84 through January 24, 1985. It includes Emergency AFDC, Nonworkfare GA, Emergency GA, Workfare GA and Transients.

Attachment number 2 shows only Workfare and Nonworkfare GA for the same period. Information that follows was developed from the December 1984 caseload figures. I am assuming that the month of December is typical of other months.

The December Nonworkfare caseload includes 28 SSI applicants. The balance of persons on Nonworkfare, 67, are exempt from workfare due to temporary disablement, illness, character disorders not considered severe enough for SSI criteria for disablement or mental illness controlled by drugs but discontinued use of drugs make it impossible for them to be sent to a worksite.

The following information pertains only to the categories of Workfare and Nonworkfare receiving assistance in December, 1984.

Workfare recipients
Reason for out of staters coming here:
Work
Unskilled 94% Skilled 6% Veteran 16% Female 37% Male 63% 20 years old and under 08% 21 to 30 years 36% 31 to 40 years 24.5% 41 to 50 years 26.3% 51 to 60 years 17.5% 61 and up 04%
Length of time on GA:
1-6 months

October, 1984

Emergency AFDC Nonworkfare General Assistance Emergency General Assistance Workfare General Assistance Transients Transients (God's Love)	7 67 8 176 18 69
Households Denied	9
Total Households Minus Denied November, 1984	$\frac{354}{-9} = \text{Total Households opened / October 84}$
Emergency AFDC Nonworkfare General Assistance Fmergency General Assistance Workfare General Assistance Transients (God's Love)	1.1 69 5 175 71
Households Denied	9
Total Households Minus Denied December, 1984	$\frac{340}{331} = \text{Total Households opened / November 84}$
Emergency AFDC Nonworkfare General Assistance Emergency General Assistance Workfare General Assistance Transients	11 95 7 189 46
Households Denied	13
Total Households Minus Denied As of January 24, 1985	$\frac{353}{-13}$ $\frac{-13}{340}$ Total Households opened / December 84
Fregency AFDC Norworkfare General Assistance Fregency General Assistance Workfare General Assistance Transients	7 83 5 213 64
Households Denied	15
Total Households Minus Denied	$\frac{387}{-15}$ $\frac{-15}{372} = \text{Total Households opened / January 85}$ (as of 01-24-84)

#2

GENERAL ASSISTANCE PROGRAM

LEWIS & CLARK COUNTY OFFICE OF HUMAN SERVICES

MONTH/ YEAR	HOUSEHOLD/ WORKFARE	HOUSEHOLDS/ NONWORKFARE	TOTAL HOUSEHOLDS	TOTAL \$ AMOUNT
Oct. 84	176	67	243	\$ 41,613.50
Nov. 84	175	69	244	\$ 42,885.02
Dec. 84	189	95	284	\$ 52,650.51
Jan. 85	213 5	83	296	\$ 60,111.98

LINCOLN COUNTY DEPARTMENT OF PUBLIC WELFARE

418 MINERAL AVENUE LIBBY. MONTANA 59923

RECEIVED

JAN 24 1935

ECONOMIC ASSISTANCE

January 23, 1985

Lee Tickell,
Department Administrator
State of Montana Department of
Social & Rehabilitation Services
P.O. Box 4210
Helena, Montana 59604

Re: General Assistance Caseload Query

Dear Mr. Tickell:

The attached form demonstrates Lincoln County's statistics on the G.A. caseload as of January 18, 1985.

We have approximately 64 households on G.A. at the present time. Of these 64, 43 are 1 and 2 adult households. About 14 of those 43 households have been on G.A. for over 10 continuous months.

The Houghton Creek fire in September employed a number of our G.A. households for one month. Other than the fire employment, most of our single and 2 adult people have been with us for some time..

G.A. worker, Verna Onkka, believes that the adult households will probably be with us for some time as there is no incentive to leave the program. Prior to becoming state assumed, single households were not allowed to to participate in GA during the summer months.

Please let me know if we can be of further assistance.

Sincerely,
LINCOLN COUNTY OFFICE OF HUMAN SERVICES

Penny Robbe, Eligibility Technician Supervisor

D. 1/23/85

T. 1/23/85

PR/sr

encl:

Lincoln County

Approved/Pending GA's

1.)	How many single adult households? 26
2.)	How many 2 adult households? 17 43
3.)	How many have been in the State 6 months or less? 2
4.) 5.)	If from out-of-State, Where from? Ovegon-2, Calif-2, Flori Wash-1, Idaho-1, Jexas-1, N. Jex-1, Costa Rica How many came from another County? 5— Which one? Flathead-3, Missoula-1, Ravalli-1
6.)	What are the ages? Age bracket with heaviest concentration $16-25$ (about 22 cases) $26-35$ " 14 " Age span $16-56$ $26-45$ " 10 " $46-55$ " 8 "
7.)	How many are males? 38 How many females? 22
8.)	How many claim Veterans Status? 6
9.)	How many were getting UC and are now on the program because they are not getting it?
10.)	What is the average length of time on GA? (doesn't have to be continuous) about 7.5 months
11.)	How many are claiming disability of any type?

MINERAL COUNTY WELFARE DEPARTMENT

P.O. Box 626 Superior, Mt. 59872-626 (406) 822-4551 RECEIVED

JAN 24 1935

ECONOMIC ASSISTANCE

The force of the second

January 22, 1985

Mr. Lee Tickell Economic Assistance Division P.O. Box 4210 Helena, MT 59604

Dear Lee:

The enclosed pages are an attempt to answer the question of your telephone questionaire. If you have any questions at all please feel free to call on me.

Sincerely yours,

/Jerry Grimes County Director

MINERAL COUNTY

GENERAL ASSISTANCE QUESTIONAIRE

In Mineral County we presently have a GA caseload of 10. Two of these cases include intact families with 2 parents and at least one child. They have not been included in the following information. All of the other cases are made up of single men or women except one case which has a man and his mother. None of the recipients have moved into the state in the past 6 months. Only one is exempted from the workfare program due to recent surgery. He expects to return to his regular employment within a few months. I have no means of determining whether any of these people are veterans. It is not asked at the intake nor is it a question on the application form. None of the recipients have moved to Mineral County from non-State Assumed Counties. The following is a brief breakdown on each case:

- 1. 25 year old female; pregnant receiving Medicaid coverage; has not worked for years and is therefore not eligible for Unemployment Compensation; has no other disability other than pregnancy; she has received GA for $1\frac{1}{2}$ years in Missoula County prior to moving to Mineral County;
- 2. 27 year old male; no disability; works on work program; hasn't worked enough to receive Unemployment Compensation; has received GA for 3 months;
- 3. 34 year old male; no disability; has not worked enough to receive Unemployment compensation; has received GA for 1 month.
- 4. 19 year old female; graduated from High School in June; no jobs so no Unemployment Compensation; Workfare; received GA for 4 months;
- 5. 58 year old male; the only exempt workfare recipient; recovering from surgery; heart problems; not eligible for any other type of assistance; received GA for 4 months.

- 6. 34 year old male and his 58 year old mother; no disability; hasn't worked enough to collect Unemployment; has received GA for 13 months and is on the Workfare Program.
- 7. 26 year old female; has recently given custody of her children to the father -- had previously received AFDC; no jobs at all in the last 4 or 5 years, so no Unemployment Compensation; has received GA for 3 months.
- 8. 41 year old male; has not held a regular job his whole life; limited abilities; received GA for 16 months.

SUMMARY:

The majority of the GA recipients in Mineral County are single, unemployed indivduals who have not been in the work force successfully. They will not be likely to obtain substantial employment and will remain on some type of assistance indefinitely. Probably a third of the caseload will come and go. I doubt that any will obtain long term employment. All are willing to work on the work program. None will become eligible for SSI or other assistance.

DEPARTMENT OF SOCIAL & REHABILITATION SERVICES

MISSOULA COUNTY OFFICE OF HUMAN SERVICES

RECEIVED



TED SCHWINDEN, GOVERNOR

JAN SOLWEST ALDER

STATE OF MONTANA

MISSOULA, MONTANA 59802

24 January 1985

Lee J. Tickell, Deputy Administrator Economic Assistance Division State of Montana SRS P.O. Box 4210 Helena, MT 59604

This is a brief summary of the information I gave Kathy Demme by telephone. At her suggestion, I am sending you a copy of the detailed information the technicians compiled for me. Even they were amazed at the increase in numbers. We were all surprised that there weren't more here less than three months, but the tech's tell me this is because that group goes off and on so rapidly.

Area #1 -- Lenth of time of GA gamilies in Missoula County

There are 22 families on GA who have been here less than three months, one family more than three months, one less than six months, and 54 families over six months.

There are 94 singles and couples who have been here less than three months, 19 less than six months, and 183 longer than six months.

Are #2 -- Age and Sex of Households

Approximately 242 males and 117 females. Average age of GA recipients is between 30 and 33.

Area #3 --

There are 91 GA recipients exempt from workfare because of medical reasons, either SSI pending or a doctor statement of temporary disability. There are 15 workfare exempt because of living outside of Missoula and five are exempt as they are students, two Indochinese exempt because they don't speak English, and three families with children under six.

Area #4 --

There are 21 on GA whose UC ran out.

Area #5 --

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Average length of time on GA is six months. (I did not include in this average the few chronics who have been on four and five years.)

Sincerely,

Jean C. Johnston, County Director

Stacked instead with the Kathy Kinkell interested JJ/mr publications 6 graphs

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	mile				V	11-23-84	1,0	43	V		SSI	Tmis	seed .
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	206				У	1-1-84	10	54		У	SSI Repline	i	
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Pandy	. !				V	6-7-84	12	29				P, 120	mo sods
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Julee Maril	Kalgarit					11-5-84	JA.	2.2		X		SAN	no.
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NAME	STATE DID CLIENT	CLI	PLIC J LC ENŢ	ATI Ng Liv	hao	OF APPL)-	Comp.	Age OF ADULTS IN HOUSE HOLD	SCANT S/WW	vit A.y	FARE EXEMPT why on	MSLA CO.	
	msla Resident	I	7	at ex		12-31-84	IA	33	1		22 - 1446	Ima	20
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·	CLIENT	CLIE	t n T	Live	0	APPL)-	Comp. IA	ADULTS	//\ ! *	Â.	EXEMPT	JA	135C11-
•	COME FROM TO		mis:		A	CATION	2 A.	HOUSE		7	why on GA-	iN	4.0
9 1 0 0.		1 + 34 124%	MORELL Thank	533 pag	264		etc.		2/6	2	- ADICAL	MSLA CO.	RAN
NAME		7/100	1000	2					90	γ,	LEASONS		
0000	CAL.		1			8-20-84	1A	49		1	pend. SSI	5 mos	NO
	C/12.			十	_	0-20-19			 				
	IDAHO			L	4	01-9-84	IA	37	V			lamos	yes
	110			١,	/	2 12 50	IA.	37	سا			offton	10
	Hawaii			- 10		2-13-80) [7]	3/				54RS	ges
3	WASh.					11-28-83	JA	61	V		•—•	14 mos	NO
	Missaula					12-5-84	10	19		اردا	Neghol	122	412
	nesident				\exists	12-5-07	IA.	17		-	Judent	1 m o	NO
	resident			1	/	1-3-84	1A	58	V			IUN.	NO
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	nesident					10-21-82	IA.	52	-	V	medical NOT JUIT	Ĺ	100000
2	resident			ı	_	1-6-81	1/7	56	V		ABIE FOR	44rs	NO
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	CAL	V				6-30-83	24	19	V	1	1	181100	NO
3	CAL	1				12-13-54	20	27	2			2 Mos	NO
2 0 1	mola												
	Res.			!	/	11-7-84	/A	27	V			3 mos	NO
	SBRINGS	1				12-7-84	IA	35	V			2 mos	NO
	Helona,					, , , , ,	7.1.7						
	mt	<u>//</u>				12-21-83	IA	44	V			13 mos	NO
2	CAL.			1	į	8-23-84	2 A	23	,	1		5 m 15	NO
201	risea			1.	į						<u> </u>	offron	
	resi.					7-11-80	18	35	<u> </u>	1	<u> </u>	4/240	no
su.	nola res.				سرا	2-23-82	2A	53	,	1		35ma	NO
20	msea						1	33	1	1			
	nes			1	مرا	4-30-84	1A	19	1	1		9mos	NO
2	res.				مرا	12-16-80	م ر	25				Hon	.1
4	Ranalli	,				12 10-80	//7	120	 			Hyrs	400
	eo.	V				11-5-84	IA	22	1	1	ļ	3 mos	NO
	Wask.	V		1		12-20-84	10	58				2 22 25	1 440
	was.			-		12-20-87	117	0		 		amos	100
	WASh.	س		İ		01-26-84	1A	32	1			142	no
	msla					0 0 53	10	,- ,-	V				
	Res.				<u> </u>	8-12-83	1//	55 22	IV	 		VEMOS	yes
	Res.				V	1-17-85	2A	20	1	1		Ima	no
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	MASh molaco.	V				1-15-85	1A	25	V	-	-	mo	no
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## PAPLICATION DATE MODE OF JOB ADULT FARCE BYD TO JUND NO NO OF COMP. CLIENT LIVED (APPL). 14 FROM TO IL SENTINGENE STEEL THE MISSOULA PARTIES AND THE FARCE OF MISSOULA PARTIES AND THE MISSOUL	TIME ON GA IN MSLA	4 Ma		18 M									1			!	/ Mi		27m	7 Mc	Zin	1 Mic	Imo	Simo	1	1112	1 Ma	2 mo
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ANDSTATE APPLICATION DATE NOLD OF ADDITION OF COMP. ADDITION OF ADDITION	10 mg/c.			X.			7		Y	/1		+	$\overrightarrow{}$					X				X			, ,	X	X	X
MUSTATE APPLICATION DATE MOLD OF MUNICIPAL O	SFOOT HOUSE	Ϋ́	V		X	X	V	V		7		X	V	1/	X	X	X		X	X	X	X	X				Y	X
MISTATE APPLICATION DATE HOLD COMP. CLIENT CLIENT LIVED APPLIA IN A POLICE TO MISSOULA MISSO	OF ADULTS IN HOUSE	26		54	30		_						,			i			-22	25		17	27			20	İ	20 20 17
MISTATE APPLICATION DATE DID CLIENT CLIENT LIVED APPLICATION COME LIENT LIVED APPLICATION FROM TO LIENT LIVED APPLICATION MISSOULA DATA M	HOLD ZOMP. IA, 2A.	IA			14	.,) - (_			SH		IA	IA	a ja	IA	Í		11	ł	1A
APPLICATION TO LIE TO NOT THE DID LONG AND CLIENT SOULA TO MISSOUL	DATE OF APPL)- CATION	10/silsu	i i									1				i		1	//	70.84	בתנבר	12-14-84	12384	4-83	.	12-11-8	12-11-9	VI-28-84 VI-28-84
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KLIENT LIVED APPL) -KLIENT IN MISSOULA Come HOUSE 4.6 FROM TO LESS MORNIES WORK CATION ZA. HOLD MSLA RAN UUT? etc. Co. More 2100 11-16-81 Rovalli ZMO 35 willbe Mish LOON SST. desur 22 Kavalli amo No 55<u>/</u> 8mc No Sho Inc m mo 30 X Ini de 100. V-16-85 1A Cascade 40 7 minte 38 Inc mo mo mo WA 1-1485 1A 1120 3.100 34 Einne f , no while Th. 34 g adduct

	DTATE DID	11 HP I	PLIC	ATI Ng	DAD	OF	HOUSE HOLD Komp.	HGE OF ADULTS	AG	ULT	FARE	TIME	
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Jan Gebusten Missoula 94.1.

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· 22 less than 3 mos

1 more than 3

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Jingis & 2 people of 94 less than 3 months

· 19 las than le mos.

· 13 Anger than I no

2. Agir Dig 242 males 117 females 30-33 median age

3. Exempt from Workfore

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3 familio explinations

4. 21 aftotal an G.A. Allause U.C. Ranout

5. State + Country no way to come up the figure

PARK COUNTY

Office of Human Services

217 S. Main

Livingston, Montana 59047

Phone (406) 222-8000

RECEIVED

HAM 24 1995

FRONDMIC ASSISTANCE

FROM: Rark County Human Services

TO:

RE:

Nita Freeman, Director II

Lee Tickell, Deputy Administrator Economic Assistance Division

Childless People on General Assistance Program

There are no families with children reflected on these estimates.

- How many have been in state for six months or less?
- 2. How many are moving into Park County because we're State Assumed?

 I doubt that our clients even know what "state assumed" means.
- 3. Which state(s) are immigrants from?
 West Virginia, Florida, Colorado, Wisconsin, California.

Which county(s) are immigrants from? Meagher, Cascade, & Silverbow

- 4. How many GA persons are veterans?
- 5. Ages and sexes of GA recipients:
 4 are under 20 years old
 20 are 20-35 years old
 15 are 35 and older
 30 are males, 9 are females.
- 7. People who used to receive Unemployment Compensation and are on GA because of that benefit running out:
 2

What kind of impact did the GA Court Order have? The GA caseload has doubled since June 1984 (from 21 cases to 40). This change is not attributable entirely to the GA Court Order, but also reflects the 'sign of the times.'

> I doubt that clients knew about the court order. Clients have learned, however, that now when they have some needs and applications are made, our office meets those needs more liberally than under our "county policy."

> All counties were to follow the current rule with no individual county interpretation or unwritten limits.

> Clients now receive assistance immediately rather than after participation in the work program. Amounts of assistance are now more 'humane'. As a result, budgetary amounts have increased substantially since the GA Court Order.

> Proving a need for transportation or personal needs now consists of only filling in the amount (up to the maximum allowable) on the ad-This system encourages applicants to apply for maximum benefits.

Personal needs amounts prior to the court order were as follows:

\$15.00 1-2 person households

\$20.00 3-4 person households

\$25.00 5 + person households

Many times Workfare clients are exempted due to the fact we now have so many GA applicants and have not been able to substantially increase our Workfare supervisors. In a community this size, there are a limited number of persons willing to volunteer as Workfare supervisors.

Nothing was issued for transportation needs.

9. How many on Workfare?

11

If you need clarification of any of this data, please give me a call.

NF/nc

STATE OF MONTANA DEPARTMENT OF SOCIAL & REHABILITATION SERVICES

INTER-OFFICE CORRESPONDENCE CENTER

JAN 24 1955

TO:

Lee Tickel, Deputy Administrator

Date: January 32, ECONOMIC ASSISTANCE

Economic Assistance Division

Box 4210

Helena, MT 59604

FROM:

Powell County Human Services America 409 Missouri

Deer Lodge, MT 59722

RE:

GENERAL ASSISTANCE-ADULT CASES

This is in reference to your phone centact of this date. Powell county has 22 Adult Only General Assistance Cases.

- 1. Two have been in the state six months or less.
- 2. Age and sex of households:

MAI	<u>E</u>			PE	MALE		
18	Years	old-	2	18	Years	old	-1
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48	**	**	1	56	11	11	1
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57	**	17	1	71			

- 3. Medical Disability-5
- 4. From out of state:

Missouri- 1 Mother lives her Texas - 1 Prison related Ohio - 1 In-laws live here Unknown -11 Wanders around country

- 5. Unemployment ran out- 1 household.
- 6. Length of Coneral Assistance

1	Month-	77	housemolds
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- 7. Veterans-3
- 8. Moved from non-assumed county-0

If you need any further information please contact me.

Frieda Howery, Director Powell County Human Services

nc

BA SURVEY - 12/84 Caseload ANACONDA DEER LODGE COUNTY

Age of recipients (Head of Household) (34.8 Avg. age)

RECEIVED

<u>Under 20</u>

45-49 JAN 24 1985

ECONOMIC ASSISTANCE

Sex of recipients (Head of Household)

Female 22

Household compositon (# of households)

1 male adult 64

1 female adult

2 female adults

Male and female (couples)

Adults with children (family cases)

Ethnicity (Head of Household)

Workfare Status

Incap./SSI App. 20

Veteran Status

Out of State and State (17 from out of State)

10/84 - 12/84

Oregon 2 Washington 7/84 - 9/84 Idaho

New York

4/84 - 6/84

Florida

Arizona

Oregon 2

California

Alaska

Colorado

1/84 - 3/84

Idaho

More than 12 mos. ago

Washington

Idaho 2

Out of County and County (4 from out of County)

<u>10/84 - 12/84</u> Granite

7/84 - 9/84 Flathead Silver Bow

4/84 - 6/84 Park

Total mos. on GA

<u>Less than 3 mos.</u> 3 mos. - less than 6 mos. 6 mos. - less than 12 mos. 43

 $\frac{12 \text{ mos. or more}}{31}$

Unemployment comp ended date (39 v.c.)

More than 12 mos. ago

Endora Faed - Den Hodge Copy fee 1. In State I amontás - held international militario head of h.h. 2. Age under 20) 12 20-24) 20 25-29) 18 30-34) 22 35-39) 16 40-44) 14 45-49) 16 50-54) 9 J5-59) 7 60-64) dex M hend of h.h. 111 male 22 female 3. Hauschald munter comp. 64 male 21 females 3 2 male adults inh, # a adulto no Kilo 15 inh. adultor Keds) 33 Ethnia 122) white 7) Judian of the manie

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and prove prove H household - last 3 months, 1 from Granite from Hathers &, from Helius Bow G months,) from Park less than 3) Total hiorishs on the 22 (3-4) 38 43 12 more) 3) Unemplayment Comp. ending date at least productions last 3 months) 3-(c) 11 6-9) 7 9-12) 2 11/621 Yhan12) 17 39 red U.C. - all The rest of 135 were not sial circumstance in his Caunty.
Age youp
Education Skills Training

DEPARTMENT OF SOCIAL & REHABILITATION SERVICES

REHABILITATION SERVICES RECEIVED

JAN 25 1805

310 NORTH THIRD STREET

TED SCHWINDEN, GOVERNOR

<u>STATE OF MONTANA •</u>

(406) 363-1944

HAMILTON, MONTANA 59840

January 24, 1985

TO:

Lee Tickell, Deputy Administrator

Economic Assistance Division

FROM:

Carole A. Graham, Director

Ravalli County

SUBJECT: Observation of GA caseload

The majority (63%) of single households are in the 20 and 30 age group. They are evenly divided between male and female. Unemployment compensation has run out for 89% and one-third of them are filing for a disability or are incapacitated. One-half have been on GA less than three months but have resided in the state over six months.

Half of the two-person households are in their 20's. Eight out of nine cases are couples and one person of the household was eligible for unemployment compensation. They have resided in the state over six months and half have been on GA less than three months.

Family households are in the 30's age group. 62% are unskilled workers and have been on GA three to six months and 77% have resided in the state over six months.

The beauty of the valley seems to attract out of state people with over one-half coming from out of state and 15% of the out-of-state persons are catagorized as disabled. The valley has twelve log home plants which attract unskilled labor but benefits and hours are poor. Usually the job does not end up entitling the worker to any unemployment benefits.

This week we also had an application from a self-employed worker whose income averaged \$711.00 per month, but he had used up all his liquid resources and was asking for General Assistance. He has a spouse and two children. He is 30 years of age and has been a resident of the valley for many years. This type of individual is uncommon to the GA program. To analyze the impact of this type of case, I checked for similar cases on food stamps and found there are seventeen similar self-employ cases. When the grapevine discovers the self-employed can receive help I expect more applicants.

CAG:jd

DEPARTMENT OF SOCIAL & REHABILITATION SERVICES

RAVALLI COUNTY OFFICE OF HUMAN SERVICES

TED SCHWINDEN, GOVERNOR

310 NORTH THIRD STREET



(406) 363-1944

HAMILTON, MONTANA 59840

	Single Person Household	Two Person Household	Family Household
Total No. of Cases	19	9	13
Age Groups:			
under 20	2	0	0
20 - 29	6	5	2
30 - 39	6	1	10
40 - 49	3	1	0
50 - 59	1	1	1
60 - over	1	1	0
Sex:			
male	10	1	NA
female	9	0	NA
couple	NA	8	NA
Unemployment comp.:	٠		
eligible	2	7	5
not eligible	17	Ž	8
Disabled/Incapacitated	: 7	1	0
Residency:			
over 6 mo.	18	7	10
3 - 6 mo.	0	1	1
under 3 mo.	1	1	2
Time on GA:			
under 3 mo.	10	5	4
3-6 mo.	2 7	2 2	8
6 mo. on-going	7	2	1

County of Yellowstone

RESOURCE DEPARTMENT
JAMES C. GREER, JR., DIRECTOR



Re: County General Assistance

BILLINGS, MONTANA

59101

January 24, 1985

Lee J. Tickell, Deputy Administrator Economic Assistance Division - S.R.S. PO Box 4210 Helena MT 59604

Dear Mr. Tickell:

Yellowstone County currently has 18 individuals on the county work program; 14 of these people are single, 2 are from 2-adult households and 2 have families. Yellowstone County also has 50 households receiving assistance based upon a medical statement of disability. Forty-seven of these are single households and 3 are 2-adult households. Out of this above number, 20 are receiving assistance pending S.S.I. and 30 are receiving assistance based upon a temporary incapacitation. Of the medical disabilities, 28 are physical disability while 22 are mental disability. As far as the period of time that these households have received assistance, 25 have been on assistance less than 3 months, 17 between 3 and 6 months and 26 for over 6 months.

Yellowstone County's plan pays for assistance up to 90% of the A.F.D.C. guidelines and we pay by a voucher only. The assistance also is not given until after the fact. By this, I mean that an individual cannot receive rent assistance until 30 days after the date of application. Yellowstone County uses Federal Emergency A.F.D.C. for all families for the first 30 days in which assistance is requested. We do not make payments to households that have lost benefits from federal programs such as A.F.D.C. or Food Stamps during their months of disqualification. We also do not have an emergency A.F.D.C. payment.

Billings is fortunate in that the unemployment situation is not as high as in other counties or the state average. We also have a number of social agencies which help families and individuals in emergencies and, therefore, are meeting the needs of some of the people who we might otherwise have to put on general assistance.

Should there be any further questions, please do not hesitate to contact me.

Sincerely,

James C. Greer, Jr. County Director IV

cm

Encl. (2 copies)

January 24, 1985

Lee J. Tickell, Deputy Administrator Economic Assistance Division - S.R.S. PO Box 4210 Helena MT 59604 Re: County General Assistance

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Yellowstone County currently has 18 individuals on the county work program; 14 of these people are single, 2 are from 2-adult households and 2 have families. Yellowstone County also has 50 households receiving assistance based upon a medical statement of disability. Forty-seven of these are single households and 3 are 2-adult households. Out of this above number, 20 are receiving assistance pending S.S.I. and 30 are receiving assistance based upon a temporary incapacitation. Of the medical disabilities, 28 are physical disability while 22 are mental disability. As far as the period of time that these households have received assistance, 25 have been on assistance less than 3 months, 17 between 3 and 6 months and 26 for over 6 months.

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Billings is fortunate in that the unemployment situation is not as high as in other counties or the state average. We also have a number of social agencies which help families and individuals in emergencies and, therefore, are meeting the needs of some of the people who we might otherwise have to put on general assistance.

Should there be any further questions, please do not hesitate to contact me.

Sincerely,

James C. Greer, Jr. County Director IV

January 24, 1985

Lee J. Tickell, Deputy Administrator Economic Assistance Division - S.R.S. PO Box 4210 Helena MT 59604

Re: County General Assistance

Dear Mr. Tickell:

Yellowstone County currently has 18 individuals on the county work program; 14 of these people are single, 2 are from 2-adult households and 2 have families. Yellowstone County also has 50 households receiving assistance based upon a medical statement of disability. Forty-seven of these are single households and 3 are 2-adult households. Out of this above number, 20 are receiving assistance pending S.S.I. and 30 are receiving assistance based upon a temporary incapacitation. Of the medical disabilities, 28 are physical disability while 22 are mental disability. As far as the period of time that these households have received assistance, 25 have been on assistance less than 3 months, 17 between 3 and 6 months and 26 for over 6 months.

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Should there be any further questions, please do not hesitate to contact me.

Sincerely,

James C. Greer, Jr. County Director IV

WITNESS STATEMENT

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January 28, 1985

CHAIRMAN WINSLOW AND MEMBERS OF THE SUBCOMMITTEE ON HUMAN SERVICES:

I am John Ortwein of Helena, representing the Montana Catholic Conference, which serves as the liaison between the two Catholic Dioceses of Montana in matters of public concern.

I am here to speak in support of the General Assistance program here in the state of Montana. I am also here to hopefully help dispel several myths that seem to hand in hand with many persons thinking when they hear the term General Assistance.

These myths would have us believe that people receiving welfare benefits are persistently dependent on that source of income, are not working, could work if they wanted to, and have children who will also be on welfare.

One of the most detailed studies ever done on poverty in this country was recently condluded by G. J. Duncan for the Institute of Social Research, the University of Michigan. The study was entitled, "Years of Poverty, Years of Plenty: the Changing Economic Fortunes of American Workers and Their Families". The research showed that over a ten year period welfare assistance was not limited to the same group of recipients. In fact, between 1969 and 1978 one-fourth of the American population lived in families receiving welfare in at least one year. Nor is there any evidence of extensive long-term dependency on welfare benefits. While a quarter of the population lived in families receiving such benefits at some time, less than one percent obtained welfare income for all ten years. In other works, over a decade many families will receive welfare assistance at some point, but typically for a limited period of time. People move into and out of poverty in response to such conditions as divorce and marriage, finding or losing a job, the death of a spouse, and physical disability. Women particularily request general assistance with a divorce or the death of a spouse. Men most often seek general assistance when there is a loss of their job. Having just moved to Helena recently from Glendive, I am well aware of the frustrations many men in the Glendive area are facing with the closure of so many companies due to the reduction of work in the oil fields.

When I was a student at Carroll College some years ago I played the part of King Arthur in the play "Camelot". In one scene I was playing chess with King Pellinore. The stakes of the game?? Counties. We were playing with people's lives. I would hope as this committee and the full House and Senate look at all the bills facing them and will give special consideration to the General Assistance. The poor are denied full participation in the economic, social, and political life of society. They need you to speak for them....

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Exhibit 14 1-28-85

WITNESS STATEMENT

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The U.S. bishops Ad Hoc Committee on Catholic Social Teaching and the U.S. Economy, the drafting committee for the bishops' proposed national pastoral letter on the economy, is chaired by Archbishop Rembert Weakland, OSB, of Milwaukee. Other members of the committee are: Archbishop Thomas Donnellan of Atlanta, Ga.; Bishop George Speltz of St. Cloud, Minn.; Bishop William Weigand of Salt Lake City; Auxiliary Bishop Peter Rosazza of Hartford, Conn.

The first draft of the letter was scheduled for presentation to all the U.S. bishops during their Nov. 11-15 annual, national meeting. Release of the first draft was scheduled to take place after the U.S. presidential elections.

U.S. presidential elections. When the U.S. bishops issued their 1980 pastoral letter on Marxist communism (Origins, vol. 10, pp. 433ff), some bishops urged that a critique of capitalism also be undertaken. In the pastoral on Marxist communism, the bishops had stated: "A sober and responsible lifestyle (by Americans) would be more effective than anti-communist propaganda in dissuading the uncommitted from joining the Marxist camp." They warned against identifying Christian social principles "with our own socialeconomic structure" and they said that despite the American tradition of generosity, American consumerism and the failure to tackle the systematic roots of global injustice "weaken our credibility" and make communism attractive in the Third World.

responsibility in helping to establish a just economic order.

We write with two purposes: 1) to provide guidance for members of our own church; and 2) to add our voice to the public debate about U.S. economic policies.

Our fundamental norm in judging economic policies has been this: What will this approach or policy do to the poor and deprived members of the human community?

PART ONE Biblical and Theological Foundations

I. The Christian Vision of Economic Life

The dignity of the human person is the criterion against which all aspects of economic life must be measured. This dignity can only be realized in relationship and solidarity with others.

A. Biblical Perspectives on Economic Life

1. Creation, Covenant and Community

The biblical motifs of creation, covenant, and community provide a basis for our reflection on economic and social justice. Creation is a gift; men and women are to be faithful stewards in caring for the earth. No dimension of human life lies beyond God's care and concern. To live in the new creation and to be a partner in the new covenant calls us to community and solidarity.

2. The Primacy of Justice

Reverence for God as Creator and fidelity to the covenant are expressed by concern for one's neighbor. The justice of a community is measured by its treatment of the poor and the powerless in society. Like the prophets, Jesus takes the side of those who are powerless or on the margins of society.

3. Wealth and Poverty

Wealth is evil when it so dominates a person's life that it becomes an idol claiming allegiance apart from God or when it blinds a person to the suffering and needy neighbor.

Biblical perspectives on wealth and poverty form the basis for what today is called "the preferential option for the poor." This option challenges the contemporary church to speak for those who are defenseless and poor to assess social institutions and policies in terms of their impact on the poor.

4. Discipleship and Social Justice

The church is called to be a community of disciples, a community which commits itself to solidarity with those who suffer and to confrontation with the sinful structures that institutionalize injustice.

B. Living as Disciples Today: From the Bible to Economic Ethics

Our reflections on economic life are informed not only by the biblical vision of the kingdom and discipleship, but also by the church's long tradition of social teaching and by reasoned reflection on the realities of economic life today.

II.Efhical Norms for Economic LIfe

Economic institutions are to be evaluated not only by productive efficiency and the amount of goods and services they make available; we must also ask, Do these institutions permit all persons that measure of active social and economic participation which befits their membership in the human community?

A. Human Rights: The Minimum Conditions for Life in Community

If the economy is to function in a way that respects human dignity, then it should enable persons to find self-realization in their labor; it should permit persons to fulfill their material needs through adequate remuneration, and it should enhance unity and solidarity within the family, the nation and the world community.

In its relatively short history the United States has made impressive strides in providing material necessities and economic prosperity for its people. However, there remain major problems and injustices that infringe upon human dignity. The nation must take up the task of framing a new national consensus that all persons have rights in the economic sphere and that society has a moral obligation to take the necessary steps to ensure that no one among us is hungry, homeless, unemployed or otherwise denied what is necessary to live with dignity.

The experiment in political democracy carried out by America's founders did a great deal to ensure the protection of civil and political rights in our nation. The time has come for a similar experiment in economic democracy: the creation of an order that guarantees the minimum conditions of human dignity in the economic sphere for every person.

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B. Justice, Power and Institutional Priorities

Justice demands the establishment of minimum levels of participation by all persons in the life of the human community. This norm has implications in terms of distributive justice.

A certain inequality in the distribution of conomic resources can sometimes be justified, but subject to several stringent constraints:

- 1. There is a strong presumption against inequality of income or wealth as long as there are poor, hungry and homeless people in our midst.
- 2. Unequal distribution of income, education, wealth, job opportunities or other economic goods on the basis of race, sex or other arbitrary standards can never be justified.

Three priority principles should shape our economic policies and institutions both domestically and internationally:

- * 1. The fulfillment of the basic needs of the poor is of the highest priority.
- *2. Increased participation for the marginalized takes priority over the preservation of privileged concentrations of power, wealth and income.
- * 3. Meeting human needs and increasing participation should be priority targets in the investment of wealth, talent and human energy.
- C. Responsibilities and Rights of Diverse Economic Agents and Institutions

1. Working People and Labor Unions

All people have a right to employment, o just wages and to collective bargaining. People also have a duty to work, and workers and unions have responsibilities to their employers and to society as a whole.

2. Managers, Investors, Businesses, Banks

Persons who own, invest and manage financial resources make important contributions to society. In using economic resources, a fundamental principle should be that, whatever one's legal entitlement, no one can ever own these resources absolutely or use them without regard for others.

Catholic social teaching defends the right to private ownership of property, but it is not an absolute or unconditioned right. No one is justified in keeping for his exclusive use what he does not need when others lack necessities.

3. Citizens and Government

All people have obligations to overcome the wounds of injustice by acts of charity, the sharing of possessions and other forms of voluntary action. At the same time, all have a larger responsibility to remove the causes of injustice—through their actions as citizens and through government and the political process.

Government has a positive moral function: that of protecting basic rights, ensuring conomic justice for all and enabling citizens to coordinate their actions toward these ends. While Catholic social teaching provides a positive affirmation of the role of government, it does not

advocate a statist approach to economic activity. The principle of "subsidiarity" is the primary norm for determining the scope and limits of governmental action.

4. Transnational and International Economic Actors

The conviction that the human race is one moral community must be the basis for the effort to improve the quality of global interdependence. All the economic agents of our society must attend to the good of the whole of the human family in a self-conscious way and contribute to the strengthening of institutions which support the international common good.

5. Consumers

Our Christian faith and the norms of human justice impose distinct limits on what we consume and how we view material goods. Such limits on consumption and the accumulation of wealth are essential if we are to avoid what Pope Paul VI called "the most evident form of moral underdevelopment," namely avarice or greed.

6. The Church

All the moral principles that govern the just operation of any economic endeavor apply to the church and its agencies and institutions. All church institutions must fully recognize the rights of employees to just wages and to organize and bargain collectively through whatever association or organization they freely choose. Both individual Christians and the church as a community can make very important contributions to achieving greater economic justice.

PART TWO Policy Applications

We attempt in this part of the document to focus the light of moral principles on five economic issues that are central to American life. The issues treated here are illustrative topics intended to exemplify the interaction of moral values and economic issues in our day, not to encompass all such values and issues.

III. Employment

The most urgent priority for U.S. domestic economic policy is the creation of new jobs with adequate pay and decent working conditions. The prime goal must be to make it possible for everyone who is seeking a job to find employment which befits human dignity.

A. The Scope and Effects of Unemployment

By almost any measure — individual, social, economic or political — the costs of unemployment are enormous. Current levels of unemployment are morally unjustified.

B. Causes and Cures: Competing Interpretations

Several criteria are presented which can help shape an effective response to unemployment. Efforts to generate employment: should be aimed specifically at bringing marginalized persons into the labor force; should give priori-

The U.S. bishops voted in November 1980 to form an ad hoc committee to develop a pastoral letter on the economy. It was at that same meeting of the bishops, however, that it was also decided to develop a statement about war and peace in the nuclear age. The latter project was given priority, culminating in the publication in May 1983 of the bishops' war and peace pastoral "The Challenge of Peace: God's Promise and Our Response" (see Origins, vol. 13, no. 1).

Meanwhile, the committee charged with developing the economics pastoral has been working steadily. In an interim report given to the general meeting of the U.S. bishops last November the committee announced that publication of the first draft of the pastoral would be delayed until after the November 1984 U.S. presidential elections in order to prevent possible partisan use of the document

Plans called for the first draft to be presented to the Nov. 12-15 meeting of the U.S. bishops. Although the bishops will be given time to ask questions and make general comments on the draft, no extended discussion or action on the document is planned. Bishops will have until Feb. 15, 1985, to submit reactions and comments to the first draft. The committee will devote March-May 1985 to preparing a second draft based on the bishops' responses.

The second draft will be discussed at a general meeting of the bishops in Collegeville, Minn., scheduled for June. On the basis of that discussion, a third draft will be prepared and mailed to the bishops later in the summer.

Final discussion, amendments and voting on the pastoral will take place during the bishops' general meeting in November 1985. ty to long-term jobs; should produce goods and services needed by society; should be as economically efficient as possible; and should include both the private and public sectors.

C. Policy Objectives

1. The nation should make a major new policy commitment to achieve full employment — to reduce unemployment to the range of 3 percent or 4

2. The government should increase support for direct job creation programs targeted on the structurally

unemployed.

3. Job-training and apprenticeship programs in the private sector. supported jointly by business, labor and government, should be expanded.

4. Local, state and national coalitions to press for job creation should be

formed.

5. Job-placement services should be improved and expanded.

IV. Poverty

The fact that more than 15 percent of our nation's population lives below the official poverty level is a social and moral scandal that must not be ignored.

A. Institutional Factors

1. Racial and Ethnic Discrimination The rates of poverty are highest among those groups who have historically borne the brunt of racial prejudice and discrimination.

2. Feminization of Poverty

Families with female heads now have a poverty rate six times that of twoparent families. Many women work full time outside the home but are still poor. because of low wages and discrimination in employment opportunity.

3. Distribution of Income and Wealth The distribution of income and wealth in the United States is so inequitable that it violates the minimum standard of distributive justice. In 1982 the richest 20 percent of Americans received more income than the bottom 70 percent combined. The disparities in the distribution of wealth are even more extreme.

B. Norms for Action

Dealing with poverty is an imperative of the highest order. The following are some of the elements necessary for a national strategy to deal with poverty:

1. Building a healthy economy to provide employment opportunities for

- 2. Action to remove barriers to full and equal employment for women and minorities.
 - 3. Reforms in the tax system that

would reduce the burden on the poor.

4. Programs and policies to foster self-help programs among the poor.

5. Improvements in the quality of education for poor children.

6. Improved child-care services.

C. Welfare Reform Change System is woefully inadequate and in need of maior reform. Attitudes toward the poor are frequently characterized by unfortunate stereotypes, stigmatization and false impressions. We propose six guidelines for welfare reform:

Welfare programs should be adequately funded and provide ade-

quate support.

2. National eligibility standards and a national minimum-benefit level for public-assistance programs should be established.

(3) Welfare programs should strengthen rather than weaken marriage

and the family.

(4.) Welfare programs should encourage rather than penalize gainful

employment.

5. The design of public-assistance programs should involve the participation of recipients and should avoid stigma to clients.

6. The administration of publicassistance programs should show respect

for clients.

V. Food and Agriculture

This section will be completed in the coming months and will be included in the second draft of the pastoral letter.

VI. A New American Experiment: Collaborating to Shape the Economy

America needs a new experiment in cooperation and collaboration to renew a sense of solidarity, enhance participation and broaden the sharing of responsibility in economic society.

A. Cooperation Within Individual Firms and Industries

Management and workers should develop new forms of partnership and cooperation, such as cooperative ownership and worker participation in ownership and decision making.

B. Local and Regional Cooperation

Government, business, labor and other institutions can work together at the local and regional level to develop new cooperative structures to promote such goals as job creation and community economic development.

C. Cooperation in the Development of National Policies

In an advanced economy like ours, all actors of society, including government, must actively and positively cooperate in forming national economic policies. Catholic social teaching supports the need for society to make provision for overall planning in the economic domain, but it must be done in such a way that strikes a balance between individual initiatives and the common good.

A primary criterion for judging the moral value of national economic policies is their impact on the poor and the marginalized.

Greater coordination in the development of national economic policies is called for.

The formation of national economic policies should be accountable to the people through their democratically elected representatives.

D. International Cooperation

As U.S. citizens, we must wider our horizons and work to enhance col laboration and mutual responsibility of a global level.

VII. The United States and the World Economy: Complexity, Challenge and

A. Economic Relations in an In terdependent World

The U.S. economy has enormou influence on the rest of the world Recognizing that fact and meaning o global interdependence is central to assessing the role of the United State in the world economy. Linked togethe in a finite world, we can help or hurt on another by the policies we adopt.

B. The Relevance of Catholic Social **Teaching**

Our challenge is to shape th conditions of interdependence according to the standards of justice, equity an charity. The factual and more challenges of global interdependence re quire that rules be devised to govern the activities of three key sets of actors: ii dividual nations, multilateral institu tions and transnational corporations

Catholic teaching suggests three key principles that should be part of the policy debate on the internation economic order: the need for reform the international system, the need refashion national policies and the a ceptance of a "preferential option for the poor" as an overall polic imperative.

C. U.S. International Developme Policy: A Critique

U.S. policy toward the develo ing world has shifted from its earlier en phasis on basic human needs and soci and economic development to a sele tive assistance based on an assessme of the relevance of countries and polici to U.S. geopolitical strategy.

There is an urgent need for change in the U.S. approach to develo ing countries — in terms of perspective

solution to the problem of poverty in this country must pay serious attention to education. There is now convincing evidence that schools could do more to increase learning among needy children.21 Promising steps include more

fective leadership by principals; greater expectations that all children can master a minimum amount of material; a clearer focus of instruction in the classroom; and evaluations based on specific measures of student achievement. In certain areas much more could be done to provide individual help for children who suffer from learning disabilities or other handicaps. Some of these reforms may require significant new expenditures, but others can be brought about even within existing systems. Improved education is no panacea for poverty's many disadvantages, but it is a good place to begin.

215. In this same spirit, we challenge our Catholic schools to remain in poor areas and to become models of education for the poor. They have already made many contributions, but they should continue to strive to provide the best possible education for the poor they serve. As bishops we pledge ourselves to support that effort.

216. 6. Improved child-care services should be made available to working parents. At present many families find it necessary to have two wage earners to obtain an adequate income. This fact, together with the significant umber of single-parent families, means That more than half of all young children need care while their parents are at work.22 For many other families the lack of reliable and affordable day care has prevented parents from finding or keeping jobs.

217. While we strongly recommend that national tax and welfare policies should support parents' decisions to care for their own children, all levels of government should help to assure the provision of adequate care for children whose parents must work. The current level of federal and state subsidies for day care is inadequate. We suggest increased funding for services and more generous tax benefits for child care. We also encourage employers to provide quality day-care services at the work place when possible. Working parents should not have to sacrifice their children's welfare in order to hold a job.

D. Welfare Reform

218. We have emphasized that social welfare programs are no substitute for the fundamental reforms in social and economic policy that are necessary to empower the poor, to provide jobs at decent wages and to reduce

e growing inequities in America's conomic life. Nevertheless, for millions of poor Americans the only economic safety net is the public welfare system. We believe that programs in this area are

essential and should be designed to serve the needs of the poor in a manner that respects their human dignity. In our judgment the present welfare system does not meet that criterion and is in need of major reform.

219. The United States has numerous separate programs to assist the needy, including four with broad coverage: Aid to Families with Dependent Children, Supplemental Security Income, food stamps and Medicaid, which provides certain health services to some of the poor. In general our welfare system is woefully inadequate. It is a patchwork arrangement marked by benefit levels that leave recipients poor: gaps in coverage; inconsistent treatment of poor people in similar situations; wide variations in benefits across states; humiliating treatment of clients; and frequent complaints about "red tape."

220. An unfair and unfortunate stereotype would have us believe that people receiving welfare benefits are persistently dependent on that source of income, are not working, could work if they wanted to and have children who will also be on welfare. This caricature is then used to argue against massive "welfare dependency" and for some version of "workfare." The present welfare system is also blamed for encouraging divorce, separation and illegitimate births.

221. The first obligation of citizens in debating public policy is to be aware of the relevant facts. In few areas is misinformation and misrepresentation as rampant as in discussions of welfare. Careful research shows that over a 10-year period welfare assistance is not limited to the same population of recipients. In fact, between 1969 and 1978 one-fourth of the American population lived in families receiving welfare in at least one year.23 Nor is there any evidence of extensive long-term dependency on welfare benefits. While a quarter of the population lived in families receiving such benefits at some time, less than 1 percent obtained welfare income for all 10 years between 1969 and 1978. In other words, over a decade many families will receive welfare assistance at some point, but typically for a limited period of time. In about half the cases welfare is used to dig out of a crisis caused by divorce, job loss or the death of a spouse.24 When the crisis ends, so does welfare. And, contrary to popular imagination, welfare dependency does not seem to pass from one generation to the next. Most children from welfare families do not themselves receive welfare, and most of those receiving welfare do not come from homes that had previously received such benefits.25

222. One reason why we do not have a humane welfare system is our punitive attitude toward the poor. Americans have a tendency to blame

poverty on laziness, to stigmatize welfare recipients, to exaggerate the benefits actually received by the poor and to overstate the extent of fraud in welfare payments.26 The belief persists in this country that the poor are poor by choice, that anyone can escape poverty by hard work and that welfare programs make it easier for people to avoid work. Hence we devise programs that single out the poor for special treatment, provide meager benefits and are often demeaning in the way they are administered. In violation of the spirit of solidarity, the needy are kept at the edge of society and told in dozens of ways that they are a burden. In this climate, politicians often find that they can score points by producing cuts in welfare programs, even when the cost is a sharp increase in human misery.

223. Our attitudes toward pro-* grams for the poor differ sharply from our feelings about other benefits. Whereas the former are said to involve "handouts," the latter deliver "en-titlements." Social Security payments carry no stigma and require a minimum of bureaucratic scrutiny. Recipients of AFDC benefits, on the other hand, must pass through a mortifying application process, must remain under the supervision of a caseworker and sometimes must endure surprise visits to their homes. Their privacy counts for little.

224. Some of the most generous benefits to this country's citizens are not even called benefits. Each year the U.S. tax code grants a substantial advantage to property owners in the form of interest and real-estate tax deductions from the federal income tax. According to one estimate, tax benefits from housing alone cost the federal government more than \$30 billion in lost revenue for the fiscal year 1981.27 In that same year federal expenditures for the three largest programs for the poor (AFDC, food stamps and Medicaid) came to about \$36 billion. If one added in such benefits to the non-poor as veterans allowances, loans for higher education and support for farm prices, it would be clear that the middle classes receive far more from the federal government than do the poor. Yet some go on perpetuating the myth that the country is being bankrupted by welfare programs, when in fact the total cost of programs for the poor comes to less than 10 percent of the federal budget.

225. Programs for the poor and the poor themselves also suffer from other myths. It is often alleged, for instance, that the rolls of AFDC are filled with able-bodied adults who could work but will not. In fact, most AFDC recipients are young children and their mothers, most of whom cannot work. These mothers are also accused of having more children so that they can raise their allowances. The truth is that 70 percent of AFDC families have only one

or two children, and that there is little financial advantage in having another.28 It is a basic moral obligation for citizens to avoid the stereotyping seen in these and similar myths.

226. We strongly recommend that the United States undertake a thorough reform of its welfare and income-support programs. Building on our earlier discussion of moral principles, we propose six guidelines for that effort.

227. 1. Public-assistance programs should be adequately funded and provide recipients with decent support. It is important to remember that most welfare payments are short-term and aimed at dealing with disasters or crises. People seeking such benefits typically have no desire to be on welfare; they simply have no other alternative. The overriding purpose of welfare programs should be to help people through their difficulties.

228. A reasonable level of welfare support should, alone or in combination with other income sources, cover the basic needs of recipients for food, clothing, shelter, health care and other essentials. At present millions of people are not receiving enough benefits to bring them out of poverty. For example, the combined benefits of AFDC and food stamps typically amount to less than three-fourths of the official poverty level.29 Many others who need assistance simply do not qualify because of stringent eligibility requirements. We strongly believe that individuals and families receiving public assistance should not face the prospect of hunger at the end of the month, of having their children go to school in tattered clothing or of inadequate health care. Policies permitting such indignities are not only unjust but unwise, for they may inflict their own brand of harm on the poor.

229. 2. The United States should establish national eligibility standards and a national minimum-benefit level for public-assistance programs. Benefits should be provided to all needy people without regard to age, family or marital status, presence or age of children, employability or employment status. Currently eligibility and benefits vary greatly across states. In 1983, under AFDC a family of three with no earnings had a maximum AFDC benefit of \$96 per month in Mississippi and \$530 per month in Vermont.30 Moreover, within broad federal guidelines each state can set its own eligibility requirements for AFDC. Thus certain states permit unemployed fathers working 100 hours per month to qualify while most do not. Such patterns cannot be explained away by variations in the cost of living, because these are far less than the differences in benefits.

230. We specifically recommend the following policies:

-Federally established and

federally funded national minimumbenefit levels in cash assistance programs to assure a floor of benefits for all needy people in all states and territories. States should be allowed to supplement this amount without jeopardizing their eligibility for participation and without having the supplements subtracted from AFDC or other funds provided by the federal government.

-National eligibility standards for cash assistance programs and federal monitoring to ensure that these standards are being observed.31

-Annual adjustments in federal benefit levels to reflect increases in the cost of living.

-Gradual consolidation of programs for specific groups into a unified program of assistance coordinated by the federal government or, at most, a very small number of programs.

231. 3. Public-assistance programs should strengthen rather than weaken marriage and the family. Recent years have seen vigorous debate about whether the AFDC program encourages marital disruption and works against marriage.32 While there is little evidence for such effects, welfare programs should certainly be as favorable to twoparent as to one-parent families in the same economic circumstances. At present 31 states and territories limit participation in AFDC to families headed by single parents, usually women.33 Other states are open in principle to including needy two-parent families but exclude them in practice.

232. If the existing AFDC program continues, the coverage of twoparent families should be required with increased costs shared between the state and federal governments. This option would provide benefits to between 85,000 and 135,000 families not currently covered and would dispel some of the negative perceptions about welfare programs.

233. Public assistance policies should also give proper recognition to the value of work in the home, especially caring for children and other dependent family members. The needs of children for love, affection and attention are so basic that they should not be sacrificed by policies forcing parents out of their homes to work. Government does not have the right to decide that employment outside the home is the appropriate or preferred course for all parents whether or not adequate child care is available.

234. 4. Within the limits just stated, public-assistance programs should encourage rather than penalize gainful employment. Individuals ought not be worse off because they work outside the home than if they relied solely on public assistance. It is a misguided policy to tax wage earners or reduce benefits in such a way that the poor are better off not working than working.

Under the present system recipients of public assistance who accept jobs usually lose such benefits as Medicaid and are thus left to their own resources for health care.

235. Eligibility for public assistance should also not depend on work requirements or work tests. There is little or no evidence that people need to be compelled to work, and therefore there is no good reason to subject them to such tests. Assignment to unpaid work in the form of "workfare" is a particularly objectionable requirement for welfare. All work should be fairly compensated so that workers receive the full benefits and status associated with gainful employment.

236. 5. The design of publicassistance programs should involve the participation of the recipient population and avoid or minimize stigma to clients. The process of developing and reforming welfare policies should be open to participation by recipients. Clients are typically in a better position than legislators to know which regulations will be fair and which will create in-

dignities or abuse.

237. The content of assistance programs should also avoid stigma to recipients.34 Policies leading to the public identification of recipients may unfairly isolate the poor from the rest of the society. Providing assistance in the form of cash grants rather than food stamps or vouchers will reduce stigma, for cash grants reduce the number of situations in which poor people have to identify themselves as such. There is a certain risk that the money will be used for purposes other than those intended, but it does not appear to be great. Similarly, in programs for children such as school-lunch programs, poor children should not be openly identified as such.

238. 6. The administration of public-assistance programs should show respect for clients. With the punitive spirit behind our present welfare programs, a premium is often put on deterring applications, using regulations to create difficulties for clients and otherwise showing the poor that they are not to be trusted. Such practices seldom occur in most social-benefit programs for the non-poor. For example, a person of moderate income who wishes to claim average interest expenses on a federal tax return need only list that amount and file the return in the mail. Documentation is not required and the chances of an audit on that point are minimal. By contrast, a poor person who needs public assistance must be interviewed, present suitable documentation about residence and the like, and often be subjected to surveillance.

239. The regulatory controls for recipients of public assistance should be no greater than in comparable programs for other citizens. The damage done to the poor through the present ad-

Welfare recipients conduct own survey

By Ed Kemmick Standard Staff Writer

The Butte Community Union has challenged contentions by welfare directors in Butte-Silver Bow and other counties that substantial numbers of out-of-staters are applying for welfare benefits in Montana.

Community union members conducted a survey of general assistance clients Wednesday and say the results show an overwhelming majority of the clients are long-time residents of Montana.

The issue was raised two weeks ago in a Standard State Bureau story that said welfare agency directors in Silver Bow, Missoula and Cascade counties noted increasing numbers of welfare applications from out-of-state residents.

state residents.
Some of the officials said indigents from nearby states apparently were taking advantage of Montana's relatively liberal welfare qualifications.

The welfare directors had no statistics to back up their claims, saying their information came from talking with the caseworkers who interview applicants.

The community union ran its survey in the courthouse Wednesday, the first of the month, when general assistance recipients pick up their monthly checks.

Union board member Sharon Vingom said the first 100 welfare applicants who passed through the courthouse filled out a brief questionnaire, asking how long they have received general assistance, how long they have lived in Montana and, if they were from out of state, when and why they moved to Montana.

Survey results showed, she said, that 90 of the respondents have lived in Montana for more than a year, 64 have lived here more than 20 years and half said they've lived in Montana all their lives.

Only six of the 100 respondents started getting welfare benefits within two months after arriving in Montana, she said, and all of them said they moved here to look for work, not welfare.

Community union member Bob McCarthy said the claims made by welfare directors could influence the Legislature to cut benefits in the state. Local welfare programs in Butte and 10 other counties are

funded and administered by the state.

"Our concern was that by implying that the program largely serves transients, or that it is a magnet for people from other states, it could hurt the credibility of the program with the Legislature," he said.

McCarthy also pointed out that the Standard State Bureau story said welfare officials in Lewis and Clark and Yellowstone counties have seen few out-of-state clients.

That would make no sense, McCarthy said, because Lewis and Clark County had been paying the highest benefits in the state, nearly double the maximum allowable payments in Butte.

If people really were drawn to Montana to seek welfare money, he said, they would be much more likely to settle in Helena, rather than in Butte.

Butte welfare director Queenie Lynch stuck by her claims, and said of the community union's survey: "It's their statistics. I'm not going to argue with their statistics ... you can do anything you want with

She said she has no reason to doubt her caseworkers when they report seeing more clients from outside of Montana.

She also said there has been a "sizable number" of people who come in once for benefits and are never seen again, which suggests they are from out of town and leave again after collecting one welfare check

What is even more confusing, Lynch said, is that some welfare clients have moved to Butte from Helena and Anaconda. She said she does not know why that is, or why people come from out of state, but she has no doubts that such a situation exists.

She said caseworkers do compile some background information on clients, but "there's no way that we have time to go back and check those records."

As a result of a suit filed by the community union, state welfare rules were substantially changed recently to allow greater benefits for the poor.

"The staff is working as hard as it can just to keep up with the changes," she said, and has no time to collect and interpret information on where their clients come from.

MONTANA RELIGIOUS LEGISLATIVE COALITION • P.O. Box 745 • Helena, MT 59624

Montana Association of Churches

January 28, 1985

VORKING TOGETHER:

merican Baptist Churches of the Northwest

merican Lutheran Church Rocky Mountain District

> Christian Church (Disciples of Christ) in Montana

Episcopal Church Diocese of Montana

Lutheran Church in America Pacific Northwest Synod

Roman Catholic Diocese of Great Falls-Billings

Roman Catholic Diocese of Helena

United Church of Christ MT-N.WY Conference

United Methodist Church Yellowstone Conference

Presbyterian Church (U.S.A.) Glacier Presbytery

> yterian Church (U.S.A.) Nowstone Presbytery

MR. CHAIRMAN AND MEMBERS OF THE JOINT HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE:

I am Cathy Campbell of Helena, representing the Montana Association of Churches.

I am testifying to show our concern for those who are often the most needy, those who fall through the cracks in other assistance programs, those for whom this General Assistance safety net exists.

We support the funding of social services so as "to provide the necessities of life compatible with decency and health."

According to a 1983 Census Report, every 12 seconds, one more American slips below the poverty level. People below the official poverty line are, by definition, without sufficient resources to purchase the basic necessities of life.

It appears that by proposing to maintain the benefit level, SRS is fulfilling its responsibility to fund at the level of decency and health. This is commendable. But excluding one group of people is distressing. In this case, excluding single, able-bodied people assumes that just because people are physically able to work, they will be able to find work. In Montana, our unemployment statistics clearly indicate that we do not have a job for every Montanan.

The questions confronting the Committee involve the most basic issues of providing the fundamental needs of food, clothing, shelter and medical care.

I urge you to fund SRS at a level to meet the growing needs of the people of Montana.

Mr. Charmon - menters of the Commettee Exhibit 17

1-28-85

WITNESS STATEMENT

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NAME RONALD F. ELL ADDRESS 120 HONORITAGE ANTE, KIT	DATE 28-3-5
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WHOM DO YOU REPRESENT? THE COMMENTY SUPPORT YES (FUNDING) OPPOSE ALL CUTS	AMEND
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1. I would age this committee to agest any regulation that exclude people under 50 from G.a. 2, Looded uge the S.a. be funded, suffrement 5

TO THE MEMBERS OF THE APPROPRIATIONS COMMITTEE:

It may be helpful to you to know that at God's Love, Inc. which is a non-profit charity serving Helena, we gave almost \$10,000.00 to 72 needy families in the first 5 working days of this month. We then ran out of funds and have been turning people away. People are still suffering terribly here in Montana and we would gratefully appreciate your consideration of any measures that would insure decent standards of living - the basic necessities of life - to our fellow citizens. As far as we can tell economic recovery is slow to arrive in Montana. The private sector is stretching to the limits to help meet needs. We pray the public sector will do the same.

Sincerely,

Ann E. Miller

Volunteer Administrator

God's Love, Inc.

533 North Main Helena, Mt. 59601

Bill Vi, GA tilltson Aclera, Mr. Chair Reison - Community Reaples Action I support Tunding 2 oppose Cuts Lander action one a member of Montana Low Inverse Coalition Many of oron members are on Of Alasistance and Lyondon for survival, without it they will suffer, GA should not ble cut. Eduplarmentes Low and plople need GA.

In Support B AFDC, and General assistance with no monetary Certs

I have talked to many welfare Single head of households. Each of them have The same qualitiem. Grant assistance pays the minimum subsistance allowed using what seems to be 1950 last of living index. Many of these people have to undergo humiliation and mental degredation inorder to qualify for assistance. Others are quien the Royal I hed larget treatment. Mast have hidden "husbands" who help them as hest they can although they, too are generally unimployed. Some recipents are given food stamps that amply meet their needs, others, with the same number of dependents are receiving 100 less in Ford stamps. Some sign for their food stamps once a year and necessed them lin the mail. Their must show need on a monthly Mases. Some under DD and are single receive more in over all herefits, than a mother and ter Children.

It appears that General assistance (ADC) cause peablems for everyone. The Current program along with AFDC would benefit every Jamely in need in the State of Montain. That only does this EAFDC] beep families intact, it reduces the anxiety pears of the ADC female, increases the emotional health of children as well as their governto

and enrousages the unemployed head of that household to look for future employment with a brighter outlook! (the has not hadte abandon historiely, undergo mental anguish nor feel the humiliation & heing caught in his ADE (excepts) home.) Decause The AFOC guyram is home by more topdollars it sames Countrés; hu State money that General assistance needs to reach the inclusing needs of montana letique. Moone wants John on GA or AFDC. No one wants to be humiliated and dequedated inorder to recience help! This will lessen The burden on ees all, financially and the County welfare offices well have another option, in order to more fully meet the Nedo of montana's people Thank you Octava Late Billings, MT

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Tura Lue Hadges

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Helen Bueno was ill with Hist Blood Pressure, an Ephileptic swollen ankles breathing problem. and was made by the Welfare Work Program to go out a seek unemployment for Room & Board & have her utilities paid for. She can't rEAD very vell - had no transportation to set axound but hAS to hAUR 10 employers fill out applications to spy she had been there to seek employment. Before they would help har. It she did not vench these requirements they wouldn't help her. This is just one many people who are being treated un fair. It wasn't sor a helping hand from some relatives shed probably be out on the streets roaming.

marian Resenby

wants to see the program not cut wants to see problems corrected AFDC improved if passed because problems like this
will exist under this program too.

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· any problems receiving -Suport-No luts- needs inereased The money I recevery don't get me even through the whole month. el cont pay my ultities and makes me go in to debt. The food istemps il get and is get 279.00 amonth. I also get 109.00 amonth in jood stamps.

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In support of no cuts but Inerese in assistance

To Whom it may concern, I am on a Grant of \$279 a month. My rent is \$230 for a one bedroom. I it is me and my little boy. By the time I pay rent I have 49th left. That can't luch get me through the month. I have to buy Diospers I buy household items such as Dishsoop Toilet paper, etc. plus pay utility bills I would like to get a car but I Couldn't even afford small payments. I have to spend money on haundry and Detergent and its expensive out the Lourdry Mat. My Lood stomps don't even last a month. I can't ever even buy reasonings + condiments D wear old clothes cuz I can't afford new ones. My family often buy clothes for my little boy, I don't know what I would do without them, but my mom has financial problems too. My Dad Doesn't live here. My Grandporents Duy Stuff for us occasionally but they have lets of Grandkieds to buy stuff for.

Once in a while it would be rice if D could afford to go to the show or something with my friends, I know I count to be choosey but it would be sice.

Thank's for reading my letter,

WITNESS STATEMENT

NAME Michelle M St. John BILL NO.
ADDRESS ACT STOWARD
WHOM DO YOU REPRESENT? Butte Community Union (continue)
SUPPORT OPPOSE AMEND
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VISITORS' REGISTER

Human Services Sub COMMITTEE

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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

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VISITORS' REGISTER

BILL NO.

Human Services Sub COMMITTEE

DATE 1-28-85

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Marcia Yourgman	Bozeman (Bozemen House	Ø √-GA	funding
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PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.