

HOSUE BILL NO. 777

2/11 Introduced  
2/11 Referred to Human Services & Aging  
2/11 Fiscal Note Requested  
2/16 Fiscal Note Received  
2/18 Hearing  
2/20 Committee Report-Bill Pass As Amended  
2/22 2nd Reading Pass  
2/22 Rereferred to Appropriations  
3/21 Hearing  
Died in Committee

*Shane* HOUSE BILL NO. 777 *Beagle*  
 INTRODUCED BY *McConick* *Connell* *Hamington* *Ream*  
*J. Hammond* *J. Brown* *Pistoria* *Koch* *Kadd* *Connelly*  
*Cobb* *Vincent* *Miller* *Walden*

1 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE  
 2 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO CONDUCT  
 3 A STUDY TO DETERMINE THE INCOME LEVEL THAT WILL PROVIDE  
 4 BASIC NEEDS FOR A FAMILY IN MONTANA; AND PROVIDING AN  
 5 IMMEDIATE EFFECTIVE DATE."  
 6  
 7  
 8  
 9

10 WHEREAS, the Montana Constitution in Article XII,  
 11 section 3(3), creates a right to such economic assistance  
 12 "as may be necessary" and section 53-3-204, MCA, provides  
 13 that general relief assistance "shall be provided to meet a  
 14 minimum subsistence compatible with decency and health"; and

15 WHEREAS, the State of Montana is currently the  
 16 defendant in a lawsuit in which the court has questioned  
 17 whether the State is complying with these constitutional and  
 18 statutory obligations; and

19 WHEREAS, the State of Montana needs a comprehensive  
 20 study by which to monitor compliance with its continuing  
 21 constitutional and statutory obligations.

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

23 Section 1. Study to determine basic income level. The  
 24 department of social and rehabilitation services shall  
 25

1 conduct or cause to be conducted a study in Cascade,  
 2 Missoula, Silver Bow, Lewis and Clark, Lake, Ravalli, Deer  
 3 Lodge, Flathead, Mineral, Powell, Lincoln, and Park Counties  
 4 to determine the level of income necessary to adequately  
 5 provide basic needs for a family in Montana.

6 Section 2. Effective date. This act is effective on  
 7 passage and approval.

-End-



-2- INTRODUCED BILL  
 HB 777

## FISCAL NOTE

In compliance with a written request received February 13, 19 85, there is hereby submitted a Fiscal Note for House Bill 777 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

**DESCRIPTION OF PROPOSED LEGISLATION:**

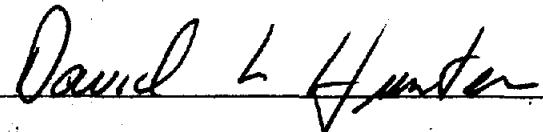
House Bill 777 requires the Department of Social and Rehabilitation Services to conduct a study to determine the income level that will provide basic needs for a family in Montana.

**ASSUMPTIONS:**

1. This study would apply to both the General Assistance and AFDC Program. The Department would contract for conducting the need study on a one time basis to determine the "needs" for the AFDC and General Assistance Grants.
2. The study would be done on a one time basis and then be used as a basis for legislative consideration for future funding request.
3. The court case in Butte filed by the Butte Community Union indicated that the cost for this type of study would be approximately \$25,000 to \$30,000. The amount would be less if bid prices were less.
4. Funding for this study of \$30,000 can be absorbed within the Department's Community Service Block Grant appropriation.

**FISCAL IMPACT:**

Although the study itself would be conducted under contract for approximately \$30,000, there is a potential for impacting the State General Fund in terms of millions of dollars if the need study indicates that the payment levels in both AFDC and General Assistance are below what is currently being legislatively mandated and considered by the Legislature for the 1987 biennium.

  
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BUDGET DIRECTOR  
Office of Budget and Program Planning

Date: Feb 16, 1985

HB 777

APPROVED BY COMM. ON  
HUMAN SERVICES AND AGING

HOUSE BILL NO. 777

INTRODUCED BY MCCORMICK, O'CONNELL, HARRINGTON, REAM,  
JACK MOORE, BERGENE, J. HAMMOND, J. BROWN, PISTORIA,  
KOEHNKE, KADAS, CONNELLY, COBB, VINCENT,  
MILLER, HANSEN, WALDRON, HARP

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WHEREAS, the State of Montana is currently the  
defendant in a lawsuit in which the court has questioned  
whether the State is complying with these constitutional and  
statutory obligations; and

WHEREAS, the State of Montana needs a comprehensive  
study by which to monitor compliance with its continuing  
constitutional and statutory obligations.

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

Section 1. Study to determine basic income level. The  
department of social and rehabilitation services shall  
conduct or cause to be conducted a study in--Cascade,  
Missoula,--Silver--Bow, Lewis and Clark, Lake, Ravalli, Deer  
Bodge, Flathead, Mineral, Powell, Lincoln, and Park Counties  
to determine the level of income necessary to adequately  
provide basic needs for a family in Montana. THE STUDY MUST  
BE A SYSTEMATIC, EMPIRICALLY BASED STUDY, UTILIZING AN  
INDEPENDENT DATA BASE, THAT INCLUDES AN EVALUATION OF PRICE  
LEVELS IN A CROSS SECTION OF THE STATE. THE DEPARTMENT SHALL  
PRESENT THE RESULTS OF ITS STUDY TO THE 50TH LEGISLATURE.  
THE RESULTS OF THE STUDY DO NOT, IN THEMSELVES AND WITHOUT  
IMPLEMENTATION BY LEGISLATIVE ENACTMENT OR DEPARTMENT RULE,  
CONSTITUTE A BASIS FOR REDETERMINING THE LEVEL OF GENERAL  
RELIEF ASSISTANCE TO WHICH AN ELIGIBLE RECIPIENT MAY BE  
ENTITLED. IN ADDITION, THE RESULTS OF THE STUDY MAY NOT  
SERVE AS A BASIS, IN WHOLE OR IN PART, FOR A LEGAL CLAIM TO  
A LEVEL OF GENERAL RELIEF ASSISTANCE GREATER THAN THAT  
PROVIDED FOR UNDER THE RULES ADOPTED BY THE DEPARTMENT.

Section 2. Effective date. This act is effective on  
passage and approval.

-End-

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INTRODUCED BY MCCORMICK, O'CONNELL, HARRINGTON, REAM,  
JACK MOORE, BERGENE, J. HAMMOND, J. BROWN, PISTORIA,  
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