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PUBLIC
WELFARE

D. V. McCALLUM, Chairman
C. B. STEPHENSON, Vice-Chairman
NEVA ELLIOTT, Secretary

George Birnie
William L. Brunner
Mrs. A. T. Damskov
Martin A. Fitzgerald
Alden Krieg
Sylvia Nemer
John W. Sonderer
Stanley N. Swan

HOME RULE CHARTER COMMITTEE of MULTNOMAH COUNTY

W. C. MERRELL
Executive Secretary
227-8411 ext. 339

Room 384 Multnomah County Courthouse
1021 S. W. Fourth Avenue
Portland, Oregon 97204

MINUTES

Meeting of Sub-Committee on Welfare
March 31, 1965

The Sub-Committee on Welfare met at 12 noon on Wednesday, March 31, 1965 in Room 384, Multnomah County Courthouse. The following members were present:

William L. Brunner - Chairman
Martin Fitzgerald

The sub-committee heard presentations from Ed Capen, Assistant to Commissioner Eccles, and Clay Myers, a member of the State Welfare Commission, on the Economic Opportunity Act and the Public Welfare Program, respectively.

The next meeting was tentatively set for 12 noon, Wednesday, April 21, 1965.


W. C. MERRELL
Executive Secretary

WCM:md

LLOYD E. ANDERSON, Chairman
WILLIAM L. BRUNNER, Vice Chairman
NEVA ELLIOTT, Secretary

George Birnie
Mrs. A. T. Damskov
John Elorriaga
Martin A. Fitzgerald
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MINUTES

Meeting of Sub-Committee on Welfare
April 28, 1965

The Sub-Committee on Welfare met at 12 noon on Wednesday, April 28, 1965, in Room 384, Multnomah County Courthouse. The following members were present:

William Brunner - Chairman
Martin Fitzgerald
Mrs. Sylvia Nemer

The sub-committee reviewed its findings to date and concluded that the functions of the departments and offices under its purview were more social services than they were welfare services and that the total aggregate of these functions was not of the magnitude to constitute a separate department of county government. The sub-committee further concluded that welfare per se was a state function and that the functions examined by this sub-committee were more social functions and public functions than they were welfare. The possibility of a joint report from the Sub-Committee on Public Services and the Sub-Committee on Welfare was discussed, however, it was concluded that each sub-committee would report their findings and recommendations and that the end result would probably fall together.

The Sub-Committee on Welfare will report to the committee as a whole at the meeting scheduled for May 11, 1965.

The meeting adjourned at 1:30 p.m.


W. C. MERRELL
Executive Secretary

WCM:md

A
PRELIMINARY REPORT
ON
PUBLIC WELFARE
IN
MULTNOMAH COUNTY

PRELIMINARY REPORT ON PUBLIC WELFARE IN MULTNOMAH COUNTY

Public Welfare is primarily a state function. A State Public Welfare Commission exists, created by statute, and is composed of seven members. The members are appointed by the governor and serve for a term of four years each.

The State Public Welfare Commission serves as the state agency for the administration and supervision of all public assistance programs and promulgates and enforces such rules and regulations as are necessary to insure full local compliance with the terms of federal and state laws. The state commission sets rules and regulations for a uniform public assistance program throughout the state.

A County Public Welfare Commission exists and it too is composed of seven members three of whom are members of the governing body of the county and the remaining four members are appointed by the governing body. The appointed members serve for terms of four years each. The powers and duties of the county commission are as follows: (1) Administer public assistance in the county as authorized by law, and subject to the supervision of and rules and regulations made by the state commission. (2) Employ such persons as may be necessary for the proper administration of public assistance programs upon approval of the state commission in accordance with rules and regulations of the merit system administered by the Department of Civil Service. (3) Keep such records and accounts and make such reports as the state commission prescribes.

It should be noted that the County Welfare Commission has practically no responsibility. All the rules are laid down by the state and the county commission has no rule making authority. The employment of personnel must be approved by the state commission, and the selection of the employees made in accordance with the State Civil Service Commission.

During the fiscal year 1964-65, \$2,403,555 was appropriated from the General Fund of Multnomah County for public assistance. This was the amount directed by the State Welfare Commission, and this is one of the areas of budgeting wherein the governing body of the county is obliged to include the amount set forth by a state agency without change. Following the inclusion of the amount as set forth by the State Welfare Commission in the budget document, the county, by law, issues its warrant in favor of the state commission for one quarter of the total amount on or before the first day of each calendar quarter of each fiscal year.

The state has a program known as the Work Relief Program that requires able-bodied welfare recipients to perform work in order to get welfare benefits. Several counties and the City of Portland participate in this program. Multnomah County is also a participant of this program for work in the parks and on the County Farm and in the County Fairgrounds.

The Work Relief Program is not a county policy decision, nor is it a policy decision of the County Welfare Board. It is a state determination and is a part of the Manpower Training and Development Act. The program is governed somewhat by federal rules under the Community Work and Training Program administered by the Department of Health, Education, and Welfare.

Appended hereto are copies of the statutes governing the State Welfare Commission and the County Welfare Commission.

DEFINITIONS

411.010 Definitions. As used in this chapter and in other statutes providing for assistance and services to needy persons, unless the context or a specially applicable statutory definition requires otherwise:

(1) "State commission" means the State Public Welfare Commission.

(2) "State department" means the State Public Welfare Commission, its administrator or other employed personnel.

(3) "County commission" means the county public welfare commission.

(4) "County department" means the county public welfare commission or its employed personnel.

(5) "General assistance" means assistance or service of any character provided to needy persons not otherwise provided for to the extent of such need and the availability of funds, including medical, surgical and hospital or other remedial care and costs of burials of needy persons.

(6) "Public assistance" means all types of assistance including old-age assistance, medical assistance for the aged, aid to dependent children, services for crippled children, child welfare services, aid to the blind, general assistance, aid to the permanently and totally disabled, and such other functions as may be delegated to the state commission by or in accordance with the provisions of federal and state laws.

[Amended by 1961 c.620 §1; 1963 c.599 §1]

**PUBLIC ASSISTANCE
ADMINISTRATION**

411.050 State Public Welfare Commission. A State Public Welfare Commission of seven members hereby is created. The members of the state commission shall be appointed by the Governor on the basis of recognized interest in and a knowledge of the field of public welfare, for terms of four years each, one beginning as of July 1, 1940, two beginning as of July 1, 1941, two beginning as of July 1, 1942, and two beginning as of July 1, 1943. Before the expiration of the term of a member of the state commission, the Governor shall appoint his successor to assume his duties on July 1 next following. In case of a vacancy for any cause, the Governor shall make an appointment to be immediately effective for the unexpired term. Any member of the state commission may be removed by the Governor at any time for cause. The state commission shall select one of its members as chairman and one of its members as secre-

tary. The members shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred by them in the performance of their duties.

411.060 State commission as state agency for public assistance. The state commission shall serve as the state agency in the administration and supervision of the

administration of all public assistance programs and promulgate and enforce such rules and regulations as are necessary to assure full local compliance with the terms of federal and state laws.

411.070 State commission shall fix state-wide standards for public assistance. The state commission shall by rules and regulations fix state-wide uniform standards for all public assistance programs and effect uniform observance thereof throughout the state. In establishing state-wide standards for public assistance, the state commission, within the limits of available funds, shall take into consideration all basic requirements for a standard of living compatible with decency and health, including food, shelter, clothing, fuel, public utilities, medical care and other essential items and, upon the basis of investigations of the facts, shall provide budgetary guides for determining minimum costs of meeting such requirements. Rules and regulations made by the state commission are binding on the county departments.

[Amended by 1955 c.613 §1]

411.080 State commission shall appoint administrator of state department and fix his compensation. The state commission shall appoint and, unless otherwise provided in ORS 292.790, fix the compensation of an administrator who shall be the executive and administrative officer of the state department.

411.090 State commission shall make reports. The state commission shall make such reports and in such detail in relation to its receipts and disbursements of funds and its actions and transactions at such times as may be required by the Governor and by the Federal Government or any of its agencies.

411.100 State commission shall require information from county departments and conduct investigations in relation thereto. The state commission shall require such plans, estimates, budgets and other information as it deems advisable to be submitted by the county departments with relation to public assistance and conduct such investigations, inspections or audits as it deems advisable in connection therewith.

411.110 State commission shall review case records of beneficiaries to eliminate ineligibles. The state commission shall review, or cause to be reviewed, the rolls and case records of beneficiaries of public assistance in the respective counties when deemed necessary and advisable for the purpose of eliminating from such rolls all persons for any reason not entitled to the benefits being granted; and for this purpose, the state commission may employ and fix the compensation of such auditors, investigators, attorneys and other persons as it finds necessary and advisable.

411.115 Services to needy persons to enable them to attain self-care or self-support. In addition to its other powers, the State Public Welfare Commission may provide, either directly or indirectly through the county commissions, services for applicants and recipients of medical assistance for the aged and for needy persons in every category of public assistance, including relatives of dependent children as defined in ORS 418.035, to assist them to attain self-care or self-support.

[1957 c.572 §1; 1961 c.620 §2]

411.120 State commission may make expenditures from Public Welfare Account. The state commission may, subject to the allotment system provided for in ORS 291.234 to 291.260, expend such sums as are required to be expended in the various counties of this state to provide public assistance. Expenditures for public assistance include, but are not limited to, expenditures for the following purposes:

- (1) Assistance to needy persons and their dependents.
- (2) Old-age assistance, including services to applicants for and recipients of old-age assistance to help them attain self-care.
- (3) On and after October 1, 1961, medical assistance for the aged as defined in ORS 413.005.

(4) Assistance to needy blind persons, including services to applicants for and recipients of aid to the blind to help them attain self-support and self-care.

(5) Assistance to dependent children, including services to relatives with whom dependent children applying for or receiving aid for dependent children are living in order to help such relatives attain the maximum self-support or self-care consistent with the maintenance of continuing parental care and protection or in order to maintain and strengthen family life for such children.

(6) Assistance to the permanently and totally disabled as defined in ORS 412.510, including services to the permanently and totally disabled as defined in ORS 412.510 to help them attain self-support and self-care.

(7) Carrying out the provisions of law for child welfare purposes.

(8) Such purposes as the state commission is otherwise authorized to expend funds, including the administration expenses of the state commission and of the county commissions.

411.140 County public welfare commissions. (1) A county public welfare commission of seven members, three of whom shall be members of the governing board of the county, ex officio, hereby is created within each county. The remaining four members shall be appointed by the governing board, on the basis of recognized interest in and knowledge of the field of public welfare, for terms of four years each. Before the expiration of the term of a member of the county public welfare commission, the governing board shall appoint his successor to assume his duties on July 1 next following. In case of a vacancy for any cause, the governing board shall make an appointment to be immediately effective for the unexpired term. Any appointive member of the county public welfare commission may be removed by the governing board at any time for cause. The governing board shall name the chairman of the county public welfare commission.

(2) The members appointed by the governing board shall receive no compensation for their services but shall be allowed the actual and necessary expenses incurred by them in attending any meeting of the state commission when such attendance is authorized by the chairman or administrator of the state commission. The expenses authorized

pursuant to this subsection shall be paid by the state commission out of the Public Welfare Account.

[Amended by 1961 c.517 §1]

411.150 Powers and duties of county commissions generally. The county commission shall:

(1) Administer public assistance in the county as authorized by law and subject to the supervision of and the rules and regulations made by the state commission.

(2) Employ such persons as may be necessary for the proper administration of public assistance programs, upon approval of the state commission, in accordance with rules and regulations of the merit system administered by the Department of Civil Service.

(3) Keep such records and accounts and make such reports as the state commission prescribes.

411.160 Contributions by state and counties; administrative costs; payments from federal or state funds. (1) Exclusive of all sums of money contributed by the Federal Government for public assistance and for the expenses of administration of such assistance and aid, the State of Oregon shall contribute 70 percent and the several counties of the state, from funds raised by the taxes provided in ORS 411.170 and 411.180, shall each contribute 30 percent of all sums required to be expended for such purposes in and for such respective counties; provided, however, that all costs of administration of the state and county departments shall be paid from federal funds granted to the State of Oregon for such purpose and from funds of the State of Oregon; provided, further, that if the total of the payments made by any county to the state commission and deposited by it in the State Treasury at any time shall prove less than sufficient to pay the proportionate contributions of such county for public assistance, payments in full of assistance to the person entitled thereto shall nevertheless be made from funds of the Federal Government and of the State of Oregon available for that purpose.

(2) The state commission shall furnish the Secretary of State a list showing the items of administration costs for his allowance and warrant therefor on the State Treasurer on the general plan provided for in ORS 411.230.

411.170 Tax levy by counties; disposition of moneys collected thereunder. For the purpose of raising revenue to pay the share of each county of the expenditures for public assistance, the county court or board of county commissioners of each county shall each year levy a tax of not more than eleven one-hundredths of one percent (.0011) of the true cash value of all taxable property within the county as of January 1 of the preceding year. The tax levied for such purposes shall be levied and collected by each county in the same manner as other taxes are levied and collected by the counties. A sum equal to the total amount of the tax so levied, together with all other revenue accruing to the county for public assistance, shall be set aside and deposited in a special fund designated as the county public assistance fund, shall be paid over to the state commission, deposited in the State Treasury and disbursed therefrom in accordance with the provisions of ORS 411.230.

[Amended by 1963 c.143 §1]

411.180 Levy where part of public assistance may be provided from other sources. If the amount of money necessary to provide the proportionate contribution of any county during any fiscal year for public assistance, as certified to the county court or board of county commissioners thereof by the state commission, may be provided by other revenues available for such purpose, together with a tax of less than the tax of eleven one-hundredths of one percent (.0011) of the true cash value of all taxable property within the county provided in ORS 411.170, the county court or board of county commissioners shall levy a tax in an amount sufficient, when added to all other revenues available for such purpose, to provide said certified amount, and no more, in lieu of the maximum levy required by ORS 411.170.

[Amended by 1963 c.143 §2]

411.190 County budgets for assistance; limitation on levy. Not later than March 1 of each year, the state commission shall submit to each county commission a tentative budget for the next fiscal year, showing for each program and category of assistance the amounts to be allocated for public assistance in the county, the standards and caseload estimates upon which the allocations are based, and such supplementary information as will enable the county commission to evaluate the tentative budget. The

county commission shall review the tentative budget and, not later than March 15 of the same year, shall submit a report to the state commission giving its comments, approval, or protests thereupon. The state commission shall make such revisions as it deems necessary on the basis of information provided by the county commissions, the state-wide standards of assistance established by the state commission, the estimated number of persons who will require assistance, and the funds available from other sources and, not later than May 1, shall certify the final budget to the county court or board of county commissioners of each county, including a statement of the amount to be paid by the county as required by ORS 411.160 to 411.180. The amount to be paid by the county shall be included in the budget of each county for the ensuing fiscal year; provided that the levy therefor hereby is limited to that which will provide an amount equal to the amount of revenue that would be provided by the levy of the maximum millage specified in ORS 411.170.

[Amended by 1955 c.443 §1; 1961 c.657 §1]

411.200 Adjustment of underpayments and overpayments by county to State Treasury. If the total of the amounts paid by any county to the state commission and deposited by it in the State Treasury during any fiscal year should prove to be more or less than sufficient to pay the proportionate contributions of the county of the sums required to be expended in and for such county for public assistance for all obligations incurred up to and including June 30 of such fiscal year, the resulting overpayment or underpayment shall be adjusted in the following manner and extent: Any such overpayment shall be returned to such county by the state commission, which shall draw a check or checks in favor of such county for the amount of such overpayment. In the case of any county which has levied for any fiscal year a tax less than the millage specified in ORS 411.170, any underpayment shall be added to the amount found and certified by the state commission to the county court or board of county commissioners as necessary for the proportionate contributions of the county during the next or second succeeding fiscal year and shall be included in the budget and the tax rate of the county for the next or second succeeding fiscal years; provided that in no year shall the tax levied by any county pursuant to

this section or ORS 411.170 exceed the maximum millage specified in ORS 411.170.

411.210 Payment to state of county's share of public assistance. Each county, in paying or contributing its proportionate part of expenditures for public assistance, shall issue its warrant in favor of the state commission for one-quarter of the total of the tax levied and sums set aside by the county for those purposes on or before the first day of each calendar quarter of each fiscal year; provided that the warrant for such contribution for the first calendar quarter of each fiscal year shall be issued as soon after July 1 as possible and in any event not later than July 30.

WORK RELIEF PROGRAMS

411.855 Definitions for ORS 411.855 to 411.870. For the purposes of ORS 411.855 to 411.870:

(1) "Work relief program" means a plan jointly entered into by the state commission, a county commission and a municipality under which such municipality undertakes to provide work in and about county or municipal works or improvements, utilizing labor and services required to be performed without compensation by applicants or recipients of general assistance, and to provide supervision and control over the performance of such labor and services.

(2) "Municipality" means any county or city in this state.
[1961 c.631 §1]

411.860 Work relief programs authorized for general assistance applicants or recipients. Subject to rules and regulations promulgated by the state commission, each employable applicant or recipient of general assistance may be required to perform labor or services without compensation in a work relief program, as a condition to a grant of general assistance for the benefit of himself or those to whom he owes a legal duty of support, and for periods of time limited by the amount of such assistance, in cash or in kind, provided through such grant. However, no applicant or recipient of general assistance shall be required or permitted to perform labor or services without compensation in a work relief program if such labor or services can be performed by an employe of the municipality as a part of his regular duties.

[1961 c.631 §2]

411.865 Denial of general assistance to applicants or recipients; causes. The application for or grant of general assistance to any employable individual required to perform labor or services in a work relief program may be denied or suspended for such time as may be fixed under rule or regulation of the state commission, if such individual without good cause:

(1) Fails or refuses satisfactorily or at all to perform such labor or services as may be assigned to him;

(2) Fails or refuses to report for work under a work relief program when and as directed by the county department or by his foreman, overseer or other supervisor therein;

(3) Abandons or repeatedly absents himself from such work;

(4) Is insubordinate to his foreman, overseer or other supervisor therein;

(5) Fails or refuses therein to take due precaution for the safety of himself or others, or to use safety clothing or equipment made available to him;

(6) Is guilty of misconduct connected with such work; or

(7) If, within 30 days prior to such application, he was rendered ineligible for general assistance in another county, or his grant of general assistance in another county was suspended, for any of the causes stated in subsections (1) to (6) of this section.

[1961 c.631 §3]

411.870 Approval of programs by state commission. All work relief programs shall be subject to approval of the state commission. The state commission shall promulgate and enforce rules and regulations necessary to carry into effect ORS 411.855 to 411.870.

[1961 c.631 §4]

411.875 to 411.985 [Reserved for expansion]

PENALTIES

411.990 Penalties. (1) Violation of ORS 411.320 to 411.335 is punishable, upon conviction, by a fine of not more than \$1,000 or by imprisonment in the county jail for not more than 60 days, or by both.

(2) Violation of any provision of ORS 411.630 is punishable upon conviction by a fine not to exceed \$1,000 or by imprisonment in the county jail not to exceed one year, or both, or by imprisonment in the penitentiary not to exceed three years.

(3) Violation of any provision of ORS 411.840 is punishable upon conviction by a fine not to exceed \$1,000 or by imprisonment in the county jail not to exceed one year, or by both such fine and imprisonment.

[Subsection (2) of 1959 Replacement Part enacted as 1955 c.501 §3; subsection (3) of 1959 Replacement Part enacted as 1953 c.500 §10; part renumbered 416.990; 1963 c.599 §18]

D. V. McCALLUM, Chairman
C. B. STEPHENSON, Vice-Chairman
NEVA ELLIOTT, Secretary

George Burale
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HOME RULE CHARTER COMMITTEE of MULTNOMAH COUNTY

Room 384 Multnomah County Courthouse
1021 S. W. Fourth Avenue
Portland, Oregon 97204

MINUTES

Meeting of the Sub-Committee on Welfare

March 17, 1965

The Sub-Committee on Welfare met at 12 o'clock, noon, on Wednesday, March 17, 1965, in Room 384, Multnomah County Courthouse. The following members were present:

William Brunner - Chairman
Sylvia Nemer
Martin Fitzgerald

The sub-committee heard a presentation from A. L. (Jack) Frost, Executive Director, Metropolitan Youth Commission, on the history, functions, and plans of the commission as well as the problems encountered by serving two governmental jurisdictions.

The next meeting of the sub-committee was set for 12 o'clock, noon, March 31, 1965, to hear from Ed Capen, Staff Assistant to the Board of County Commissioners, on the Economic Opportunity Act and Clay Myers of the State Welfare Commission on welfare generally.

The meeting adjourned at 1:10 o'clock p.m.


W. C. MERRELL
Executive Secretary

WCM:md

D. V. McALLUM, Chairman
B. STEPHENSON, Vice-Chairman
NEVA ELLIOTT, Secretary

George Binnie
William L. Brunner
Max A. T. Damskov
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Room 384 Multnomah County Courthouse
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Portland, Oregon 97204

MINUTES

Meeting of Sub-Committee on Welfare

March 6, 1965

The Sub-Committee on Welfare met at 10 o'clock a.m. Saturday, March 6, 1965, in Room 384, Multnomah County Courthouse. The following members were present:

William Brunner - Chairman
Sylvia Nemer
Martin Fitzgerald

The sub-committee heard an explanation from Loren P. Kramer, Assistant to the Board of County Commissioners, of the county's role in welfare generally and the history and administration of the Food Stamp Program and the Veteran's Assistance Program.

The next meeting of the sub-committee was set for 12 o'clock, noon, Wednesday, March 17, 1965.

The meeting adjourned at 12:10 p.m.


W. C. MERRELL
Executive Secretary

WCM:md