

February 23, 1951.
Passed on File.

House File 532
By SOCIAL SECURITY COMMITTEE.

Passed House, Date
Vote: Ayes..... Nays.....
Passed Senate, Date
Vote: Ayes..... Nays.....
Approved

A BILL FOR

An Act to amend chapter two hundred thirty-nine (239), Code 1950, relating to aid to dependent children.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. That subsection two (2) of section two
2 hundred thirty-nine point two (239.2) Code 1950, be stricken
3 and the following substituted in lieu thereof:
4 "Has resided in the state for one year
5 immediately preceding the date of application; or
6 whose parent or other relative with whom the child
7 is living has resided within the state for one year
8 immediately preceding the birth of the child; or
9 who has resided in the state during his lifetime and
10 whose mother has resided in the state for so many
11 months, immediately preceding his birth as added to the
12 age of the child, aggregate one year immediately
13 preceding the date of application; or if unborn, whose
14 mother has resided in the state for one year
15 immediately preceding the date of application."

1 Sec. 2. That the words, "or will reside in the event

2 assistance is granted”, in lines four (4) and five (5) of
 3 section two hundred thirty-nine point three (239.3), Code
 4 1950, be stricken.

1 Sec. 3. That the words, “an adult” appearing in line
 2 nine (9) of section two hundred thirty-nine point three
 3 (239.3), Code 1950, be stricken, and the word, “the” be
 4 substituted in lieu thereof.

1 Sec. 4. That the words, “the assistance for a period
 2 of six (6) months after the date of removal”, appearing in
 3 lines twelve (12) and thirteen (13) of section two hundred
 4 thirty-nine point eight (239.8), Code 1950, be stricken and
 5 the following words, “to be so charged until such child has
 6 resided in another county in the state for a period of six
 7 (6) consecutive months” be substituted in lieu thereof.

1 Sec. 5. That the words, “and approved by the state
 2 department” appearing in lines twenty (20) and twenty-one
 3 (21) of section two hundred thirty-nine point eleven (239.11)
 4 Code, 1950, be stricken.

EXPLANATION OF H. F. 532

The legislative changes contained in the attached bill represent the results of a study conducted jointly between the county and state departments of social welfare. It is believed the passage of the Act will contribute substantially to a more efficient and effective administration of Chapter 239 under the jurisdiction of the State Board of Social Welfare. The reasons for the recommended changes are cited below:

Sec. 1. Section 239.2, Code 1950

There have been instances where mothers who were Iowa residents have had children born in other states. Sometimes these instances have occurred when mothers have gone to other states only for confinement. When mothers come to Iowa and the child is born shortly thereafter, it has been necessary to wait one year before assistance may be granted. It would seem advisable to amend this subsection in order that all children for whose benefit the act was intended may be eligible for this aid.

Sec. 2. Section 239.3, Code 1950

Section 1. Because of the present wording in the law, some counties have been reluctant to approve assistance for aid to dependent children when there is a possibility that the applicant and child may at some time in the future reside in some other county. We believe that this section should provide that application be made to the county board of the county in which the dependent child is residing and that we would have better administration if the foregoing suggested deletion is made.

Sec. 3. Section 239.3, Code 1950

Section 2. In discussing interpretation of this section with the office of the Attorney General, that office determined that the word "adult" meant a person who had reached majority either by reaching the age of twenty-one (21) or by marriage. We have had many instances where a capable brother or sister of eighteen or nineteen years of age could care for the eligible child and that such arrangement would be to the best interest of everyone concerned. It has been necessary to make other arrangements because such persons were not considered "adults." The state department through an administrative policy could then make it possible in special situations to grant assistance where the most advantageous plan for the child appears to require that he live with a relative under 21, but only where this relative appears to have sufficient ability to accept and use unrestricted assistance payments for the child's best interests. In other instances, assistance would not be granted unless a guardian were appointed.

Sec. 4. Section 239.8, Code 1950

The adoption of the above bill will make it possible for acceptance without question of the state department's policy, which we quote as follows and believe to be an equitable approach to all counties concerned: "The county where the individual is living at time of application is responsible for one-fourth of the assistance issued until the recipient moves into another county and resides there for a period in excess of six (6) months after assistance is approved."

Sec. 5. Section 239.11, Code 1950

Since this section of the code already provides that in the event the amount appropriated at the county level is insufficient, this appropriation shall be made by the county board of supervisors. Therefore, we do not believe that the budget prepared for approval by the state board has much meaning. To comply with the law as now written results in a costly procedure which we do not believe is of much benefit to the parties concerned.