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March 12, 1974

*Put  
Copies in  
SB 1666 and  
AB 2992*

THE HONORABLE GEORGE DEUKMEJIAN  
Member of the Senate  
State Capitol - Room 5070  
Sacramento, California 95814

Dear George:

I appreciate your letter of February 20, describing the inequities that were created as a result of the "forgiveness" provisions of AB 134, with respect to responsible relatives.

You should know the precise background of the "forgiveness" provision. After the loss of the CLSC v. Brian case, as a condition for negotiating a compromise bill (which enabled the price tag to be reduced from approximately \$140 million to \$122 million), Assemblyman Burton insisted upon an approach which would provide outright "amnesty," as of the end of 1973, for all persons who had not paid their relatives' responsibility liability. We objected on two counts:

- 1) Any outright amnesty would fly in the face of efforts to require relatives to continue to meet any liability incurred under the reduced scale; and
- 2) We knew that persons who had paid, just as your constituent has, would protest, and that there would then be an effort to extend "forgiveness" provisions on a retroactive basis--which Senator Stern and Assemblyman Burton are now attempting to do (in their SB 1666 and AB 2992, respectively).

Assemblyman Burton indicated he would meet our first objection, by making any "forgiveness" contingent upon an individual's continued compliance with the new scale. He absolutely refused, however, to consider our basic objection (No. 2 above) or to depart from his insistence upon a "forgiveness" approach. Given the bargaining position in which we found ourselves at the time--the loss of the CLSC case, the fact that we were then in December with a special session, and the fact that we had prevented his earlier bill (AB 18) from clearing the Senate floor by only two votes--we could not secure the deletion of this provision.

Senator Deukmajian  
Page 2  
March 12, 1974

Our lack of success does not mean, however, that we have departed from our view that any "forgiveness" approach is inappropriate. We believe in the basic principle of children, who are able to do so, supporting their parents; I feel that the former contribution scale was not unreasonable and that the inequities in the law had largely been eliminated prior to the enactment of AB 134 through regulatory liberalizations that were taken in July of 1972 and 1973.

Our basic objection, then, to any "forgiveness" approach is twofold: 1) because it is unwarranted on its face, permitting persons who had a legal liability to escape that liability; and 2) because it gives rise to the very kinds of inequities that your constituent describes.

The Legislature has, on a number of occasions, enacted liberalizing statutes which do not have "ex post facto" application; that is, persons who had operated under the provisions of law prior to its modification do not benefit from that modification. In this and other instances, I certainly believe the defect lies in the amendment rather than the pre-existing law.

In my view, any attempt to redress any inequities that have been created should be in the nature of eliminating the "forgiveness" rather than extending it. We will certainly oppose SB 1866 (Stiern) and AB 2002 (Burton), which would refund all responsible relative contributions made since the Welfare Reform Act of 1971. Apart from the cost--\$13 million, all of it from the General Fund, and serious drafting flaws--the bills denigrate the obligation to support one's parents, which has a moral as well as a legal basis. That precept has been shaken by AB 134, but it would be weakened almost to the point of nullification if this legislation should be enacted. Indeed, it may be that Mr. Burton is hoping to accomplish by indirection that which he has been unable to accomplish directly.

Since we have never completely removed the liability (it is contingent upon meeting any current responsibility), it remains legally possible to redress the inequity in the proper fashion--by eliminating what in my view is a completely inappropriate forgiveness for the reasons described above.

Sincerely,

Original signed by David B. Swoap  
DAVID B. SWOAP  
Director

DBS:lb

*E. Deukmajian*  
bcc: Director's File  
Director's Reading File  
Mail Control (31031)  
P. J. Newlin  
P. Henriquez ✓ 17-5



April 11, 1974

Assembly Bill 764

The Honorable Lawrence Kapiloff  
State Capitol, Room 2169  
Sacramento, California 95814

Dear Assemblyman Kapiloff:

We have reviewed your Assembly Bill 764 and respectfully wish to inform you that we cannot agree with its provisions.

A notion that has gained acceptance in recent years, is that the government should help pay the property taxes of aged persons with low income so they will not lose a home acquired through a lifetime of labor. Thus, California has adopted the Senior Citizens Property Tax Assistance Law. In Chapter 1216, Statutes of 1973, the benefits of that law were extended to aged welfare recipients. This bill expands that concept and puts the public assistance system in the tenuous position of unilaterally accommodating purchases of real estate by welfare recipients. This constitutes a serious inequity to those members of our society who may never qualify for welfare; will work their entire lives; yet will never be in a financial position allowing them to purchase a home. Moreover, without a welfare lien or recovery provision, the taxpayer would be placed in the position of accumulating and protecting estates for the heirs of welfare recipients.

If you would care to discuss this further, we would be glad to meet with you.

Sincerely,

Original signed by  
PHILIP J. MANRIQUEZ  
Assistant Director

PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: Randolph Collier, Chairman  
Senate Finance Committee

*Sent 4/11/74*



DEPARTMENT OF SOCIAL WELFARE - 744 P STREET  
STATE SOCIAL WELFARE BOARD  
SACRAMENTO 95814



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May 21, 1974

The Honorable Barry Keene  
State Capitol  
Sacramento, California 95814

Dear Assemblyman Keene:

AB 1293

I am forwarding the enclosed letter from the Alameda County District Attorney's Office. I think it backs up the comments I made some time ago and thought you might like it for your file.

Sincerely,

Original signed by WILLIAM R. KNUDSON

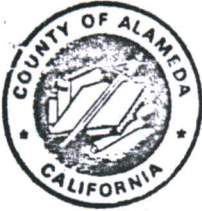
WILLIAM R. KNUDSON  
Executive Secretary  
State Social Welfare Board

Enclosure

WRK:feh

bcc: Jack Flanders, 17-14  
Phil Manriquez, 17-5  
Maureen Lenahan, DDA, Alameda County  
SSWB  
chron file

*Xerox  
copy for bill folder  
other in Keene file*



OFFICE OF THE DISTRICT ATTORNEY

ALAMEDA COUNTY  
CALIFORNIA

FAMILY SUPPORT DIVISION:

BRANCH OFFICES:

ALAMEDA:	1516 OAK ST.	521-7724	<input type="checkbox"/>
BERKELEY:	2000 CENTER ST.	644-6908	<input type="checkbox"/>
HAYWARD:	224 WEST WINTON	783-5800	<input type="checkbox"/>
OAKLAND:	508 16TH STREET	874-5985	<input type="checkbox"/>

D. LOWELL JENSEN - DISTRICT ATTORNEY

May 16, 1974

Jack Flanders  
Child Support Coordinator  
Department of Benefit Payments  
744 "P" Street  
Sacramento, Ca. 95814

Re: Proposed Legislation to change P. C. Sec. 270  
AB 1293

Dear Mr. Flanders:

In reviewing the above proposed legislation, I find desirable that portion of the Bill making both parents equally liable for child support. This amendment appears timely in light of the Dymally Bill (SB 569) giving either spouse the right to manage and control community property, and also in light of other women's rights legislation equalizing the rights as well as responsibilities of women.

However, that portion of the Bill, which states that a parent must have failed in his support obligation by an amount of \$1,000., in order to constitute a felony, I feel is bad legislation. This would appear to allow a parent with \$100. per month support order to avoid paying the order for 10-months before a felony could issue. On the other hand a parent with a \$500. per month court order could be prosecuted for a felony non-support if he missed merely 2-month. Flagrant refusal to support or pay a court support order under special circumstances may require a felony complaint before an arbitrary amount (\$1,000.) of support is omitted.

As a matter of actual proof where there is no court ordered amount, or even where there is a court order, it would be difficult to prove that the parent actually omitted to furnish goods, shelter, clothing, etc. in excess of \$1,000.

Jack Flanders  
Child Support Coordinator

=2=

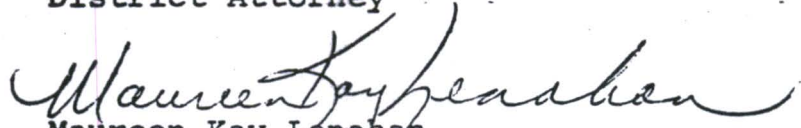
May 16, 1974

Further, it would appear that perhaps that portion of the proposed statute, making it a felony if he or she has left the state with the intent to avoid such obligation, is unconstitutional under IN RE KING (1970) 3 CA 3d 226.

The Family Support Division of Alameda County concurs in my recommendations.

Very truly yours,

D. LOWELL JENSEN,  
District Attorney

  
Maureen Kay Lenahan,  
Deputy District Attorney

MKL:mmm

- cc: Michael E. Barber  
Supervising Deputy District Attorney
- cc: Alphonsus C. Novick  
Division Chief
- cc: Richard Iglehart  
Peace Officers Association
- cc: William R. Knudson  
Executive Secretary



XXXXXXXXXXXXXXXXXXXXXXXXX BENEFIT PAYMENTS - 744 P STREET

*Copy to Tom Allen*  
*✓ Copy*

May 13, 1974

Honorable Barry Keene  
State Capitol  
Sacramento, California 95814

Dear Assemblyman Keene:

Please excuse the delay in sending you our suggested amendments to AB 1293 relating to Penal Code Section 270. As we discussed, the provisions of AB 1293 relating to the arrearage of \$1,000 add an element to the people's case against a defendant nonsupporting father by shifting the burden of proof as to income from the defendant to the people.

Further, the interstate flight provision is largely unprovable and really adds no deterrent effect to the existing statute. Accordingly, we propose the deletion of these two sections.

Specifically, on lines 13-14, page 2, the words "amounting to one thousand dollars (\$1,000) or more," should be omitted. On lines 16-17, page 2, the words "and one day, or if he or she has left the state with the intention of avoiding such obligation, in the county jail not exceeding one year" should be removed.

We feel that the bill solves the problems which may be raised by the Equal Rights Amendment and with these changes would not impair its effectiveness. I would be most happy to answer any questions you may have regarding this problem.

Sincerely,

bcc: Phil Manriquez 17-5  
SSWB  
chron file

WILLIAM R. KNUDSON  
Executive Secretary  
State Social Welfare Board

WRK:feh

## DEPARTMENT OF BENEFIT PAYMENTS

March 14, 1974



REFER TO: Assembly Bill 2902

- The Honorable Dixon Arnett  
State Capitol, Room 4140  
Sacramento, CA 95814

Dear Assemblyman Arnett:

This is to advise you that we cannot agree with your measure, AB 2902, to increase maximum state participation base for children receiving foster care.

In 1972 this department supported and the Governor signed AB 2089 (1972) which increased the maximum for state participation from \$80.00 to \$120.00. This action afforded the counties a clear opportunity to decide how best to improve their foster care program, if indeed, a deficiency did exist.

Taking into consideration, the current rather discomfoting state revenue picture, it is our opinion an additional increase is unwarranted at this time.

Sincerely yours,

A handwritten signature in cursive script, reading "Philip J. Manriquez".

PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: Wm. T. Bagley, Chairman, Assembly Welfare Committee

March 28, 1974

Assembly Bill 2992

The Honorable John L. Burton  
State Capitol, Room 3173  
Sacramento, California 95814

Dear Assemblyman Burton:

We have reviewed Assembly Bill 2992 and are sorry to inform you that we are unable to agree with its provisions to refund certain contributions made under the Old Age Security responsible relative law.

Our analysis of the bill dictates that we oppose the bill because of the following:

1. The bill does not consider the fact that the liability of persons who refused to contribute in the past is not absolutely forgiven. The "forgiveness" provisions existing in current law are merely conditional and past liabilities could be enforced if and when such conditions are not met.
2. The bill requires the state to refund monies which, when collected, were shared with the federal government.
3. In our opinion the bill could be interpreted to require the refund of past and future contributions made under the relatives responsibility law.

If you would like to discuss this matter in more detail, I would be pleased to meet with you.

Sincerely,

Original signed by  
PHILIP J. MANRIQUEZ  
Assistant Director

PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: William T. Bagley, Chairman  
Assembly Welfare Committee  
Anthony Bielensohn, Chairman  
Senate Health & Welfare Committee -----

*Delivered 3/29 - 9:40  
Ranched to Stephanie Outner  
by dy*

Delivered 6/17/74



April 12, 1974

AB 3269

The Honorable John J. Miller  
State Capitol Room 2151  
Sacramento, California 95814

Dear Assemblyman Miller:

We have reviewed your Assembly Bill 3269 and respectfully wish to inform you that we cannot agree with its provisions, to reduce the current time period between the comparison month and the adjustment month for AFDC cost-of-living adjustments.

The Welfare and Institutions Code prescribes the usage of the average of the separate Consumer Price Indices for Los Angeles and San Francisco, as published by the U.S. Bureau of Labor Statistics, as the basis for determining the changes in the cost-of-living. Although the Los Angeles-Long Beach CPI is available every month, the San Francisco-Oakland CPI is available only on the third month of each quarter. Therefore, for purposes of computing the AFDC cost-of-living changes, the CPI is available four times a year: March, June, September and December. One of these four months must therefore be selected as a comparison month.

The CPI is usually available about 30 days after the month measured, this is added to the approximately two weeks lead time required by the counties in order to set up the payroll procedures. Also in addition is the regular procedure for issuing regulations requiring 60 days. Further, budget planning at the state and county level is finalized in April and May, although the counties do have some flexibility until the tax rates are set. It is therefore reasonable to select a comparison month which will permit a minimum of 104 days lead time.

As you can readily observe your bill's requirement that April become the adjustment month is administratively infeasible. If you wish to discuss this further, we will be happy to meet with you.

Sincerely,

Original signed by  
PHILIP J. MAIRIQUEZ  
Assistant Director

PHILIP J. MAIRIQUEZ  
Assistant Director  
Legislation and Communication

cc: William T. Bagley, Chairman  
Assembly Welfare Committee

*delivered 3/12*

DEPARTMENT OF BENEFIT PAYMENTS



March 29, 1974

TO: Assembly Bill 3283

The Honorable John F. Foran  
State Capitol, Room 3130  
Sacramento, California 95814

Dear Assemblyman Foran:

We have reviewed your Assembly Bill 3283 and respectfully inform you that we do not agree with its provisions.

Our opposition is based upon the following points:

1. Grants to adult aid recipients were recently increased substantially.
2. AB 3283 represents a significant increase in General Fund Expenditures for welfare at a time when the state revenue picture is cloudy.
3. Establishing the precedent of increasing the SSP levels when Social Security Benefits are increased will increase future welfare expenditures.
4. Current law provides for annual cost-of-living adjustments.

If you wish to discuss the matter further, we will be happy to meet with you.

Sincerely,

Original signed by  
PHILIP J. MANRIQUEZ  
Assistant Director  
PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: William T. Bagley, Chairman  
Assembly Welfare Committee

Willie L. Brown, Jr., Chairman  
Assembly Ways and Means Committee

*Delivered 3-29  
4:30  
Bob K. Dan*

## DEPARTMENT OF BENEFIT PAYMENTS



March 29, 1974

PER TO: Assembly Bill 3284

The Honorable John F. Foran  
State Capitol, Room 3130  
Sacramento, California 95814


Dear Assemblyman Foran:

We have reviewed your Assembly Bill 3284 and respectfully inform you that we cannot agree with its provisions.

As you are undoubtedly aware, the effective date of the adjustment has a significant cost impact, and the current date (July 1975) represents an explicit agreement that facilitated the compromise settlement on AB 134.

If you would like to discuss this in more detail, we would be happy to meet with you.

Sincerely,

  
PHILIP J. MANRIQUEZ  
Assistant Director

Legislation and Communication

cc: William T. Bagley, Chairman  
Assembly Welfare Committee

Willie L. Brown, Jr., Chairman  
Assembly Ways & Means Committee

Anthony Bielensohn, Chairman  
Senate Health & Welfare Committee

*to Collier sent in 8/9*  
*Delivered 3/29*  
*4:30*  
*Bob Keller*  
*Delivered*  
*SENT 4/23*  
*Willie Brown*  
*mailed 6/13*  
*Bielensohn*



## DEPARTMENT OF SOCIAL WELFARE

744 P STREET  
SACRAMENTO 95814

April 24, 1974

The Honorable Joseph B. Montoya  
State Capitol, Room 4149  
Sacramento, California 95814

Dear Assemblyman Montoya:

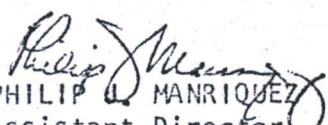
We have reviewed your Assembly Bill 3422 and respectfully wish to inform you that we cannot agree with its provisions.

We believe that such a transfer of administration to the state would be a mistake. The existing state/county delivery system for services and grants has the valuable advantage of maintaining administration at the closest level to the people being served. It is our view that the closer government is to the people, the more effective it can be.

Secondly, we view seriously the tremendous magnitude of the proposal. It is our judgment that this transfer of responsibility should only be considered as part of a complete tax restructuring. The proposal contained in your bill would affect the total state tax plan and for this reason we think your proposal should not be taken up separately but rather should be considered only as part of the state tax "matrix".

If you would like to discuss the matter further, we will be happy to meet with you at your convenience.

Sincerely,

  
PHILIP L. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: William T. Bagley, Chairman  
Assembly Welfare Committee

Sent  
4-24-74

DEPARTMENT OF SOCIAL WELFARE

744 P STREET  
SACRAMENTO 95814



April 24, 1974

The Honorable William T. Bagley  
State Capitol, Room 2188  
Sacramento, California 95814

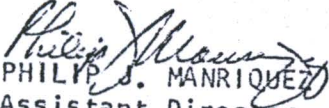
Dear Assemblyman Bagley:

We have reviewed your Assembly Bill 3444 and respectfully wish to inform you that we do not agree with its provisions.

We concur with your assessment that a significant problem exists in the area of lost, stolen or destroyed SSI/SSP checks. However, we do not agree that it is the state's responsibility to solve the administrative problem of the Social Security Administration. Further, in our opinion any expansion of the state's participation in the emergency loan fund would in reality act as a disincentive to the Social Security Administration in their efforts to pursue the internal administrative remedies needed to solve these payment problems.

If you would like to discuss the matter further, we will be happy to meet with you at your convenience.

Sincerely,

  
PHILIP S. MANRIQUEZ  
Assistant Director  
Legislation and Communication

Sent  
4-24-74



March 28, 1974

Assembly Bill 3445

The Honorable Eugene A. Chapple  
State Capitol, Room 2091  
Sacramento, California 95814

Dear Assemblyman Chapple:

We have reviewed your Assembly Bill 3445 and respectfully wish to inform you that we cannot agree with its provisions.

We agree that the maintaining of a guide dog is one of perhaps many legitimate needs peculiar to blind persons. In recognition of such needs, public assistance grants for blind persons have traditionally been substantially higher than those for other categories of aid. (The current level of aid for blind, single persons on welfare is \$265 per month whereas, the aid level for single, Aged, or Disabled is \$235 per month.) Thus, in our opinion the special need relating to guide dogs is already recognized adequately in the grant level and does not justify the creating of a special state program of benefits for this purpose.

In addition, one of the main objectives of the federalizations of the adult aid programs was to standardize the level of, and methods of computing, benefits for recipients. In negotiating the policies for the new program, departures from achieving this objective were agreed to by authorizing payments for "special circumstances". The agreements reflected in the law concerning "special circumstances" are very specific and represent rather critical negotiations. Expanding the "special circumstances" provisions as suggested by this bill ignores these agreements.

If you wish to discuss the matter further, please do not hesitate to call us. We will be happy to meet with you.

Sincerely,

Original signed by  
PHILIP J. MANRIQUEZ  
Assistant Director

PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: William T. Bagley, Chairman  
Assembly Welfare Committee

Willie L. Brown, Jr., Chairman  
Assembly Ways and Means Committee

Anthony Bielsenon, Chairman  
Senate Health & Welfare Committee -----

Randolph Collier, Chairman  
Senate Finance Committee

Delivered 6/17/74

Delivered 8/1



DEPARTMENT OF ~~SOCIAL WELFARE~~  
744 P STREET  
SACRAMENTO 95814

## BENEFIT PAYMENTS



May 3, 1974

The Honorable Willie L. Brown, Jr.  
State Capitol, Room 3091  
Sacramento, CA 95814

Dear Assemblyman Brown:


We have reviewed your Assembly Bill 3469 and respectfully wish to inform you that we cannot agree with its provisions.

We base our opposition on the following points:

1. Expanding the provisions for deeming of income between recipients and their spouses would, of course, increase state expenditures of public assistance.
2. The bill is unclear concerning whether or not the deeming would be applicable to persons who are currently ineligible for SSP benefits because of their existing income. In our opinion the original version of the bill could be interpreted to apply to these individuals; therefore, the bill would have a significant caseload expanding effect which we are unable to measure at this time.

If you wish to discuss the matter further, we will be happy to meet with you at your convenience.

Sincerely,

  
PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communications

cc: William T. Bagley, Chairman  
Assembly Welfare Committee

## DEPARTMENT OF SOCIAL WELFARE

744 P STREET  
SACRAMENTO 95814



May 3, 1974

The Honorable Henry A. Waxman  
State Capitol, Room 5119  
Sacramento, CA 95814

Dear Assemblyman Waxman:

We have reviewed your Assembly Bill 3489 and respectfully wish to inform you that we do not agree with its provisions.

The department opposes your bill on the basis that it removes discretionary power from the Director and to a large extent relegates the fair hearing to an automated process in which decisions are made without the conscious exercise of judgment from the hearing authority. Even under new methods designed to assure action on fair hearings in the near future well within the 30 days provided by the bill, there are always certain difficult cases which require more time than the routine. One of these kinds of cases could conceivably be adopted.

If you would like to discuss the matter further, we would be happy to meet with you at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Philip J. Manriquez'.

PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communications

cc: William T. Bagley, Chairman  
Assembly Welfare Committee

AB3489

May 2, 1974

The Honorable Henry A. Waxman  
Assemblyman, Sixty-First District  
State Capitol  
Sacramento, California 95814

Dear Assemblyman Waxman:

This is in response to your inquiry dated April 23, 1974, concerning statistics which relate to your bill, AB 3489. We have provided you with as accurate information as possible; however, the following data will be less reliable than information derived from a post May 1973 fair hearing data base. This is because the Department converted its fair hearing calendaring and statistical functions from a manual to an automated, computerized system during May, 1973. Therefore, in addition to the information you requested, I would like to provide you with an additional study based on the July through December 1973 fair hearing data base and your survey parameters. This additional study has been requested and I expect it May 13, 1974. The information you requested is as follows:

1. The number of fair hearings held between January 1, 1973, and June 30, 1973, inclusive, was 12,964.
2. Of those hearings held within the above six-month period, the number whose final decisions were mailed to the recipients is as follows:
  - a. 30 days of receipt of the proposed decision: 3,791
  - b. 60 days of receipt of the proposed decision: 6,929
  - c. 90 days of receipt of the proposed decision: 777
  - d. 120 days of receipt of the proposed decision: 520
3. The number of decisions heard during the period whose final decision was not mailed as of January 1, 1974 was 408.
4. The number of decisions heard during the period whose final decision was not mailed as of April 1, 1974 was 38.



5. Of the proposed decisions not mailed to the recipient by January 1, 1974, the month the Department received them is as follows:
  - a. January 1973: 42.
  - b. February 1973: 33.
  - c. March 1973: 94.
  - d. April 1973: 69.
  - e. May 1973: 170.
6. Of those decisions mailed to the recipient within 30 days of the submission of the decision, those which were both proposed decisions and adverse to the claimant were 2,022.
7. Of those decisions which had not been mailed to the claimant as of January 1, 1974, but have since been adopted, the number which were adverse to the claimant is 169.

The only information which this report does not present to you is the number of decisions received by the claimant after January 1, 1974 which were heard during the month of June 1973. This information will be forthcoming.

If I can be of further assistance, please do not hesitate to contact me or any of my staff.

Sincerely,

*S/RJD*

ROBIN J. DEZEMBER  
Chief Referee

bcc: David B. Swoap 17-11  
Phil Manriquez 17-5  
James M. Moose, Jr. 17-14  
P. J. Newlin 17-11  
Robin Dezember 16-21

Mail Control 15-43

DISTRICT OFFICE  
WEST PICO BOULEVARD, NO. 7  
ANGELES, CALIFORNIA 90035  
TELEPHONE: (213) 935-1262

SACRAMENTO ADDRESS  
STATE CAPITOL  
95814  
TELEPHONE: AREA CODE 916  
445-7511

COMMITTEES  
CHAIRMAN, HEALTH COMMITTEE  
CRIMINAL JUSTICE  
ELECTIONS AND  
REAPPORTIONMENT  
FINANCE AND INSURANCE

# Assembly California Legislature

HENRY A. WAXMAN  
ASSEMBLYMAN, SIXTY-FIRST DISTRICT

April 23, 1974  
Sacramento, California

NO. 31759 DATE 4-24-4

*Dir. Sig 1*  
FOR ACTION TO *Deputy*  
*due 5-1-4 cc McKee*  
*Moose*  
*Remick*  
*Swoap*

Mr. David B. Swoap, Director  
Department of Social Welfare  
744 P Street  
Sacramento, California 95814

Dear Mr. Swoap:

I am writing this letter in order to request some information which I will need in the discussion of my bill, AB 3489, in the Assembly Welfare Committee on May 6, 1974.

Subsequent to discussing this matter with Mr. McKee of your staff, I have found that I will be needing the following data:

1. The number of fair hearings held between January 1, 1973 and June 30, 1973, inclusive.
2. Of those hearings held within the above six month period, the number whose final decisions were mailed to the recipient within
  - a. 30 days of receipt of the proposed decision.
  - b. 60 days.
  - c. 90 days.
  - d. 120 days.
3. Of those hearings held within the first six months of 1973, the number of those in which the final decision was not mailed as of January 1, 1974.
4. Of those hearings held within the first six months of 1973, the number of those in which the final decision was not mailed as of April 1, 1974.
5. When were the proposed decisions whose respective final decisions had not been mailed to the recipient by January 1, 1974, received by the Department?



Mr. David B. Swoap

-2-

April 23, 1974

6. Of those final decisions which were mailed to the recipient within 30 days after the receipt of the proposed decisions, in how many cases were both the proposed and final decisions adverse to the recipient?

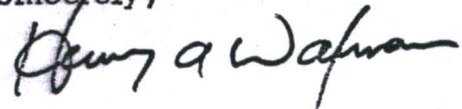
7. Of those cases in which the proposed decision had not been mailed to the recipient by January 1, 1974, how many of the respective proposed decisions were not adverse to the recipient?

Although this request is fairly lengthy, I feel that the information is important enough to providing the members of the Assembly Welfare Committee with a clear understanding of the problem, that it should be given enough priority so that it can be answered by May 2.

If you foresee any major difficulties in fulfilling this request by May 2, please contact either my staff or me about it by April 29.

I appreciate your efforts in helping me to ascertain this information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Henry A. Waxman", written in a cursive style.

HENRY A. WAXMAN  
Assemblyman, 61st District

HAW:pr



## DEPARTMENT OF SOCIAL WELFARE

744 P STREET  
SACRAMENTO 95814

May 14, 1974

The Honorable Henry A. Waxman  
Assemblyman, Sixty-First District  
State Capitol  
Sacramento, California 95814

Dear Assemblyman Waxman:

In response to your initial inquiry of April 23, 1974, additional information is submitted relative to your Bill AB 3989. My letter of May 1, 1974 did not contain information concerning the number of cases heard during June 1973, whose decisions had not been mailed as of January 1974. The answer is 210 cases heard but were not mailed by January 1974.

The same information which you requested for the period January 1, 1973 through June 30, 1973 was obtained for the period July 1, 1973 through December 31, 1973. This information is as follows:

1. The number of fair hearings held between July 1, 1973 and December 31, 1973, inclusive, was 11,547.
2. Of those hearings held within the above six-month period, the number whose final decisions were mailed to recipients is as follows:
  - a. 30 days of receipt of the proposed decision: 5,307
  - b. 60 days of receipt of the proposed decision: 3,821
  - c. 90 days of receipt of the proposed decision: 284
  - d. 120 days of receipt of the proposed decision: 118
  - e. An excess of 120 days receipt of the proposed decision: 70
3. The number of decisions heard during the period whose final decision was not mailed as of January 1, 1974 was 4,399.
4. The number of decisions heard during the period whose final decision was not mailed as of April 1, 1974 was 417.

5. Of the proposed decisions not mailed to the recipient by January 1, 1974, the date of the receipt is as follows:
  - a. July 1973: 211
  - b. August 1973: 438
  - c. September 1973: 445
  - d. October 1973: 781
  - e. November 1973: 1,241
  - f. December 1973: 1,283
6. Of the decisions mailed to the recipient within 30 days of the submission of the decision, those which were both proposed decisions and adverse to the claimant were 2,954.
7. Of those decisions which had not been mailed to the claimant as of January 1, 1974, but have since been adopted, the number which were adverse to the claimant is 250.

If I can be of further assistance, please do not hesitate to contact me or any of my staff.

Sincerely,

Original signed by Robin J. Dezember

ROBIN J. DEZEMBER  
Chief Referee

bcc: David B. Swoap 17-11  
Phil Manriquez 17-5  
P. J. Newlin 17-11  
James M. Moose, Jr., 17-14  
R. J. Dezember 16-21  
Mail Control 15-43

DC/jb #31759

## DEPARTMENT OF SOCIAL WELFARE

744 P STREET  
SACRAMENTO 95814



May 3, 1974

Assembly Bill 3532

- The Honorable Leon Ralph  
State Capitol- Room 4130  
Sacramento, CA 95814

Dear Assemblyman Ralph:

We have reviewed your Assembly Bill 3532 and respectfully wish to inform you that we cannot agree with its provisions.

The Welfare Reform Act of 1971 (SB 796, Chapter 578 of the Statutes of 1971) increased AFDC grant payment levels such that a parity exists between payment levels and living costs. Further, SB 796 contains an annual cost-of-living adjustment provision so that this parity would remain constant.

Considering the above, there does not seem to be a sound argument in favor of increasing AFDC grants at this time.

If you would like to discuss the matter further, we will be happy to meet with you at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Philip J. Manriquez'.

PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: William T. Bagley, Chairman  
Assembly Welfare Committee



## DEPARTMENT OF BENEFIT PAYMENTS



August 2, 1974

## REFER TO:

- Honorable Richard Alatorre  
State Capitol - Room 5160  
Sacramento, CA 95814

Dear Assemblyman Alatorre:

We have reviewed your Assembly Bill 3873 and respectfully wish to inform you that we cannot agree with its provisions.

We base our opposition on the following points:

1. Expanding the provisions for deeming of income between recipients and their spouses would, of course, increase state expenditures of public assistance.
2. The bill is unclear concerning whether or not the deeming would be applicable to persons who are currently ineligible for SSP benefits because of their existing income. In our opinion the original version of the bill could be interpreted to apply to these individuals; therefore, the bill would have a significant caseload expanding effect which we are unable to measure at this time.

If you wish to discuss the matter further, we will be happy to meet with you at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Philip J. Manriquez'.

PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communications

cc: William T. Bagley  
Assembly Welfare Committee

## DEPARTMENT OF BENEFIT PAYMENTS

June 7, 1974



## REFER TO:

The Honorable Richard Alatorre  
State Capitol, Room 5160  
Sacramento, CA 95814

Dear Assemblyman Alatorre:

We have reviewed your Assembly Bill 3876 and this is to inform you that we cannot agree with the provisions that would require the state to increase State Supplementary Program grant levels by 100 percent of any federal increase in California's adjusted payment level (APL).

Since current state law provides for a routine adjustment of the SSP grant levels to reflect increases in cost-of-living, an increase in grants due to an upward adjustment in the APL can only be viewed as a bonus to recipients. Therefore, in our opinion it is reasonable for the state to retain its option on how this decrease in state expenditures should be utilized. Retaining this option certainly does not preclude the state from increasing public assistance grant levels if warranted.

If you wish to discuss the matter further, we will be glad to meet with you at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Philip J. Manriquez'.

PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: William T. Bagley, Chairman  
Assembly Welfare Committee

XXXXXXXXXXXXXXXXXXXX  
BENEFIT PAYMENTS

August 26, 1974

This letter to members of As. W&M: Foran, Lanterman, Badham, Bagley, Chacon, Chappie, Collier, Cory, Davis, Duffy, Dunlap, Greene, Knox, MacDonald, Miller, Mobley, Priolo, Sieroty, Vasconcellos, Warren, Z'berg, and Marc Christiansen, Cons., Assembly Republican Caucus

SB 1886 has been presented as a private bill. The intent of the bill is to transfer the property tax base to the state. It is not advisable to question the advisability of such a shift without first investigating the impact it will have on the different classes of California taxpayers.

The Honorable John F. Foran, Chairman  
Assembly Ways and Means Committee  
State Capitol, Room 3091  
Sacramento, CA 95814  
Assistant Director

PHILIP J. MARRIQUEZ  
Assistant Director

cc: P. Marriquez, 17-5  
Dear Assemblyman Foran:

Phds  
On Tuesday, August 27, Senate Bill 1886 is set for vote only before your Assembly Ways and Means Committee. The Department of Benefit Payments urges that you vote "no" on this bill.

SB 1886 (Alquist and Rodda) terminates the counties' participation in the financing of the State Supplemental Payment (SSP) program over a four year period, beginning in Fiscal Year 1975-76 and ending in 1978-79.

The counties' share is a total of \$118 million annually. This figure represents the amount that the counties would have paid for Fiscal Year 1974-75 under the adult aid programs which were replaced by the State Supplementary Program. Continuing the county participation at this level was an integral part of the negotiations that determined the benefit levels established under the new program. Because of this funding arrangement the benefit levels established for California's aged, blind and disabled are among the highest in the nation.

It should be pointed out one protection accorded the counties now (and not the state) is that the \$118 million figure is frozen into current law. A further expansion of the specific sum is possible only if there is an increase in the counties' assessed valuation. The state's financial share currently exceeds \$440 million and, as indicated, does not enjoy the protection that is afforded in state law for the \$118 million county share. In fact, the state General Fund already faces an increase in General Fund expenditures for this program due to the annual cost-of-living increase feature of AB 134. In view of this we do not agree with the additional burdens placed on the General Fund by this bill.



Sincerely,  Original signed by

Assistant Director

PHILIP J. MANRIQUEZ

Assistant Director

bcc: P. Manriquez, 17-5

to the counties reduction in welfare expenditures due to this bill's provision.

To Agency 6-14-74

## DEPARTMENT OF SOCIAL WELFARE

744 P STREET  
SACRAMENTO 95814



June 11, 1974

The Honorable John A. Nejedly  
State Capitol, Room 5091  
Sacramento, CA 95814


Dear Senator Nejedly:

We have reviewed your Senate Bill 1936 and respectfully wish to inform you that we do not agree with its provisions to disregard Social Security increases as income in the computation of the State Supplemental payment.

The income disregards proposed by your bill will benefit only those SSP recipients who also receive Social Security cash benefits. While a significant number of SSP recipients do receive Social Security cash benefits, this is certainly not true for the entire SSP caseload. Therefore, it is obviously inequitable to reward only one category of recipients. Further, since increases of this nature must be funded solely by state funds the inequity is intensified.

If you would like to discuss the matter further, we will be happy to meet with you at your convenience.

Sincerely,

  
PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: Anthony Beilenson, Chairman  
Health and Welfare Committee

## DEPARTMENT OF SOCIAL WELFARE

744 P STREET  
SACRAMENTO 95814

June 5, 1974

The Honorable David A. Roberti  
State Capitol, Room 4047  
Sacramento, CA 95814

Dear Senator Roberti:

We have reviewed your Senate Bill 2202 and respectfully wish to inform you that we cannot agree with its provisions that county welfare departments include bilingual employee personnel in proportion to the total number of non-English recipients.

In our opinion this measure forms the basis for establishing a numerical quota for specific personnel to be employed by the county welfare departments. This action is contrary to the federal and state policy against numerical quotas.

Measures of this type are of questionable legality due to the unequal opportunity under the law prohibition.

If you wish to discuss the matter further, we will be happy to meet with you at your convenience.

Sincerely,

  
PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: Anthony Beilenson, Chairman  
Senate Welfare Committee

*Delivered  
9:00  
6/5  
Don & Barb*



## DEPARTMENT OF SOCIAL WELFARE

744 P STREET  
SACRAMENTO 95814

June 5, 1974

The Honorable David A. Roberti  
State Capitol, Room 4047  
Sacramento, CA 95814

Dear Senator Roberti:

We have reviewed your Senate Bill 2203 and respectfully wish to inform you that we cannot agree with its provisions that the State Department of Benefit Payments include bilingual employees personnel in proportion to the total number of non-English recipients.

The establishment of numerical quotas for hiring state personnel in DBP departments is contrary to established federal and state policy. We further feel that measures of this type are of questionable legality due to the unequal opportunity under the law of prohibition.

We will be glad to meet with you and discuss this matter at great lengths at your convenience.

Sincerely,

  
PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: Anthony Beilenson, Chairman  
Senate Welfare Committee

*Delivered  
9:00  
6/5  
Dart Board.*

## DEPARTMENT OF BENEFIT PAYMENTS



June 11, 1974

## REFER TO:

The Honorable Albert S. Rodda  
State Capitol, Room 4048  
Sacramento, CA 95814

Dear Senator Rodda:

We have reviewed your Senate Bill 2300 and respectfully wish to inform you that we cannot agree with its provisions to eliminate county general relief programs and establish a state administered aid to indigent categorical aid program.

In our opinion a bill of this type could only be administered by contracting with the county welfare department; therefore, the end result would be simply transferring current county expenditures to the state. Considering the existing safeguards against increases in county welfare expenditures and the recent passage of a significant property tax relief legislation (SB 90, Chapter 1406, Statutes of 1972) there is in our opinion little if any justification for this proposal at this time.

If you wish to discuss the matter further, we will be happy to meet with you at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Philip J. Manriquez'.

PHILIP J. MANRIQUEZ  
Assistant Director  
Legislation and Communication

cc: Anthony Beilenson, Chairman  
Senate Health and Welfare Committee

*R. Collier, Chairman, San Fran delivered 8/9*



June 11, 1974

The Honorable Anthony Beilenson  
State Capitol, Room 4040  
Sacramento, CA 95814

PHILIP J. MURPHY

Assistant Director

Child Welfare and Communications  
Dear Senator Beilenson:

We have reviewed your Senate Bill 2323 and respectfully wish to inform you that we cannot agree with its provisions to transfer the administrative responsibilities for unemployed parents under the Aid to Families with Dependent Children program (AFDC-U) from the county welfare department to the Employment Development Department.

Because of the makeup of cases in the AFDC program, there is a measurable amount of changes in case status between family group and unemployed. Under the present system where county welfare departments are handling or responsible for the payments in both cases, this is accomplished merely by a change in status. However, if the unemployed cases are to be handled by the Employment Development Department what was previously merely a change in status will require a transfer of the total case record from county's operations to state operation and will require also a change in the services provisions and in each instance a change in the person providing the services. There is a further complication in that AFDC-U cases are frequently not "pure" "U" cases. In the case of an unemployed stepfather with children in the home, there may well be "FG" children in the home who would, under this bill, remain the responsibility of the welfare department. We have generally treated these cases as a single household. The complexities involved in transferring part of the family to EDD and retaining part of the family (including the mother in many cases) will create administrative errors in budgeting the entire family's grant because of the allocation of any income (UIB for instance) the stepfather may have back to the "FG" family.

The points we have listed above are only two of the many problems that will exist if your bill is enacted.

We understand that your bill is to be amended so that its concept will be tested in a demonstration project; however, we will remain opposed, as considering the many problems that would develop, we see little justification for testing this concept.

Delivered  
6-11-74



If you wish to discuss the matter further, we will be happy to meet with you at your convenience.

Sincerely,

To authorize a pilot project to test the ability of the Department of Employment Development's administering aid and services to unemployed

**PHILIP J. MANRIQUEZ**

**Assistant Director**

**Legislation and Communications**

Currently, when an individual becomes unemployed, cc: Joe Montoya, Vice Chairman (Attn: Stan Lena) S. Department-Assembly Welfare Committee, must seek a new job and determine whether or not he is eligible for unemployment benefits. If he can't find a new job and if he finds that he is either ineligible for unemployment benefits or that the benefits he can receive are insufficient to adequately provide for himself, he then must go to the county welfare department and apply for assistance under the Aid to Families with Dependent Children (AFDC) program. The AFDC application requirement is that the individual go to the Department of Employment Development and register as being available for employment or that the individual has applied for employment services. The individual must then report to the welfare department and complete his application for AFDC assistance.

If determined to be eligible for AFDC assistance, the individual will continue to have to report to both the Department of Employment Development and the county welfare department on a regular basis during the entire time he receives aid. Welfare will meet a part of his needs for financial aid through the AFDC program and may provide him with social services, while Employment Development will also meet a part of his financial needs through unemployment insurance benefits and will provide him with services to assist him in finding a job. In other words, responsibility

Department of Benefit Payments and the Depart-