

Legislative Changes in Public Assistance, 1941*

MARKED PROGRESS in State public assistance legislation has been made since January 1, 1941. Of considerable significance was the solution of most of the difficult legislative problems arising out of the three mandatory amendments to the Social Security Act relating respectively to the confidential nature of public assistance information, consideration of all other income and resources, and personnel standards on a merit basis.

Many liberalizations in eligibility requirements were also effected. The public assistance titles of the Social Security Act contain only one affirmative eligibility requirement, namely, need; they contain, in addition, certain limitations on Federal matching, mostly by way of definition of the categories. It is noteworthy that there was a definite trend in many States toward eliminating eligibility requirements less broad than these matching provisions of the Federal act. Financial benefit will result to these States through Federal participation in a greater number of their needy cases.

Other provisions enacted by many States which will make possible more generous treatment of recipients, as well as the receipt of additional Federal funds, are those relating to the amounts of individual payments. Provisions deleting any maximum were enacted in some States. In many others the maximums were increased to equal the Federal maximums.

Appropriations for public assistance were increased in more than half of the States. There was also a strengthening of fiscal procedures and control. Changes in organization were made, several of which were designed to remove long-standing problems relating to the authority of the single State agency.

Legislative provision was also made for three new programs for aid to dependent children¹ and one new program for aid to the blind.² The new laws providing for aid to dependent children in Connecticut, Illinois, and Texas provide for ad-

ministration by the same agencies now administering the other approved public assistance programs. This is likewise true of the law providing for aid to the blind in Texas. The eligibility conditions imposed for aid to dependent children are, in the main, similar to those contained in the Social Security Act. Texas has, however, provided a maximum age of 14, and Connecticut has added considerations as to the suitability of the home. Texas has imposed a minimum age requirement of 21 years for aid to the blind. No maximum payments have been provided in the laws for aid to dependent children in Illinois and Connecticut.

Over 300 laws affecting the public assistance programs were enacted during the 1941 legislative sessions. Only 5³ of the 51 jurisdictions⁴ administering one or more of such programs did not have sessions this year. The legislatures of New Jersey and Massachusetts, and the Congress of the United States, which legislates for the District of Columbia, are still in session.

Confidential Nature of Public Assistance Information

Practically all the States had to take action, either legislative or administrative or both, to bring their public assistance plans into conformity with the Social Security Act Amendments of 1939 requiring that the use of public assistance information be limited to purposes directly connected with the administration of the plans. These amendments to the Social Security Act became effective on July 1, 1941. They have been interpreted as requiring the single State agency to be responsible for assuring the protection of public assistance information from any misuse, either by the agency's employees or when such information is made available to other agencies or officials. Thirty-six States⁵ enacted legislation relating to the protection of public assistance information. Legislation for the District of Columbia is now

*Prepared by the Bureau of Public Assistance in collaboration with the Office of the General Counsel, on the basis of information available to the Board, corrected to October 1, 1941.

¹ The approval of the Illinois and Texas plans brings the number of approved plans for aid to dependent children to 46. The Connecticut plan has not been officially submitted by the State for approval.

² The approval of the Texas plan brings the number of approved plans for aid to the blind to 44.

³ Alabama, Kentucky, Louisiana, Mississippi, and Virginia.

⁴ Include Alaska, Hawaii, and the District of Columbia.

⁵ Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Hawaii, Idaho, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Washington, West Virginia, and Wyoming.

under consideration in the Congress. The other 14 States⁶ dealt with this problem administratively on the basis of existing law.

Consideration of All Other Income and Resources

There were several States in which conformity points might have arisen after July 1, 1941, as the result of the Social Security Act Amendments of 1939 requiring a State agency, in determining need, to take into consideration any other income and resources of an individual claiming assistance. All these States, viz, California (aged and blind), Vermont (aged), Michigan (aged), Iowa (blind), Utah (aged), and Texas (aged), exempted certain resources from consideration. With the exception of Utah, these States have satisfactorily amended their laws by removing the various specific exemptions. Utah again enacted legislation exempting resources, but with a saving clause designed to permit compliance with Federal requirements. A satisfactory interpretation of this law has subsequently been submitted under which exemptions will not be made.

Iowa and Ohio liberalized their old-age assistance laws by repealing provisions imputing income to property not producing a reasonable income. Texas provided that income to be considered shall be known to exist and be available to the applicant for old-age assistance.

Personnel

There was considerable legislative activity in the field of personnel, a large proportion of which was directed toward strengthening and improving the legislative bases for merit systems. Eighteen States⁷ made such provision.

Texas provided a legislative basis for a joint merit system. Massachusetts extended its civil-service law to all employees of local boards and bureaus administering old-age assistance and aid to dependent children. Michigan strengthened its civil-service system through a constitutional amendment approved by the electorate in 1940. Pennsylvania established a civil-service system covering public assistance employees, the employees administering unemployment compensa-

tion, and those under the Liquor Control Board. California provided a specific legislative basis for the establishment of a State-wide merit system, instead of relying on the general rule-making authority. New York required that, by July 1, 1943, the localities exercise their option of coming in under a city, county, or the State civil-service system.

Four States⁸ authorized waiver of State residence requirements when qualified personnel are unavailable; the provision for a State residence requirement in 2 of these States, Oregon and Indiana, was new. Missouri modified its former requirement that county employees be county residents by providing that employees in county offices be chosen from county residents when such persons are available and qualified. Indiana imposed a requirement of United States citizenship for State and local employees.

Several jurisdictions have enacted legislation requiring loyalty oaths from employees⁹ and denying employment to persons who participate in un-American or subversive activities against the Government.¹⁰ Massachusetts provided a penalty for any discrimination in the giving of public relief, on account of race, color, religion, or nationality.

Fifteen States¹¹ enacted legislation relating to military leave and reinstatement upon the completion of military leave.

West Virginia and Indiana provided for veterans' preference, and Pennsylvania amended its law so as to grant veterans passing a civil-service examination an additional 10 points instead of 10 percent and to extend preference to promotions as well as appointments.

New Jersey, Arkansas, Indiana, and Texas enacted legislation relating to political activity.

Organization

A clarification of organization was made in California, where the social welfare board was specifically designated as the single State agency with full authority to supervise the public assistance programs. In Massachusetts, the State department's rule-making and supervisory author-

⁶ Alabama, Florida, Georgia, Kansas, Kentucky, Louisiana, Michigan, Mississippi, New Jersey, New York, Oklahoma, Utah, Virginia, and Wisconsin.

⁷ California, Hawaii, Illinois, Indiana, Massachusetts, Michigan, Minnesota, Nevada, North Carolina, North Dakota, Oregon, Pennsylvania, Texas, Vermont, Washington, West Virginia, Wisconsin, and Wyoming.

⁸ Indiana, Montana, New Mexico, and Oregon.

⁹ California and Hawaii.

¹⁰ California, District of Columbia, and Pennsylvania.

¹¹ California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Minnesota, New Hampshire, New Mexico, New York, Oklahoma, Rhode Island, Utah, and Wisconsin.

ity over the local boards and bureaus was strengthened, thereby enabling the State department to exercise more adequately the essential functions of the single State agency. In Wyoming, the State board was made advisory. In Idaho, the program is now to be State-administered. Administrative responsibility for the blind and children's programs in Ohio was clarified and specifically placed in the Division of Social Administration.

In North Carolina, the powers of the county superintendents were increased, and functions formerly exercised jointly by the county commissioners and the welfare board were assigned to the welfare board alone. In Connecticut, the local welfare officer was designated to receive applications and to forward them to the State agency rather than to "thoroughly investigate" such applications; this change eliminates the legal authority of local officials not covered by the merit system to participate in the administration of old-age assistance.

Utah made an administrative commission responsible for its programs; Idaho reduced the commissioner's salary and made the exercise of his powers directly subject to the control of the Governor; Indiana placed more authority in the State welfare board and new duties and responsibilities on the State department and the State administrator; Colorado made the board of public welfare a subdivision of the executive department, without change in authority or status, however.

Illinois enacted legislation providing for advisory boards to the county welfare departments, and Florida authorized the establishment of county welfare advisory committees.

Minnesota and North Dakota enacted legislation authorizing the State agency to take action necessary to conform to Federal requirements.

Five States¹² enacted legislation authorizing reciprocal agreements with other States.

Standards and Practices

Age.—With respect to aid to dependent children, 2 States¹³ made children eligible to age 18. Four States,¹⁴ by law made children up to 18 eligible provided that they are attending school; one of these States, Washington, authorized the elim-

¹² Connecticut, Maryland, Minnesota, Ohio, and Pennsylvania.

¹³ Utah and Wyoming.

¹⁴ Maine, Maryland, North Carolina, and Washington.

ination of its school-attendance provision at such time as the Federal act might be amended to allow matching with respect to children between 16 and 18 irrespective of school attendance. Under the West Virginia law, the age limit has been raised to 18, subject to the conditions under which Federal matching is made available. New Mexico deleted the age requirement entirely. Missouri lowered the maximum 16-year age limit to 14, with a provision for such assistance to children between 14 and 16 if regularly attending a day school, or not attending school if they are either physically or mentally incapable of attending school.

Four States¹⁵ deleted the minimum age requirement for aid to the blind, and Ohio deleted the maximum limitation of 65 years. North Dakota enacted a maximum limitation of 65 years.

Hawaii provided for lowering the age for old-age assistance to 60 years in the event that the Federal Government does likewise.

Residence.—All the changes made in residence requirements resulted in liberalizations. Hawaii reduced the residence requirement for old-age assistance and aid to the blind to 1 year immediately preceding application. Maryland now permits the waiver of residence requirements in accordance with interstate agreements. Idaho, Washington, and Wyoming extended eligibility for aid to dependent children on the basis of the residence of the parent or of the relative with whom the child is living. Ohio and North Dakota also liberalized the residence provisions for aid to dependent children.

Three States¹⁶ enacted legislation deleting requirements of agency consent before a recipient could move from one county to another, thereby making it clear that county residence is not to affect eligibility.

Colorado provided that there could be a 60-day absence from the State without suspension of old-age assistance and a longer period with the consent of the State department.

Ohio (children) authorized continuance of aid to recipients temporarily absent from the State. Minnesota (aged) liberalized its provisions with respect to continuance of aid outside the State.

Institutions.—Arizona made residents of private institutions eligible for old-age assistance; Texas did likewise for both aged and blind. Ohio

¹⁵ Oregon, Vermont, West Virginia, and Wyoming.

¹⁶ Idaho, Maryland, and Oregon (blind).

provided for making payments directly to the aged individual instead of to the head of the private institution. California removed its disqualification for aged persons who stay in private hospitals for more than 60 days. Idaho deleted the disqualification on the basis of need for continued institutional care for aged and blind, and Oregon deleted the disqualification for blind only.

Property.—Considerable progress was made in the liberalization of property restrictions. Three States¹⁷ deleted the disqualification for assistance on the basis of property transfer. California provided that so long as the old-age assistance recipient retained income from or use of the property, no disqualification would result. Connecticut provided that the transfer must have been made “without reasonable consideration” before disqualification would result.

West Virginia exempted insurance up to \$200 from any requirement of assignment, and Alaska likewise exempted from pledge or lien personal property worth \$200.

Nebraska and West Virginia deleted lien provisions for blind, and Connecticut, Indiana, and Nebraska for aged individuals. South Dakota and Ohio (aged) enacted provisions for the compromise and release of liens. Iowa (aged) and Minnesota (aged) liberalized the conditions under which liens may be released. Connecticut provided for the release of existing liens on a permissive basis.

Ohio (aged) authorized waiver of property limitations upon assignment of property in trust to the division. Minnesota added a provision disqualifying aged applicants having convertible assets in excess of \$300 (\$450 for husband and wife) with a provision for waiver if liquidation would cause undue loss.

Recoveries.—Eight States¹⁸ repealed provisions providing for claims against estates for assistance furnished. Maryland changed the status of its claim from preferred to general. Instead of a general recovery provision, Alaska now recovers only on those cases on which liens are taken. Connecticut deleted its provision for 4-percent interest on reimbursements from old-age assistance estates. Ohio extended its recovery provision

for old-age assistance to recoveries from recipients of amounts paid in excess of that to which they were entitled and which they received through fraudulent devices.

Relatives.—The legislation enacted with respect to relatives was not wholly liberalizing. Ohio liberalized its old-age assistance laws by deleting the provision that legally responsible persons be liable for all aid paid to a recipient, and Hawaii and Ohio no longer disqualify a person solely on the basis of his having a responsible relative able to support him. Washington provided that no relative of a blind recipient, except of a minor, is to be legally responsible for support. Washington also deleted provisions relating to the responsibility of relatives of old-age assistance recipients.

Arizona provided for recovery from certain relatives with gross incomes of over \$3,000 and ability to support the aged recipient. Maine enacted legislation enumerating the relatives responsible for the support of public assistance recipients. California provided that local boards determine the ability of responsible relatives to contribute to an aged recipient on the basis of a “relatives’ contribution scale.”

Suitable home.—There was a tendency to remove or liberalize this restriction. Idaho and Wyoming deleted their suitable-home requirements which related to eligibility. Colorado deleted the provision that, in placing a child in the home of a relative, the placement should be, wherever possible, in a home of the same religious faith; Maryland amended its provision by adding the words “if possible” to its previous requirement that a child shall be living in a suitable home in which his religious faith will be fostered and protected.

The provision in Ohio under which a relative had to be “morally, mentally, and physically” a proper person to care for the child was deleted.

Simultaneous receipt of assistance and other relief.—New Mexico and Ohio (blind) deleted the prohibition against the simultaneous receipt of assistance and other relief.

Miscellaneous provisions.—The miscellaneous provisions with one exception represent liberalizations.

Rhode Island, Oregon, and Texas deleted the provision for denying aid to the blind to applicants refusing medical treatment to restore their eyesight.

¹⁷ Hawaii, Idaho (aged and blind), and Wyoming (children).

¹⁸ Idaho, Indiana (aged), Kansas, Nebraska (blind), New Mexico, Oregon, Washington, and Wyoming.

Ohio deleted the provision for "double recovery" of aid granted in excess of that to which the aged recipient was entitled, and Idaho deleted its provision on fraud.

Ohio authorized payments for medical care to the blind in excess of the amount necessary for maintenance, and Indiana authorized the granting of medical care under all three programs in addition to the maximum assistance payments where necessary.

Iowa (aged) and Minnesota (aged and blind) repealed provisions prohibiting reapplication for assistance for 12 months after denial of aid.

Connecticut deleted the provisions that an applicant must not be out on bond or probation from any court and that he must have paid the old-age assistance tax to the full extent of his obligation.

Ohio amended the eligibility requirements for old-age assistance by deleting the provision that an applicant must not have deserted his spouse or failed to provide for his wife and children without just cause.

California provided that no grant or denial of assistance is to be influenced by a recipient's political or religious opinions or affiliations.

Pennsylvania imposed an eligibility requirement that an applicant or recipient shall not advocate or participate in a move to change the form of the State or Federal Government by means not provided in their respective constitutions. Court review of a decision refusing or discontinuing assistance on such basis is provided.

Fair hearings.—Five States¹⁹ clarified their fair-hearing provisions. Massachusetts provided that appeals from decisions of the local board shall be made directly to the State agency and deleted all reference to the appeal board.

Payments.—Legislation on this subject shows a definite trend toward more generous treatment of recipients. Oklahoma and Idaho deleted the maximum limit on payments for the aged; 5 States²⁰ did likewise for the blind; and Idaho and Wyoming for children. West Virginia provided that the maximum payment for all categories shall be the maximum in which the Federal Government will participate; Iowa made a similar provision for the blind, and South Dakota retained

¹⁹ Iowa (aged), Minnesota (blind), Ohio (blind and children), North Dakota, and Washington.

²⁰ Idaho, North Dakota, Oregon, Texas, and Wyoming.

its \$30 maximum for aged and blind, but provided that, if the Federal share is raised above 50 percent, State payments may be raised proportionately.

Seven States²¹ increased the maximum monthly award to \$40 for the aged, and 7 States²² to \$40 for the blind. Rhode Island increased the maximum, including income and resources, to \$40 for the aged. Maryland increased its maximum grant for the blind to \$40 in special cases requiring medical or nursing care; for old-age assistance cases requiring such care a maximum of \$40 has been imposed in place of the previous provision which set no maximum.

Washington provided for old-age assistance a minimum monthly grant of \$40 minus income. Nevada provided that income and resources, together with the old-age assistance award, shall be at least \$30 and no more than \$40. California provided awards for old-age assistance and aid to the blind which, when added to income and resources, shall equal \$40 and \$50, respectively; in cases in which additional need is shown to exist, to that extent the combined income and award may exceed \$40 and \$50, respectively, but in no event may the award itself exceed these amounts.

Iowa increased the maximum for old-age assistance from \$25 per month for assistance and income to \$25 per month for the assistance payment alone. Iowa also provided that the additional allowance not in excess of \$5 for expenses due to physical or mental conditions is now to be available only for cases in which such expenses are due to physical conditions. Vermont increased the maximum for aged recipients from \$30 (\$45 for husband and wife) for assistance and income to the same amounts for assistance alone. South Dakota (aged and blind) made provision for increasing the \$30 monthly maximum if the Federal share is increased above 50 percent. Georgia provided that every person found eligible for old-age assistance must receive an award.

Court review.—Court-review provisions enacted at this session do not impinge upon the administrative authority of the single State agency but either specifically provide for an appropriate limitation of the scope of court review or lend themselves to such an interpretation. Washington (blind) provided for court review of the agency record with a provision for remand in the event that the agency's

²¹ Arizona, Connecticut, Florida, Hawaii, Indiana, Michigan, and Oregon.

²² Arizona, Colorado, Connecticut, Florida, Hawaii, Indiana, and Montana.

decision is found to have been arbitrary or capricious. Minnesota (blind) appropriately limited the scope of court review of agency decisions. California provided that an aged applicant aggrieved by a decision of the State welfare board may petition the superior court of the county of residence for a review of the entire proceedings upon questions of law involved in the case.

Guardianship

Several States have enacted legislation to facilitate the appointment of guardians. Indiana and Illinois provided for appointments of guardians and conservators, respectively, in old-age assistance cases without cost and, in the courts' discretion, for waiver of the bond or for fixing the bond below \$200 or \$100, respectively.

Missouri likewise provided that all guardianship proceedings in old-age assistance cases shall be without fee or other expense when the probate court believes the aged person cannot afford the expense and also that the bond be waived at the discretion of the court.

Court Determination of Age, Birth, and Death

None of the following laws is being so construed as to preclude the State agency from making its own findings of fact. The Arizona and Washington laws apply only to old-age assistance cases, and the remainder are of general applicability. Arizona made provision, under certain circumstances, for court determination of age and place of birth. Washington provided access to the courts for the establishment of age and length of residence when such facts cannot be established by the State agency. Indiana has authorized the circuit and superior courts to establish the time and place of birth of certain applicants, and such decree is to be accepted as prima facie evidence of such facts. Colorado made similar provision for determination of date of birth and death. Wisconsin similarly provided for determination of age, place of birth, and parentage. North Dakota provided methods of establishing delayed proof of birth by the State or local registrars of vital statistics, such record to serve as prima facie evidence of the facts.

Rules and Regulations

Some legislative activity has been directed toward making agency rules and regulations avail-

able in one central place for public inspection. Laws of general applicability were enacted in Ohio and California providing for the filing of rules and regulations, with certain exceptions, with the Secretary of State and for his maintaining them as public records. California provided further for the publication of these regulations in a special periodical and for the courts to take judicial notice of them. The effectiveness of the Ohio regulations, except those of an emergency nature, is delayed until 10 days after their filing. A similar procedure is provided for their repeal.

For its public assistance programs, Indiana provided a procedure whereby its regulations affecting the powers, duties, or functions of county or district boards or departments are not to become effective until 10 days after their mailing to each county or district director. These officials are likewise charged with the responsibility of making such regulations available for inspection.

Minnesota removed its requirement for publication of rules and regulations.

Finance

Appropriations.—Various factors in many States influence the amount of funds actually available for the special types of public assistance, such as unexpended balances, transfers between appropriations from one category to another, allotments changing the amounts available, free funds, and the use of deficiency appropriations which are not reflected in comparisons made on the basis of regular appropriation acts alone. This consideration should be borne in mind in reading the following paragraphs. Appropriation acts received from 38 States for the fiscal year 1942 indicate a substantial increase over amounts appropriated in these same States for the categorical programs for the fiscal year 1941.

Of the States making lump-sum appropriations for public assistance for the fiscal year 1942, 7²³ show an increase, 2²⁴ are the same as for 1941, and 3²⁵ show a decrease, although because of other circumstances actual decreases will probably not occur. Indiana has a clause in its act which states that more money, if necessary, may be made available for public assistance upon approval of

²³ Arkansas, Connecticut, Hawaii, Nebraska, Virginia, West Virginia, and Wyoming.

²⁴ Kentucky and Louisiana.

²⁵ Indiana, Kansas, and Pennsylvania.

the State Budget Committee and the State Board of Finance. Kansas appropriated a sizable amount for old-age assistance in addition to the usual lump-sum appropriations for the three categorical programs. Pennsylvania includes general relief in its appropriation, as well as the categorical assistance programs, and, according to the State's annual report of estimated expenses for 1942, a considerable reduction in general relief is expected along with an expansion of the categorical programs.

Of the States appropriating specifically for old-age assistance, 23²⁶ show increases for the fiscal year 1942; 2²⁷ are the same; and 3²⁸ show decreases. Here again, in 2 of the 3 States, decreases may not actually occur. Illinois makes a practice of enacting deficiency appropriation acts when additional funds are required. The amount of the Maine specific appropriation for old-age assistance for 1942 was less than for 1941; however, in addition to this amount a tax was imposed on cigarettes, the proceeds of which are to be used for old-age assistance. It is not known at this time how much revenue will be derived from this tax, but it is thought that the total available for old-age assistance will be considerably more than the 1941 appropriation.

Of the States appropriating specifically for aid to the blind, 13 States²⁹ show increases; 7³⁰ are the same; and 4³¹ show decreases.

For aid to dependent children, 14³² show increases; 5³³ are the same; and 6³⁴ show decreases.

Local participation.—The general trend was toward a decrease in local participation. In North Carolina the counties must now pay one-fourth instead of one-third of the cost of aid to dependent children. In Montana the counties must now reimburse the State for their share of

²⁶ Alaska, California, Delaware, District of Columbia, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, New York, North Dakota, Ohio, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Washington, and Wisconsin.

²⁷ North Carolina and South Dakota.

²⁸ Illinois, Maine, and Maryland.

²⁹ Colorado, Iowa, Maine, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, New Jersey, North Carolina, Tennessee, Texas, and Vermont.

³⁰ California, District of Columbia, Maryland, Ohio, South Carolina, South Dakota, and Virginia.

³¹ New York, North Dakota, Rhode Island, and Washington.

³² Colorado, District of Columbia, Florida, Maine, Massachusetts, Michigan, Missouri, Montana, New Hampshire, New Jersey, Rhode Island, Texas, Vermont, and Washington.

³³ California, North Carolina, Ohio, South Carolina, and South Dakota.

³⁴ Delaware, Maryland, Minnesota, New York, North Dakota, and Tennessee.

administrative costs, as well as of assistance costs. The counties in Colorado are now to be reimbursed for 75 percent rather than 50 percent of the administrative expenses of old-age assistance.

Maine eliminated local financial participation in old-age assistance. Rhode Island provided that the reimbursement by the State of three-fourths of the total amount of local costs for aid to dependent children shall be a minimum rather than a fixed proportion. Georgia reduced the local share of assistance and administration from 10 to 5 percent.

Tennessee repealed provisions requiring the total cost of administration to be defrayed by the State and Federal Governments, thereby apparently requiring counties to participate on the same basis as for assistance, i. e., 12½ percent for old-age assistance and aid to the blind, and 16⅓ percent for aid to dependent children. Ohio amended the provision relating to the apportionment of the State appropriation for aid to dependent children among the several counties to provide that, if the allotment based on the child-population formula does not result in equitable treatment for all dependent children, the State department by rule may alter the formula so as to conduce to greater equality and make such apportionment according to such rules, but each county shall be entitled to receive not less than 25 percent of the amount of its aggregate expenditures. Such rule may provide that each county shall provide by taxation an amount specified therein, which amount shall be appropriated for aid to dependent children in lieu of the 15-mill levy heretofore required.

Earmarked taxes.—In 2 States new taxes were earmarked for the public assistance programs, including taxes on itinerant merchants and sales in Arkansas and on tobacco in Oklahoma. Maine (aged), Florida (aged and children), and North Dakota (aged) enacted legislation providing a new source of revenue from earmarked taxes. South Dakota repealed its provision for the special mill levy for aid to dependent children. Nevada increased its general property tax and the share apportioned to old-age assistance. In Hawaii, the amount guaranteed to the department for all the programs from present earmarked revenues has been increased.

Limitations on administrative costs.—The 12½-percent limitation in Hawaii was deleted. In Arizona, the situation was somewhat improved

by the exclusion of certain items from consideration as administrative expenses. Ohio deleted the restriction that not more than 10 percent of the yield of the county levy may be used for administration of aid to dependent children.

General fiscal procedures.—Utah enacted legislation providing for a State department of finance. General fiscal procedures were also provided by law in Colorado, Washington, and Oklahoma. In Idaho, fiscal provisions were strengthened. In Montana, State control over local fiscal affairs was strengthened; the State department was also authorized to make transfers between accounts, but not for the purpose of increasing the amount of administrative funds. Massachusetts has deleted its provision for annual reimbursement of the localities for aid to dependent children and

has substituted a provision under which reimbursement may be made from time to time. In North Carolina, the power of the State Board of Allotments and Appeal to allocate funds for administration to the State Board of Charities and Public Welfare has been eliminated, thus placing within the discretion of the State agency the disposition of funds appropriated for administration.

Equalization.—A social welfare equalization fund was provided for in Kansas. The new fiscal procedures provided in Ohio for aid to dependent children are designed to achieve equalization. Minnesota provided that a portion of the appropriation for aid to dependent children may be used to aid distressed counties and counties with large Indian populations.

Canadian Provisions for Aid for Dependents of Members of the Army and Air Force*

CANADA'S participation in the war has necessitated the introduction of governmental provisions for the wives, children, and other dependent relatives of men who have joined the armed forces. The support of dependents remains primarily a responsibility of the man who provided for them in times of peace, but if he fulfills this responsibility by assigning a part of his military pay to them the Canadian Government provides a supplementary allowance out of public funds. Thus the responsibility for the care of dependents is shared by the Government with the men themselves. The statutory provisions and the administrative arrangements by which this program for dependents of officers and men in the Army and the Air Force is put into operation will be described in the following pages.¹ The program for dependents of men in the Navy, although similar in its broad outlines, is sufficiently different in detail that its provisions will not be included here.

To put the provisions into effect, a new agency was created in the Department of Defense, the

Dependents' Allowance Board. The Board at present consists of five members, four representing the military forces and one representing the Treasury. The chairman of the Board is designated by the Minister of Defense; at present he is the civilian representative of the Treasury. In order to avoid the necessity for building a field organization reaching every locality in which dependents of soldiers are living, the Canadian Government decided to enlist the cooperation of existing national agencies in conducting necessary investigations. The two cooperating agencies are the Department of Pensions and National Health, an agency created after the last war for the purpose of administering welfare provisions for veterans, and the Soldiers' Settlement Board, an agency created in 1917 to assist returned soldiers in settling on the land. If these agencies find their own facilities inadequate for conducting the necessary investigations, they may call on local recognized social agencies, public or private, for assistance in their tasks. The cooperating agencies do not decide a claim, nor do they make recommendations; they merely report the facts. The power of decision rests in every case with the Dependents' Allowance Board. In its administrative aspects, the Canadian system of dependents' allowances is characterized by complete decentralization of the

* Bureau of Public Assistance. The Bureau desires to express appreciation for the help and kindness of Canadian welfare officials who cooperated with the group of American welfare officials visiting Canada during July 1941, under the auspices of the American Public Welfare Association. During that visit, much of the information for this article was gathered.

¹ For an abstract of the Canadian provisions and a summary of similar measures in effect in various countries, see Sakmann, Marianne, "Foreign Provisions for the Dependents of Mobilized Men," *Social Security Bulletin*, Vol. 4, No. 4 (April 1941), pp. 11-28.