

1 H BILL NO. 176  
 2 INTRODUCED BY Menahan  
 3 BY REQUEST OF  
 4 THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

5  
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
 7 71-217, R.C.M. 1947, TO CLARIFY THE METHOD OF REIMBURSEMENT  
 8 OF THE STATE DEPARTMENT BY COUNTY BOARDS OF PUBLIC WELFARE."  
 9

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

11 Section 1. Section 71-217, R.C.M. 1947, is amended to  
 12 read as follows:

13 "71-217. Staff personnel -- how selected, paid and  
 14 controlled -- dismissal. Each county board shall select and  
 15 appoint from a list of qualified persons furnished by the  
 16 state department such staff personnel as are necessary. The  
 17 staff personnel in each county shall consist of at least one  
 18 qualified staff worker (or investigator) and such clerks and  
 19 stenographers as may be decided necessary. If conditions  
 20 warrant, the county board, with the approval of the state  
 21 department, may appoint some fully qualified person listed  
 22 by the state department as supervisor of its staff  
 23 personnel. The staff personnel of each county department are  
 24 directly responsible to the county board, but the state  
 25 department shall have the authority to supervise such county

1 employees in respect to the efficient and proper performance  
 2 of their duties. The county board of public welfare shall  
 3 not dismiss any member of the staff personnel without the  
 4 approval of the state department; but the state department  
 5 shall have the authority to request the county board to  
 6 dismiss any member of the staff personnel for inefficiency,  
 7 incompetence or similar cause.

8 Public assistance staff personnel attached to the  
 9 county board shall be paid from state public welfare funds,  
 10 both their salaries and their travel expenses, as provided  
 11 for in sections 59-538, 59-539, and 59-801, when away from  
 12 the county seat in the performance of their duties; but the  
 13 county board of public welfare shall reimburse the state  
 14 department, from county poor funds, ~~one-half of the payments~~  
 15 ~~so made to its public assistance staff personnel, except~~  
 16 ~~that, under circumstances prescribed by the state~~  
 17 ~~department, the reimbursement by the county board of public~~  
 18 ~~welfare may be less than one-half the full amount of the~~  
 19 ~~salaries and travel expenses not reimbursed to the state~~  
 20 ~~department by the federal government and the full amount of~~  
 21 ~~the state department's administrative costs which are~~  
 22 ~~allocated by the department to the county for the~~  
 23 ~~administration of county welfare programs and not reimbursed~~  
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1 reimbursement by the county board of public welfare may be  
2 less than the county share as prescribed above. All other  
3 administrative costs of the county department shall also be  
4 paid from county poor funds.

5 On or before the 20th day of the month following the  
6 month for which the payments to the public assistance staff  
7 personnel of the county were made, the state department  
8 shall present to the county department of public welfare a  
9 claim for the required reimbursements. The county board  
10 shall make such reimbursements within twenty (20) days after  
11 the presentation of the claim and the state department shall  
12 credit (add) all such reimbursements to its account for  
13 administrative costs."

14 Section 2. Saving clause. This act does not affect  
15 rights and duties that matured, penalties that were  
16 incurred, or proceedings that were begun before the  
17 effective date of this act.

18 Section 3. Severability. If a part of this act is  
19 invalid, all valid parts that are severable from the invalid  
20 part remain in effect. If a part of this act is invalid in  
21 one or more of its applications, the part remains in effect  
22 in all valid applications that are severable from the  
23 invalid applications.

-End-

Approved by Committee  
on Public Health, Welfare  
& Safety

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