

**HOUSE BILL NO. 13**

**(First Special Session)**

INTRODUCED BY McBRIDE, BERTELSEN, REGAN, JACOBSEN

## IN THE HOUSE

November 19, 1981

Introduced and referred to  
Committee on Local Government.

November 20, 1981

Committee recommend bill  
do pass as amended.  
Report adopted.

Statement of Intent attached.

Bill printed and placed on  
members' desks.

November 21, 1981

Second reading, do pass as amended. Ayes. 60; Noes. 39.

### **CORRECTLY EXPRESSED.**

On motion rules suspended  
and bill placed on third  
reading this day.

Third reading, passed.  
Ayes, 63; Noses, 36.  
Transmitted to Senate.

IN THE SENATE

November 21, 1981

Introduced and referred to  
Committee on Finance and  
Claims.

November 24, 1981

Committee recommend bill be concurred in as amended.  
Report adopted.

On motion rules suspended.  
Bill referred to Second  
Reading for consideration  
this day.

Second reading, concurred in.

November 24, 1981

On motion rules suspended.  
Bill placed on Calendar for  
Third Reading this day.

Third reading, concurred in  
as amended. Ayes, 34; Noes, 16.

IN THE HOUSE

November 24, 1981

Returned from Senate with  
amendments. Concurred in as  
amended.

Second reading, amendments  
concurred in. Ayes, 85;  
Noes, 14.

On motion rules suspended and  
bill placed on third reading  
this day.

Third reading, amendments  
concurred in. Ayes, 80;  
Noes, 20. Sent to enrolling.

Reported correctly enrolled.

HOUSE BILL NO. 13 Special Session J

2 INTRODUCED BY McBride, Bertoline, Regan, Judy Jacobson  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT A  
5 COUNTY MAY LEVY NO MORE THAN 8 MILLS OF THE 13.5 MILL COUNTY  
6 POOR FUND FOR ASSISTANCE TO THE NEEDY; AMENDING SECTION  
7 53-2-321, MCA; PROVIDING AN EFFECTIVE DATE."

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

10                   Section 1. Section 53-2-321, MCA, is amended to read:  
11                   "53-2-321. County authorized to care for indigent and  
12                   levy taxes therefor. The board of county commissioners has  
13                   jurisdiction and power under such limitations and  
14                   restrictions as are prescribed by law to provide for the  
15                   care and maintenance of the indigent sick, except as  
16                   otherwise provided in other parts of this title, or the  
17                   otherwise dependent poor of the county; erect and maintain  
18                   hospitals therefor or otherwise provide for the same; and  
19                   for said purposes to levy and collect annually a tax on  
20                   property not exceeding 13 1/2 mills, which-levy of which not  
21                   more than 8 mills may be levied to provide assistance to the  
22                   needy under Title 53, chapter 3, shall be made at the time  
23                   other tax levies are made on property, as provided by law."

24 Section 2. Effective date. This act is effective July  
25 1, 1982.

STATE OF MONTANA

REQUEST NO. 4-SP-81

FISCAL NOTE

Form BD-15

In compliance with a written request received November 20, 19 81, there is hereby submitted a Fiscal Note for House Bill 13 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

To provide state grants-in-aid to those counties with a county work program and have reached a 6 mill poor fund levy for assistance to the needy.

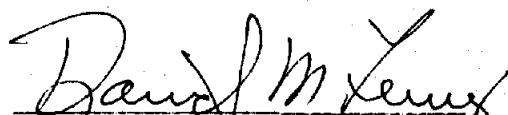
ASSUMPTIONS:

1. Costs of county operated medical facilities are not eligible for grants-in-aid.
2. 1,650 cases will lose AFDC/Medicaid eligibility due to federal or state action.
3. 240 cases will not be eligible for county GA/county medical because of excess income. Therefore 1,410 cases are potentially eligible for county benefits.
4. 50% of the 1,410 cases (705 cases) will actually receive county general assistance. 635 cases will be eligible for county medical assistance.
5. Operational costs of the county work projects are not reimbursable by grants-in-aid under this proposal.

FISCAL IMPACT:

FY 83

Expenditures under proposed law	\$5,100,000
Expenditures under current law	<u>2,200,000</u>
Increased expenditures under proposed law	<u>\$2,900,000</u>



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 11/21/81...

November 24, 1981

SENATE STANDING COMMITTEE REPORT  
(Finance & Claims)

That House Bill No. 13 be amended as follows:

1. Title, line 9.

Following "DATE"

Insert: "AND TERMINATION DATE"

2. Page 3.

Following: line 21

Insert: "Section 4. Termination date.

    This act shall terminate on June 30, 1983"

HOUSE BILL NO. 13 (1st SS)

INTRODUCED BY McBRIDE, BERTELSEN, REGAN, J. JACOBSEN

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT A  
5 COUNTY MAY--LEVY--NO--MORE--THAN--8 MILL RECEIVE A 50 PERCENT  
6 STATE MATCHING GRANT-IN-AID IF IT HAS A WORK PROGRAM AFTER  
7 EXPENDING 6 ~~10~~ 8 MILLS OF THE 13.5 MILL COUNTY POOR FUND FOR  
8 ASSISTANCE TO THE NEEDY; AMENDING SECTION 53-2-321, MCA;  
9 PROVIDING AN EFFECTIVE DATE."

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

12                   Section 1. Section 53-2-321, MCA, is amended to read:  
13                    53-2-321. County authorized to care for indigent and  
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18                    otherwise provided in other parts of this title, or the  
19                    otherwise dependent poor of the county; erect and maintain  
20                    hospitals therefor or otherwise provide for the same; and  
21                    for said purposes to levy and collect annually a tax on  
22                    property not exceeding 13 1/2 mills, ~~which-levy of-which-not~~  
23                    ~~more-than-8-mills-may-be-levied-to-provide-assistance-to-the~~  
24                    ~~needy-under-title-53--chapter--3x~~ EXCEPT AS PROVIDED IN  
25                    [SECTION 21, THAT shall be made at the time other tax levies

1 are made on property, as provided by law."

2            NEW SECTION. SECTION 2. MATCHING GRANTS FROM STATE  
3            FUNDS TO COUNTIES. (1) A COUNTY MAY APPLY TO THE DEPARTMENT  
4            FOR A MATCHING GRANT-IN-AID. THE MATCHING GRANT-IN-AID IS A  
5            STATE CONTRIBUTION OF 50% OF THE COUNTY COST OF PROVIDING  
6            ASSISTANCE TO THE NEEDY FOR ALL LAWFUL POOR FUND PURPOSES.  
7            EXCEPT SUBSIDY TO A MEDICAL FACILITY.

8                   (2) THE GRANT SHALL BE AWARDED IF THE BOARD OF COUNTY  
9                   COMMISSIONERS OR AN EXECUTIVE OFFICER OF A COUNTY MAKES  
10                  WRITTEN APPLICATION TO THE DEPARTMENT CERTIFYING:

11        (A) THAT THE COUNTY HAS BUDGETED FOR A MILL LEVY IN  
12 EXCESS OF 6  $\frac{1}{2}$  8 MILLS FOR THE COUNTY POOR FUND;  
13        (B) THAT THE COUNTY HAS, OR WITHIN A REASONABLE TIME  
14 WILL HAVE, EXPENDED FROM THE POOR FUND AN AMOUNT RAISED BY 6  
15  $\frac{1}{2}$  8 MILLS;

16           (C) THAT SUCH EXPENDITURES WERE REASONABLE AND  
17           NECESSARY, ACCORDING TO CRITERIA SET BY THE DEPARTMENT IN  
18           ITS RULES ADOPTED FOR SUCH PURPOSES, FOR THE COUNTY TO MEET  
19           ITS OBLIGATIONS UNDER LAW TO PROVIDE ASSISTANCE TO THE  
20           NEEDY; AND

1           10) THAT THE COUNTY PARTICIPATES IN OR OPERATES A WORK  
2           PROGRAM, AS AUTHORIZED BY 53-3-304, THAT HAS BEEN APPROVED  
3           BY THE DEPARTMENT.

131 UPON DETERMINATION THAT A COUNTY HAS MET THE  
CONDITIONS FOR A MATCHING GRANT-IN-AID, THE STATE SHALL

1 FINANCIALLY PARTICIPATE IN 50% OF ALL FURTHER LAWFUL POOR  
2 FUND EXPENDITURES, EXCEPT THOSE FOR A MEDICAL FACILITY  
3 SUBSIDY, UNTIL SUCH TIME THAT A COUNTY QUALIFIES FOR AN  
4 EMERGENCY GRANT-IN-AID. THE DEPARTMENT MAY AT ITS DISCRETION  
5 ADVANCE FUNDS TO A COUNTY FOR THE STATE'S MATCHING  
6 CONTRIBUTION FOR POOR FUND EXPENDITURES, OR IT MAY REIMBURSE  
7 A COUNTY FOR SUCH EXPENDITURES.

8 (4) (A) A COUNTY RECEIVING A MATCHING GRANT-IN-AID MAY  
9 NOT LEVY MORE THAN 1/2 MILL FOR EACH 1-MILL EXPENDITURE  
10 EQUIVALENT OVER 6 TO 8 MILLS FOR POOR FUND PURPOSES EXCEPT  
11 TO SUBSIDIZE A MEDICAL FACILITY.

12 (B) FOR THE PURPOSES OF 53-2-323, A COUNTY HAS  
13 EXHAUSTED ALL SOURCES OF REVENUE WHENEVER ITS LAWFUL POOR  
14 FUND EXPENDITURES (OTHER THAN A SUBSIDY FOR A MEDICAL  
15 FACILITY) PLUS THE STATE MATCHING CONTRIBUTION HAS REACHED  
16 AN AMOUNT EQUIVALENT TO THE REVENUES THAT COULD HAVE BEEN  
17 RAISED BY THE MAXIMUM MILL LEVY AUTHORIZED BY 53-2-321.

18 (5) THE DEPARTMENT MAY ADOPT RULES TO IMPLEMENT THIS  
19 SECTION.

20 Section 3. Effective date. This act is effective July  
21 1, 1982.

-End-

HOUSE BILL NO. 13 (1st SS)

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19 SECTION.

20 Section 3. Effective date. This act is effective July  
21 1, 1982.

22 SECTION 4. TERMINATION DATE. THIS ACT SHALL TERMINATE  
23 ON JUNE 30, 1983.

-End-