

HOUSE BILL NO. 374

Introduced: 01/19/83

Referred to Committee on Local Government: 01/19/83

Hearing: 2/17/83

Died in Committee

1 House BILL NO. 374
2 INTRODUCED BY McBride
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE COUNTY
5 POOR FUND MATCHING GRANT-IN-AID WORKFARE PROGRAM BY
6 PROVIDING THAT CERTAIN EXPENSES ARE REASONABLE AND NECESSARY
7 POOR FUND EXPENDITURES FOR PURPOSES OF THE MATCHING
8 GRANT-IN-AID PROGRAM AND MAKING THESE PROVISIONS RETROACTIVE
9 TO JULY 1, 1982; DECREASING THE TRIGGER POINT FOR STATE
10 MATCH FROM 8 MILLS TO 3 1/2 MILLS; MAKING THE COUNTY POOR
11 FUND MATCHING GRANT-IN-AID PROGRAM A PERMANENT PROGRAM;
12 APPROPRIATING MONEY FOR THE CURRENT FISCAL YEAR TO FUND
13 EXPENDITURES AUTHORIZED BY THIS ACT; AMENDING SECTION 2,
14 CHAPTER 11, SPECIAL LAWS OF 1981; REPEALING SECTION 4,
15 CHAPTER 11, SPECIAL LAWS OF 1981; AND PROVIDING EFFECTIVE
16 DATES AND AN APPLICABILITY DATE."

17
18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

19 Section 1. Section 2, Chapter 11, Special Laws of
20 1981, is amended to read:

21 "Section 2. Matching grants from state funds to
22 counties. (1) A county may apply to the department for a
23 matching grant-in-aid. The matching grant-in-aid is a state
24 contribution of 50% of the county cost of providing
25 assistance to the needy for all lawful poor fund purposes,

1 except subsidy to a medical facility.

2 (2) (a) The grant shall be awarded if the board of
3 county commissioners or an executive officer of a county
4 makes written application to the department certifying:

5 ~~(a)(i)~~ that the county has budgeted for a mill levy in
6 excess of 8 mills for the county poor fund;

7 ~~(b)(iii)~~ that the county has, or within a reasonable
8 time will have, expended from the poor fund an amount raised
9 by 3 mills;

10 ~~(c)(iii)~~ that such expenditures were reasonable and
11 necessary, according to criteria set by the department in
12 its rules adopted for such purposes, for the county to meet
13 its obligations under law to provide assistance to the
14 needy; and

15 ~~(d)(iv)~~ that the county participates in or operates a
16 work program, as authorized by 53-3-304, that has been
17 approved by the department.

18 ~~(b) For purposes of subsection (2)(a)(iii), reasonable~~
19 ~~and necessary expenditures include but are not limited to:~~

20 ~~(i) legal services relating to county welfare cases~~
21 ~~provided by the county attorney's office or by a contracted~~
22 ~~attorney authorized by the board of county commissioners;~~

23 ~~(ii) interest on registered poor fund warrants; and~~

24 ~~(iii) administrative and supervisory costs of operating~~
25 ~~the work program, including personnel salaries and wages and~~

1 cost of materials.

2 (3) Upon determination that a county has met the
3 conditions for a matching grant-in-aid, the state shall
4 financially participate in 50% of all further lawful poor
5 fund expenditures, except those for a medical facility
6 subsidy, until such time that a county qualifies for an
7 emergency grant-in-aid. The department may at its
8 discretion advance funds to a county for the state's
9 matching contribution for poor fund expenditures, or it may
10 reimburse a county for such expenditures.

11 (4) (a) A county receiving a matching grant-in-aid may
12 not levy more than 1/2 mill for each 1-mill expenditure
13 equivalent over 8 mills for poor fund purposes except to
14 subsidize a medical facility.

15 (b) For the purposes of 53-2-323, a county has
16 exhausted all sources of revenue whenever its lawful poor
17 fund expenditures (other than a subsidy for a medical
18 facility) plus the state matching contribution has reached
19 an amount equivalent to the revenues that could have been
20 raised by the maximum mill levy authorized by 53-2-321.

21 (5) The department may adopt rules to implement this
22 section."

23 Section 2. Section 2, Chapter 11, Special Laws of
24 1981, is amended to read:

25 "Section 2. Matching grants from state funds to

1 counties. (1) A county may apply to the department for a
2 matching grant-in-aid. The matching grant-in-aid is a state
3 contribution of 50% of the county cost of providing
4 assistance to the needy for all lawful poor fund purposes,
5 except subsidy to a medical facility.

6 (2) The grant shall be awarded if the board of county
7 commissioners or an executive officer of a county makes
8 written application to the department certifying:

9 (a) that the county has budgeted for a mill levy in
10 excess of 8 mills for the county poor fund;

11 (b) that the county has, or within a reasonable time
12 will have, expended from the poor fund an amount raised by 8
13 3 1/2 mills;

14 (c) that such expenditures were reasonable and
15 necessary, according to criteria set by the department in
16 its rules adopted for such purposes, for the county to meet
17 its obligations under law to provide assistance to the
18 needy; and

19 (d) that the county participates in or operates a work
20 program, as authorized by 53-3-304, that has been approved
21 by the department.

22 (3) Upon determination that a county has met the
23 conditions for a matching grant-in-aid, the state shall
24 financially participate in 50% of all further lawful poor
25 fund expenditures, except those for a medical facility

subsidy, until such time that a county qualifies for an emergency grant-in-aid. The department may at its discretion advance funds to a county for the state's matching contribution for poor fund expenditures, or it may reimburse a county for such expenditures.

(4) (a) A county receiving a matching grant-in-aid may not levy more than 1/2 mill for each 1-mill expenditure equivalent over 8 mills for poor fund purposes except to subsidize a medical facility.

(b) For the purposes of 53-2-323, a county has exhausted all sources of revenue whenever its lawful poor fund expenditures (other than a subsidy for a medical facility) plus the state matching contribution has reached an amount equivalent to the revenues that could have been raised by the maximum mill levy authorized by 53-2-321.

(5) The department may adopt rules to implement this section."

NEW SECTION. Section 3. Appropriation. There is appropriated from the general fund to the department of social and rehabilitation services \$_____ for the fiscal year ending June 30, 1983, to fund the additional authorized expenditures established by section 1 for the county poor fund matching grant-in-aid program established in Chapter 11, Special Laws of 1981, and for the county poor fund emergency grant-in-aid program established in 53-2-323. Any

unspent balance of this appropriation shall revert to the general fund.

NEW SECTION. Section 4. Repealer. Section 4, Chapter 11, Special Laws of 1981, is repealed.

NEW SECTION. Section 5. Effective date -- retroactive in part. (1) Section 1 is effective on passage and approval and applies retroactively, within the meaning of 1-2-109, to July 1, 1982.

(2) Section 2 is effective July 1, 1983.

(3) This act, except sections 1 and 2, is effective on passage and approval.

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