

HOUSE BILL NO. 469

Introduced 01/24/83

Referred to Committee on Local Government: 01/24/83

Hearing: 02/12/83

Report: 02/14/83, Do Not Pass

Bill Killed: 02/15/83

1 House BILL NO. 469  
 2 INTRODUCED BY Stacie Ryan Underdahl Smith  
 3 Hannah McCallister Smith  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING THE SALARY OR  
 5 WAGE OF AN EMPLOYEE OF A COUNTY DEPARTMENT OF PUBLIC WELFARE  
 6 TO THE SALARY PAID TO THE COUNTY CLERK AND RECORDER;  
 7 AMENDING SECTION 53-2-304, MCA; AND PROVIDING AN EFFECTIVE  
 8 DATE."  
 9

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

11 Section 1. Section 53-2-304, MCA, is amended to read:  
 12 "53-2-304. Staff personnel of county department. (1)  
 13 Each county board shall select and appoint from a list of  
 14 qualified persons furnished by the department of social and  
 15 rehabilitation services such staff personnel as are  
 16 necessary. The staff personnel in each county shall consist  
 17 of at least one qualified staff worker (or investigator) and  
 18 such clerks and stenographers as may be decided necessary.  
 19 If conditions warrant, the county board, with the approval  
 20 of the department of social and rehabilitation services, may  
 21 appoint some fully qualified person listed by the department  
 22 as supervisor of its staff personnel. The staff personnel of  
 23 each county department are directly responsible to the  
 24 county board, but the department of social and  
 25 rehabilitation services may supervise such county employees

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

8 (2) (a) Public assistance staff personnel attached to  
 9 the county board shall be paid from state public assistance  
 10 funds both their salaries and their travel expenses as  
 11 provided for in 2-18-501 through 2-18-503 when away from the  
 12 county seat in the performance of their duties, but the  
 13 county board of public welfare shall reimburse the  
 14 department of social and rehabilitation services from county  
 15 poor funds the full amount of the salaries and travel  
 16 expenses not reimbursed to the department by the federal  
 17 government and the full amount of the department's  
 18 administrative costs which are allocated by the department  
 19 to the county for the administration of county welfare  
 20 programs and not reimbursed to the department by the federal  
 21 government. Under circumstances prescribed by the department  
 22 of social and rehabilitation services, the reimbursement by  
 23 the county board of public welfare may be less than the  
 24 county share as prescribed above. All other administrative  
 25 costs of the county department shall also be paid from

1 county poor funds.

2 ~~(b) No person employed by a county department of~~  
3 ~~public welfare may be paid a salary or wage exceeding that~~  
4 ~~paid to the clerk and recorder of the county.~~

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

15 NEW SECTION. Section 2. Effective date. This act is  
16 effective July 1, 1983.

-End-

## STATE OF MONTANA

REQUEST NO. 237-83

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 25, 19 83, there is hereby submitted a Fiscal Note for House Bill 469 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. 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:

House Bill 469 is an act limiting the salaries of county department of public welfare employee's to no more than that paid to the county clerk and recorder.

ASSUMPTIONS:

- 1) Clerk and county recorder, and county department of public welfare employees' salaries will be increased at the same rate over the biennium.
- 2) State, federal, and county funding ratios will remain the same as during the current biennium.

FISCAL IMPACT:

<u>Personal Services:</u>	<u>FY 84</u>	<u>FY 85</u>
Under Current Law	\$ 12,903,000	\$ 13,483,000
Under Proposed Law	12,261,000	12,841,000
Decrease In Expenditures	\$ (642,000)	\$ (642,000)

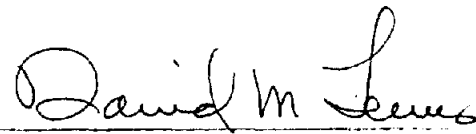
  

<u>Funding:</u>		
Federal Funds	\$ (413,448)	\$ (413,448)
County Funds	(228,552)	(228,552)
Total	\$ (642,000)	\$ (642,000)

TECHNICAL NOTES:

Section 53-2-203, MCA requires SRS to maintain a merit system for all public assistance personnel. The classification and compensation of Montana State Merit System employees are subject to laws, rules, and policies implemented by Title 2, Chapter 18, MCA, which includes a pay plan established by the legislature. These sections of the law conflict with House Bill 469.

FISCAL NOTE 9:J/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-31-83